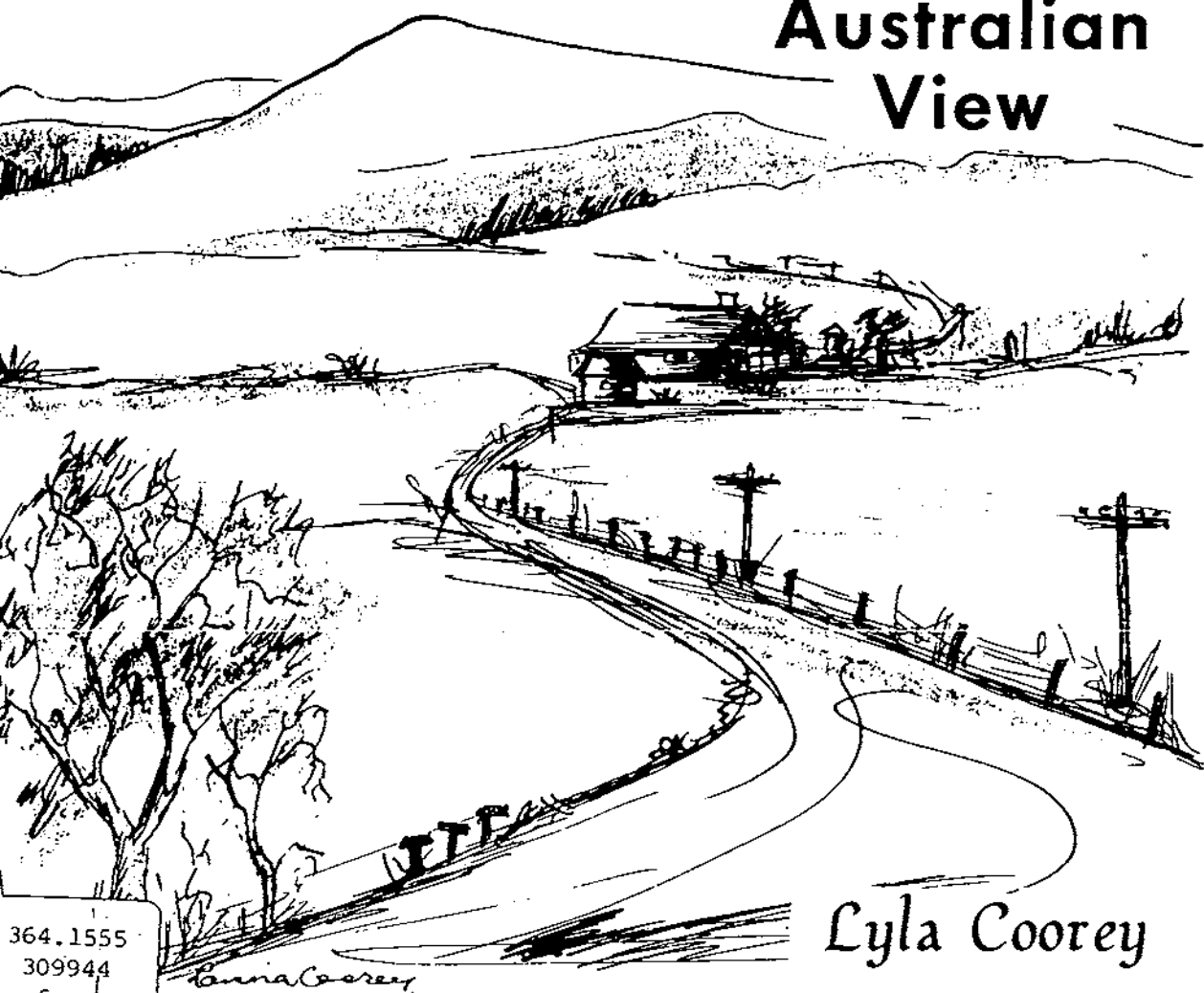


DOMESTIC VIOLENCE AND THE POLICE Who is Being Protected?

A Rural
Australian
View



Lyla Coorey

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DOMESTIC VIOLENCE AND THE POLICE
WHO IS BEING PROTECTED?

A Rural Australian View

LYLA COOREY

THESIS
IN
THE DEPARTMENT
OF
SOCIAL WORK AND SOCIAL POLICY

Presented for the degree of Master of Social Work at the
University of Sydney

November 1988

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A Rural Australian View

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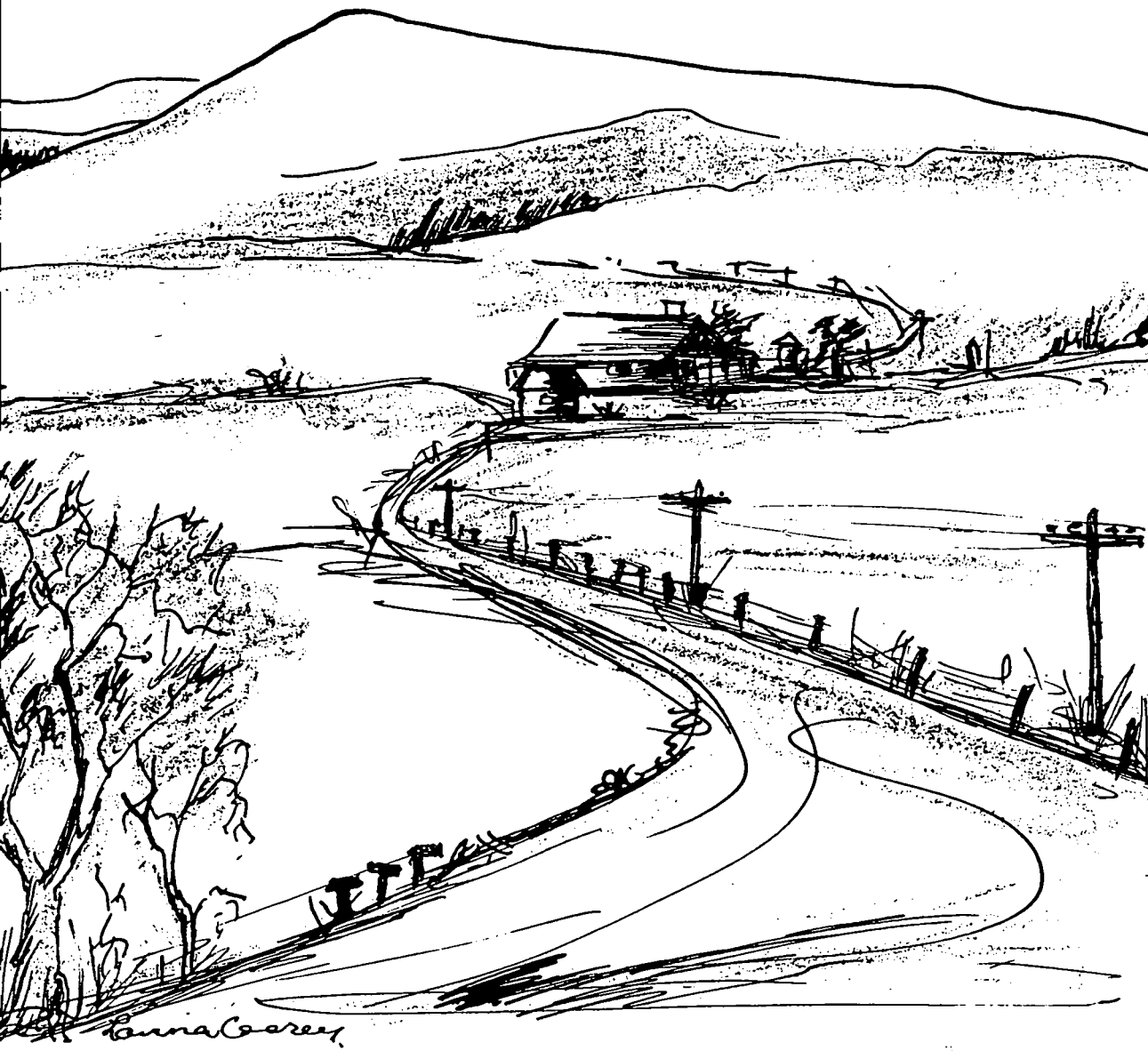
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BIOGRAPHICAL NOTE

Lyla Coorey is a social worker and researcher with a strong interest in rural health and welfare issues. Her main intention has been to address the difficulties faced by women and children living in country areas. Lyla's publications and papers cover topics such as rural women's access to services; rural poverty and its effects on women and children; domestic violence; and rural social work education and practice.

Her research on the police response to domestic violence in rural communities has been regarded as a significant and original contribution to our Australian knowledge about this subject. Her findings have strong implications for policy development. She was awarded a Master of Social Work Degree with Merit and the University Medal for this research.



Anna Carey

All over the countryside, away to the rolling hills around Aldershot, the little grey roofs of the farm-steadings peeped out from amid the light green of new foliage.

'Are they not fresh and beautiful?' I cried with all the enthusiasm of a man fresh from the fogs of Baker Street.

But Holmes shook his head gravely. 'You look at these scattered houses, and you are impressed by their beauty. I look at them, and the only thought which comes to me is a feeling of their isolation and of the impunity with which crime may be committed there.'

'Good heavens!' I cried. 'Who would associate crime with these dear old homesteads?'

'They always fill me with a certain horror. It is my belief, Watson, founded upon my experience, that the lowest and vilest alleys in London do not present a more dreadful record of sin than does the smiling and beautiful countryside.'

'You horrify me!'

'But the reason is very obvious. The pressure of public opinion can do in the town what the law cannot accomplish. There is no lane so vile that the scream of a tortured child, or the thud of a drunkard's blow, does not beget sympathy and indignation among the neighbours, and then the machinery of justice is ever so close that a word of complaint can set it going, and there is but a step between the crime and the dock. But look at these lonely houses, each in its own fields, filled for the most part with poor folk who know little of the law. Think of the deeds of hellish cruelty, the hidden wickedness which may go on, year in, year out, in such places and none the wiser. Had this lady who appeals to us for help gone to live in Winchester, I should never have had a fear for her. It's the five miles of country which makes the danger.'

The Adventure of the Copper Beeches
Adventures of Sherlock Holmes
Sir Arthur Conan Doyle
(Reprinted from Walker, Reaching Rural
Battered Women: Providing Advocacy to
Women and Children Not in Shelter 1987)

ABSTRACT

Although it has existed for centuries, domestic violence has only recently been perceived as a social problem which has its roots in unequal power relations between men and women in society.

This approach to domestic violence has, as C. Wright Mills described it, seen a transition in thinking from 'a personal trouble of milieu' to a 'public issue of social structure' (quoted in Pahl 1985b p.41). It is only since this transition has occurred that the broader complex socio-political and economic factors of domestic violence have been addressed.

As will be shown however, there is still a vast gap between current explanations and current practices. This would appear to indicate the need for urgent critical examination of agencies' and organisations' abilities to provide a meaningful and effective service. Dobash and Dobash see this exercise as a difficult one in the area of woman battering as it entails bringing about 'short and long-term social changes' in 'ever-widening circles encompassing more and more social economic and political issues relevant to its solution' (1981 p.443). In the meantime, as researchers have found, repeated batterings increase in frequency and intensity over time (Pagelow 1981 p.278; Dobash, Dobash and Cavanagh 1985 p.154; Thompson and Gilby 1980 p.303; Burris and Jaffe 1983 p.316).

In Australia domestic violence in country areas has received very little attention to date. Yet according to a recent report by Alison Wallace, The Social Reality of Homicide (1986), there is a disproportionate number of domestic homicides in rural areas indicating that violence here is more violent than in metropolitan areas. Recent studies of domestic violence in metropolitan Australia indicate that it is such factors as the oppression of women generally in society, and the lack of options available to them because of lack of employment, higher education and child care, that contribute to protracted stays in abusive relationships. 'Why do women stay?' is one of the least understood questions, yet the most commonly asked. These factors that are known to keep women trapped in this sort of situation are more intense in country regions and may shed some light on why violent relationships here are more likely to culminate in homicide.

This thesis has been an attempt to explore the nature of prolonged domestic violence in a country town of New South Wales, Australia. Its focus has been primarily on the police response but also addresses the particular difficulties confronting women living in rural areas, whether in town or on remote properties.

ACKNOWLEDGEMENTS

I would like to thank the three supervisors who have helped me prepare this thesis - the late Helen Marchant, Alan Davis and Deborah Brennan. Their comments have been inspiring and encouraging.

Equally inspiring was the cooperation and openness of the women who willingly shared some of their most private experiences with me. I hope this thesis brings constructive changes to the plight of these women and all victims of domestic violence. This work is dedicated to them.

I am also grateful to the many people who participated in this intense study. Their ideas, views and time have been given freely and patiently. Their hospitality and acceptance of me was appreciated and will not be forgotten. In particular, I thank the police for their honesty and willingness to partake in this very sensitive study.

Finally, I would like to express my thanks to my sister, Anycie Berkmann for her untiring help with compiling and typing the thesis and to my mother and father, Barbara and Ken Coorey who with my sister, were my first teachers of feminist thought.

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 enforced by police in country areas?
 How do police practices affect victims of domestic
 violence?
 What are the special problems facing police working
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 What are the particular problems facing rural women
 regarding domestic violence?
 What are the implications of the findings for police
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TABLE 3.1: Charges of Offenders

LIST OF ABBREVIATIONS

Australian Council of Social Services	ACOSS
Apprehended Domestic Violence Order	ADVO
Conflict Tactics Scale	CTS
Department of Health and Social Security	DHSS
Kellogg Rural Adjustment Unit	KRAU
New South Wales	NSW
Occasioning Actual Bodily Harm	OABH
Peace Officer Standards Training	POST
Social Welfare Research Centre	SWRC
Department of Technical and Further Education	TAFE

CHAPTER 1

EXPLANATIONS FOR DOMESTIC VIOLENCE

Historically, domestic violence has not been considered a serious social problem. As Pahl states '...wife abuse takes place in the majority of societies...[and] has been condoned throughout most of history.' She sadly acknowledges the fact that '... the tradition of accepting wife assault is longer than the tradition of deploring it' (1985 p.11). This acceptance derives from traditional views of the family that what occurs between husband and wife (particularly in the 'private' domain of the home) should not be open to public scrutiny or intervention and that it is the woman's responsibility to keep the home happy and harmonious. Men have been regarded as the head of the household and women must love, honour and obey them. From this ideology stems men's beliefs that they have a right to chastise women and that such behaviour should not be punished.

In Australia from 1880 onwards, according to Judith Allen (1986), there were three major trends in the way domestic violence was dealt with: initially, without criminal prosecution; later, an attitude of blame the victim; and more recently attempts have been made to perceive the problem theoretically in terms of gender inequality. In practice, little or no consideration had actually been given to the way male supremacy created conditions for violence.

Since it has come to public attention, two main models have been used to explain the phenomenon of domestic violence. These are the micro/psychological model and the macro/sociological (including

feminist) model. They are not necessarily exclusive. Some researchers combine both in order to present a comprehensive picture of domestic violence.¹

PSYCHOLOGICAL EXPLANATIONS

Early explanations of domestic violence tended to locate the problem within the individual victim or perpetrator (micro/psychological model) and were examples of non-feminist (not necessarily anti-feminist) approaches to understanding the problem.²

Studies by Snell, Rosenwald and Robey (1964), Gayford (1979), Gelles (1976; 1979) and Schultz (1960)³ focused on the negative personality characteristics of the female to speculate on the psychodynamics of marital violence (for example, her role in instigating the violence by provoking her partner).⁴ Interestingly, victims' personality features were never taken into account in explaining other criminal offences such as muggings or robberies.

This orientation clearly implied the woman was the deviant and not the batterer - a view upheld by some members of the police force, as shown later. It also suggested that she was to blame⁵ and may even have got pleasure from the beatings. Masochism was believed to be the main reason why women stayed in abusive relationships.⁶ This view of the female as the cause failed to acknowledge the complex interplay of economic, social and emotional factors that oppressed women, keeping them trapped in abusive situations.⁷ It also failed to acknowledge the power used by males to threaten to kill women should they leave.

Studies that focussed on the offender identified jealousy and excessive dependency as typical psychological traits (Gayford 1979 and Toch 1969); related alcohol with domestic violence (Gelles 1976);⁸ and early childhood experience of brutality and sexual abuse (MacDonald in Steinmetz 1977 p.105) and exposure to violence between parents (MacDonald 1977; Owens and Steinmetz 1977; Gayford 1979 and Steinmetz 1977).⁹

INTERVENTION BASED ON MICRO/PSYCHOLOGISTIC MODELS OF DOMESTIC VIOLENCE

Locating the cause of domestic violence in the personality of either victim or offender implied that the solution to the problem was in 'treatment' of the individual. Accordingly, strategies such as support, marital therapy, psychotherapy or alcohol counselling were used rather than dealing with it as the criminal problem that it was.¹⁰

Many helping professionals and police operated from a micro/psychological model in their understanding of domestic violence and would excuse men's behaviour after an individual assessment of their condition (for example, intoxication or under stress¹¹ and/or of circumstances at the time - arguments over custody of children, wife having extra-marital affairs etcetera) or look to the victim for the cause of his violent behaviour.¹² This 'treatment' of abuse was based on psychologistic interpretations and individualisation of the problem and ensured that it remained private.¹³ Non-legal responses in domestic violence cases permitted the exercise of patriarchal power without external constraints (Parker 1985 p.97).¹⁴

SOCIOLOGICAL EXPLANATIONS

Until the rise of feminism in the field of research, social scientists studying domestic violence tended to use traditional methodological approaches which they regarded as producing 'objective' research. These approaches left gaps in the understanding of domestic violence as a social problem. They failed to address the complexities of the problem, the contradictions within family relationships and their processes ignored the fact that domestic violence was a highly sensitive area that was difficult for victims to expose.¹⁵ Rather than being 'objective' (in the sense of value-free or unbiased) these traditional approaches were firmly based in conservative, patriarchal views of the family and society.

Sociological (macro) models were adopted by feminists and some non-feminists and focused on the broader social context in which domestic violence occurred (Steinmetz 1977; Goode 1971; Scutt 1979, 1983; O'Donnell and Saville 1979). However it was when the feminist social scientists broke away from traditional scientific method that the socio-political and economic conditions in which domestic violence occurred, became evident.¹⁶ This meant a greater understanding of the higher prevalence of female victims to male victims, the use of violence for the social control of women, the social acceptance of male violence and control, the nature of continuous domestic violence, why many women were not able to leave abusive situations and why 'helpers' including the judicial system, were not effectively dealing with the problem.

Although feminist analyses varied greatly, they had in common a concern with the liberation of women and their rights.¹⁷ One main aim of

feminist scholarship was to make women's subjective experiences more visible in society.¹⁸

Feminist paradigms of social science, took gender into account in the theoretical conception of the problem being investigated, in the methodology and in the practical administration of the research (Roberts 1981; Oakley 1981; Stanley and Wise 1983; Eichler 1980; Dobash and Dobash 1981).¹⁹ This was not an easily accepted process since not only was orthodox research methodology being challenged but also the inherent orthodox ideology of the family characteristic of early psychological studies on the family. With respect to feminist research on domestic violence, its credibility has been questioned by those who regard feminist commitment as incompatible with good academic work (Finch 1984 p.86) and who believe that the stability of the family as an institution of society should not be challenged.

Some sociological explanations of specific relevance to the current study are discussed below. They come under the headings: the nature of continued domestic violence; structural inequalities and limited options for women; and the social acceptance of male violence towards women - the legitimisation of the social control of women. The chapter then examines various forms of intervention that have taken place in NSW in particular, based on sociological (largely feminist) perspectives of domestic violence.

Nature of Continued Domestic Violence

An ongoing concern both for researchers and for police has been the question of why women remain in violent/abusive relationships. A number

of explanations have been offered. As mentioned above, early studies into domestic violence wrongly suggested that women masochistically get pleasure from being abused and that was why they stayed.

O'Donnell and Saville (1979) gave insight into the relevance of class and gender to women's reasons for staying in abusive situations.

Traditional studies into social class and domestic violence had focused on the status of the offender only, uncritically assigning both partners to the same class position (usually based on the male's occupation or income) and ignoring the difficult questions raised by considering women separately.²⁰

O'Donnell and Saville considered women's independent social status and found that women in the higher socio-economic levels (classified in terms of their occupational status on the Congalton Scale²¹ or earning potential should they be in employment) experienced less frequent attacks and remained in the relationship for a shorter period of time. The unskilled women were subjected to more severe and more frequent levels of violence and remained in the relationship for longer periods of time. These trends were exacerbated in the case of those women who had dependent children, who did not have access to child care or cheap housing and were therefore economically dependent on their partner.

Their most significant finding was that a woman's vulnerability as housewife and mother largely determined the likelihood of continued abuse.²² They stated that 'in this position any woman is to some extent, at risk' (1979 p.29).²³ This finding therefore not only raised the issue of social class but also of gender inequality. That is, that it was the female who was more likely to be a victim of domestic violence than the male and that she was more likely to be trapped in this situation

because of fewer options for financial independence compared with males in society.

Abused women came from a range of class, occupations and income levels, hence being in paid employment, high status positions and earning a high income were no guarantee of freedom from oppression and abuse.²⁴ These factors do however, provide women with the means to leave.

Pagelow (1981), Hanmer and Maynard (1987) and Scutt (1979) believed the problem lies more strongly in gender inequality than in class.²⁵ Scutt stated that even if class divisions were eliminated, women would still have to 'contend with their overriding classification as 'women'' (1979 p.43).

Structural Inequalities and Limited Options for Women

It was not until a number of feminists drew attention to the wider structural class and gender inequalities in society that there was a challenge to the traditional ideologies of family and motherhood evident in the early explanations of domestic violence and research despite social scientists' attempts to maintain a value-free and neutral sociology (Dobash and Dobash 1981 p.445).

Women were seen to be oppressed both within and outside the home. That is, male power reigned not only in heterosexual personal relationships but also as a structural dimension across all aspects of society.

Barrett (1980) stated that gender divisions of labour in the workplace reflected the prevailing organisation of the household and ideology of the family.²⁶ The household family system was the site of women's

oppression and the origin of gender socialisation that rendered women materially dependent on men.²⁷ This socialisation was carried into the wage labour market and class structure. Men were seen primarily as the bread-winner and therefore earned more money than women. This placed them in a higher socio-economic position to women.²⁸

O'Loughlin and Cass saw the situation for women in Australia as unlikely to change despite equal pay legislation in 1969 and 1972. This was because the labour market was still 'highly sex-segmented' and because women were still largely responsible for domestic chores and child care (1984 p.348-9).²⁹

Given that women were highly disadvantaged in the labour market (in terms of wages, job security, offers of employment etcetera) and constrained by their traditional role as care-givers in the home, it was easy to see why abused women were reluctant to leave an economically secure home. Unless they were able to find a well-paid job to afford housing and child care, survival would be difficult. Many women do leave and find themselves in a welfare cycle continuously battling to make ends meet. In addition, they suffer the stigma attached to wilfully challenging the ideology of the family by abandoning their expected family roles.³⁰

Women in country areas were even more disadvantaged especially Aborigines.³¹ In addition to high unemployment, the lack of higher education, public transport, child care facilities, crisis care, confidential hospital care, legal assistance, available rental housing and refuge accommodation, served to keep women trapped in abusive situations.

Although the power dominance of men over women pervading all aspects of society - home, employment, religion law, etcetera - has been challenged in recent years dating back to the 1960's, it still is widely upheld by the majority of people. These people include victims of violence and their families, the wider community, police and professionals working in the area of domestic violence. Its durability despite changes in society is worthy of a paper in itself. The end result is that women who are constantly abused have little control over their lives with limited alternatives but to endure the bashings.

Chapter five highlights the fact that the oppression created by social, economic and political structures is magnified in a small town.

The Social Acceptance of Male Violence Towards Women - The Legitimation of the Social Control of Women

Steinmetz stated that there was evidence to suggest that social conditions produced anti-social behaviour (1977 p.379). One of these conditions was the acceptance, even glorification, of violence. Such attitudes though, were held only by males and were even considered 'a manifestation of masculinity'; equivalent attitudes were considered 'abnormal' for females (Pagelow 1981 p.283).

Writings on masculinity drew a cultural connection between maleness and violence/aggression. For example, in his book Men and Sex, Zilbergeld stated, 'We are taught that only two types of physical contact are appropriate for males. One is aggressive...the other is sexual' (1979 p.52-53). Connell's work on gender and power revealed that men were the

overwhelming majority of offenders of interpersonal violence against women, homosexuals and other men; they held the majority of positions of institutionalised violence (police force, prison officers, military) and occupied most positions of power - government, universities, bureaucracies etcetera (1987 chp.1, p.107). He saw men's association with 'violence' as being connected with patriarchal ideology (male supremacy) - the dominant ideology in society.³²

One of the most important findings in Adler's study of power relations within marriage (1981) was that actual and threatened violence were expressions of power in those relationships found to be dominated by men.³³ The low correlation between power and violence for women was attributed to their inability to use much physical force compared with their spouses (notwithstanding the use of a weapon). It was also attributed to the husband's tendency not to regard the woman's violence and threats of it seriously.

Adler's findings were in keeping with radical feminists' analysis of men's assertion of power as a means of dominating women.³⁴ This analysis placed men unquestionably as the elite. They were seen to occupy all avenues of power within society (Millett 1972).³⁵

Long, one of the first Americans to establish a batterers' program, stated, 'Men abuse women because they can - they can physically, and they can get away with it' (1988). The fact that men have 'got away with it' indicates an implicit acceptance of their behaviour and of their right to chastise their partner.

The minimalisation of wife abuse and wife killings as criminal behaviour in Australia's legal history has been recorded by Judith Allen (1986).³⁶ Patriarchal ideology also prevailed in the legal system in NSW to

exclude married men from prosecution for rape of their wives until the NSW Crimes (Sexual Assault) Amendment Act came into force July 1981.

As mentioned earlier, there is a reluctance on the part of some police, magistrates, counsellors and others to get involved in domestic violence matters. Feminist researchers studying the services offered to victims have argued that medical, police and welfare agencies, including clergy, effectively operated as part of an extended patriarchy and this perpetuated the conditions in which violence and oppression of women occurred (Stark, Flitcraft and Frazier 1979; Stark and Flitcraft 1988a, 1988b; Truninger 1971; Dobash and Dobash 1979; Dobash, Dobash and Cavanagh 1985; Burris and Jaffe 1984; Kuhl 1983; Maynard 1985; Parker 1985; McLeod 1986; Hatty 1986; Hatty and Sutton 1986; Scutt 1983; Cannings 1984; Stanko 1985; Brown 1984; Pahl 1979, 1982; Johnson 1985; Farragher 1985; Bowker 1982).³⁷

Feminist studies on police intervention addressed police attitudes and underlying values which showed protection of the men at the expense of women and children's safety. Whilst it has been found that arrest reduces the number of repeated assaults on women (Sherman and Berk 1983), police rarely used this legal response. As Scutt stated, 'The police force is one of the most well-resourced strongholds of male dominance. It is the forefront of the enforcement of the patriarchal structure' (1983 p.240). These studies offered valuable contributions towards effective policing of criminal assault in the home, police training and a better understanding of why repeated batterings occur.

The reluctance of the state to intervene in family matters has been well documented (Land 1979; Burton 1985; Eisenstein 1984; Segal 1987; Mitchell 1971; Stanko 1985; Barrett 1980; Kiel 1987; Bennett 1983). In

a number of countries policies and programs for service delivery to victims of domestic violence were non-existent, inadequate or had insufficient funding due to a lack of commitment of the state to intervene in this problem. This unwillingness could stem from the fear that 'if the family ceases to be a private domain, it will cease to function as a haven offering its members warmth and intimacy in contrast to the cold, alienating and ruthless society outside' (Land 1979 p.141).

This notion of the family distorted the realities of many abused women and children's experience of violence within the privacy of their homes. It also failed to acknowledge that whilst the family remained a private domain, these male atrocities were allowed to continue, making the home for some, a totally unsafe life-threatening environment. Such atrocities, as mentioned earlier, increase in frequency and intensity over time.

INTERVENTION BASED ON MACRO/SOCIOLOGICAL MODELS OF DOMESTIC VIOLENCE

Feminist perspectives frequently went hand in hand with a desire to develop action research (Dobash and Dobash 1981; Stanley and Wise 1983; Roberts 1981). Although there was a lesser preoccupation with sociological orthodoxy, this did not represent a disinterest in 'academic' work but an intention to lead to action and amelioration of the problem, rather than the disinterested gathering of information.

The success of feminist studies can be gauged in terms of their ability to provide a broad understanding of the phenomenon of domestic violence; their social action impact; and their ability to influence the attitudes and responses of workers in the field. These goals are obviously those

of feminists and clash with those of policy makers, social scientists, members of the general public and workers who have vested interests in maintaining the status quo of a male-dominated family structure and the belief that the family is an institution of harmony, happiness and security, and the only situation in which children should be reared.

A number of ethnographic studies on domestic violence have been specifically undertaken to draw attention to it as a major social problem requiring special state policies, social reform (changes in community attitudes and practices which foster unequal relations between women and men) and changes in the delivery of services to women and children. In Australia, these included Gibbeson's study for the Royal Commission on Human Relations (1977); the Task Force Reports on Domestic Violence in NSW (1981), Western Australia (1986) Queensland (1988) and Victoria (1985); the Women's Information Switchboard in South Australia (1981); and the work of Scutt (1979, 1983), and Hatty and Knight (1985).³⁸

These studies used *unorthodox* methods of research which incorporated victim-initiated surveys through phone-ins³⁹ and newspaper questionnaires to elicit the experiences of women; to gauge the extent to which *domestic violence* was prevalent in the *community* generally and to evaluate from the victims' perspective and their own, the effectiveness of laws and services.

Following this research, there have been various kinds of remedies proposed in relation to domestic violence. Refuges, housing, health and welfare policies have been one approach. Reform of the law and police practices have been another. The current status of achievements in these areas in NSW are enlarged upon below. Australia has had great

difficulty in getting a commitment from the government and non-government agencies to address the problem in an adequate way. According to Martin (1988), this has also been the case in the United States. There have been practical difficulties in translating feminist insights into programs.⁴⁰

In Australia, progress can be seen in a number of areas: the setting up of the Royal Commission into Human Relations (1977); the establishment of Task Forces to investigate domestic violence in various States; the setting up of refuges and specialised services for women and children (in NSW these comprised health and legal resource centres including the Domestic Violence Advocacy Service established 1986); the encouragement of research; and changes to laws governing domestic violence and marital rape.

There were however, some inherent difficulties in these achievements.⁴¹ For example, one of the 186 recommendations made by the NSW Domestic Violence Task Force was to set up a similarly constituted committee to monitor government initiatives (1981 p.31). The Task Force Report had taken only three months to compile but through the bureaucratisation process, the establishment of the Committee took almost two years.⁴²

Refuges were the first attempt by the women's movement in Australia to construct domestic violence as a social problem. The first refuge appeared in Sydney in 1974 (Elsie), then in Melbourne and Perth in 1975. As Pahl (1985) quotes from Rubington and Weinberg (1977), it is not until a solution is created that the existence of a problem is recognised. Refuge workers coalesced other women's groups to agitate for government funding of more refuges and improved services. These services included government benefits and pensions for lone parents,

child-care facilities and housing (O'Donnell 1980 p.9). At the beginning of 1986, there were approximately 140 refuges throughout Australia (Western Australia Domestic Violence Task Force Report 1986). Refuges however exemplify the way domestic violence has been neatly co-opted by the State.

As in other countries, refuges have suffered occasional interference from governments (Dobash and Dobash 1981; Schechter 1982; Tierney 1982) who have attempted to control their management - financially and administratively (Flaskas and Hounslow 1980). Similarly, the Women's Legal Resource Centre and its Advocacy Service have had difficulties. Manning suggested that such ambivalence in social welfare policy can be attributed to the different and conflicting ways social problems are viewed ideologically by the State and Women's Movement (1985 chp 7).⁴³

With respect to the encouragement of research, whilst on one hand government grants are available to undertake research on domestic violence, it appears that men (and many women) are not ready to accept the findings of feminist researchers. This helps explain the failure of governments to use expert feminist researchers for further research into domestic violence (Samyia and Hatty 1987) and the lack of action in response to research on this subject. It also helps explain such comments as those in the media by Warrick Bracken of the Canberra Times referring to a survey by Hatty and Knight (1986) as 'The tendentious sexism of the feminist collective' (March 1986) despite the fact that their research was explicitly gender-neutral in that it was open to anyone who had experienced violence in the family. There had been only two male respondents compared with 118 females.

Pressure from the women's movement in the United States, England and Australia has resulted in more attention being directed to the criminal justice system and the potential of legislative reform to give greater protection to women and children from male violence. As Burton (1985, pxvi) pointed out, 'Legislative reform can serve as a vehicle for legitimising many feminist concerns which could not otherwise find institutionalised channels for expression.' However, if women are to benefit from such reform, those with the authority to put the legislation into effect (police, magistrates, solicitors) need to have challenged, the ideologies from which they base their interpretations of the legislation, decisions and actions when they go against the interest of women. It is this very authority which is given to people in these positions of power (predominantly men) to protect victims of crime, that is misused (sometimes blatantly) to the detriment and further victimisation of women.

One of the more disturbing factors is that this abuse of male power continues despite exposure of it by several eminent international and local feminist researchers and State Task Forces throughout Australia (Brownmiller 1975; Edwards 1987; Smart 1976; Hatty and Sutton 1986; Kiel 1987; Allen J. 1982; Stratmann 1982; Brown 1987; Lichterman 1984; Stanko 1985; McLeod 1986; Radford L. 1987; Farragher 1985; McCann 1985; Scutt 1979, 1983; Dobash and Dobash 1981, 1984; Parker 1985; Hatty 1986; Pahl 1982, 1985). The criminal justice system became in effect, another form of social control of women in addition to personal violence in their homes, and the structural inequalities and lack of adequate services that limited women's abilities to leave abusive situations (control at a social level).

Legislative reform in NSW, largely through the efforts of the Task Force on Domestic Violence, occurred in a number of ways that are elaborated upon in detail in chapter three.

Despite these legislative reforms, the discretionary powers of magistrates and police were often used to decriminalise spouse assault thereby trivialising or ignoring battered women's claims.⁴⁴ The NSW Domestic Violence Committee has been unable to bring about any significant changes in the often conservative and oppressive attitudes and practices of magistrates towards abused women and their children despite several attempts to educate them on the issues through consultations by the Committee (NSW Domestic Violence Committee Report April 1983 - June 1985 p.34-36). Under the patriarchal system we live in, the exercise of discretion by magistrates and police can never favour women against whom the system discriminates (Scutt 1983 p.258).⁴⁵

Because of the life-threatening nature of and potential criminal offence within domestic disputes, police intervention is crucial. Whilst the amendments to the Crimes Act (1983) gave police wider powers to deal with domestic violence more effectively, there is still a reluctance to use the legislation. The gap between legislation and police practices and women's experiences of police control over them are the main focii of this study.

CONCLUSION

In reviewing the research on domestic violence since the 1960's it was apparent that there was a great deal of variation in the theoretical perspectives and ideologies inherent in the definitions of the problem

and the methods selected for the studies. The purposes of the research varied. Earlier studies appeared largely as intellectual exercises which constructed domestic violence in such a way as to denigrate victims rather than be of benefit to them.

It has been the intention of the more recent feminist researchers to give a broader understanding of domestic violence within a social and historical context. In doing this they have attempted to dispel myths and challenge traditional patriarchal ideologies reflected in the attitudes and responses of professionals, policy makers and researchers who have worked against the welfare of victims.

This thesis explores a number of these aspects of domestic violence by means of an intensive study of all reported cases of domestic violence in a country town over a twelve month period. It focuses particularly on the police, their understanding of and response to domestic violence, their attitudes towards the victims and to this sort of work. It concentrates predominantly on the gap between legislation and police action, and identifies how their practices are in effect, another form of the social control of women in addition to that generated in the violence women experience from the men in their lives. The study also looks at the court hearings of those cases of domestic violence brought before it and the services available to women and children in the town. It examines the perceptions of the women victims, their experience of police behaviour, their reluctance to use the police and their difficulties in leaving their violent partners.

This study is unique in a number of ways. It is the first to investigate in depth, domestic violence in a rural area of Australia. Women who have experienced violence and had dealings with the police

have been interviewed whereas most police studies nationally and internationally, concentrated solely on the police. Another unique aspect of the thesis is its attention to the specific difficulties (short and long-term) facing country women in Australia, in leaving violent situations. Also, it is the first study to address the social, economic and political structural factors in a rural context that exist to limit women's choices.

FOOTNOTES

1. For example, the systems theory developed by Straus in 1973 incorporated the social, cultural, intrapsychic and interpersonal variables and included the influence of professional intervention.
2. This was exemplified in researchers' use of gender-neutral terminology such as spouse-abuse, marital violence or conjugal violence, rather than identifying that it was the woman or wife who was the victim in the vast majority of cases (97% according to Stubbs 1986b) and that the problem should therefore essentially be one of male/husband violence.
3. Gayford referred to the large number of his subjects who have needed to consult a psychiatrist and general practitioner for their symptoms of depression and suicidal feelings. He did not discuss whether such symptoms may have been a woman's best attempts to cope with a very difficult situation. Snell et al likewise ignored this point and used such descriptions of abused women as 'frigid', 'aggressive' and 'masculine' without explaining how they came to such inferences. Okun suggested that the passive, ineffectual behaviour of the alcoholic spouse may have necessitated the wife taking an active and somewhat aggressive 'masculine' role (1986 p22).

According to feminists, male researchers who studied abused women and in the process, denigrated them, were perpetuating the very (patriarchal) system that caused women's oppression and subsequent abuse. Keller suggested that contrary to popular belief amongst theorists, science was not neutral and should be examined for male bias in both theory and method (1982 p114).

4. A criticism of Gayford's work like the majority of those early studies on domestic violence, was that sampling included only one gender. He, for example, used his female subjects as informants on their husband's backgrounds with respect to jealousy, sadism and social class (1979 p.20, 22, 24). Snell et al (1964) had been requested to study 'wife-beaters' who had been charged with assault and battery and who were referred for psychiatric assessments. Finding that the wives were more willing to partake in their study, the focus was directed to the 'wife-beaters's wife'. As Okun stated, 'Batterers are notorious for their reluctance and unreliability as subjects' (1986 p.34)

As Goodnow commented, studies that related particular phenomena to one gender only (in Gayford and Snell et al's case - highly destructive descriptions of women), implied that the same phenomena was not found in both when this was not investigated (1985 p.17). She also expressed caution regarding the accuracy of research into wife-beating, incest and child abuse suggesting that attention be paid to 'who is doing the counting and the reporting, to the forms of report and to the way the event being counted is first defined' (1985 p.15).

5. The tendency to blame the victim reflected the ideology of victimisation that pervaded the analysis of a number of social problems, for example, poverty and unemployment. The victimisation ideology has been upheld by many, including professional people who have dealt with domestic violence. It should be noted that often this victimisation was not meant to be hostile nor was overtly apparent. For example, Scotland (1985) found that bystanders failed to intervene in violent quarrels between males and females on the assumption that the two knew each other.

Pagelow (1981) stated that 'within every group category or socio-economic class, women are assigned lower status relative to men' (1981 p.283). Hence it was likely to be the woman and not the batterer that would be stigmatised. Kiel (1986) referred to the issue of the

development of legal stereotypes for women batterers but noted that men did not become homogenised in the same way.

6. Gelles (1979), Truninger (in Otter 1986), Pagelow (1981), Crancher, Egger and Bacon (1981) and O'Donnell and Saville (1979) have identified several reasons why women do not leave. Pleasure from abuse was not one of them.

7. Locating the cause of domestic violence in the female reinforced the traditional ideologies of the family as an institution of love, gentleness and intimacy and of the woman's role in keeping it that way. Should a woman wish to seek help, she would be publicly announcing her 'failure' as a wife and challenging the myth of the happy non-violent family. This myth/ideology continues to be perpetuated by police and the legal profession, doctors and social workers whose values reflect the dominant ones in society which suggest women should put up with the violence. It is very strongly maintained in country towns as shown later in this study. These values isolate women within violent relationships even more (Homer, Leonard and Taylor 1985 p.101).

8. There was no doubt that alcohol plays a significant part in triggering violent behaviour (Gelles 1976; O'Donnell and Saville 1979; Hatty and Knight 1985a; Scutt 1983). Myrna Tonkinson in her discussion paper on domestic violence amongst Aborigines (Western Australian Task Force Report 1986 p.283-302) expressed grave concern for the safety of Aboriginal women when their partner was intoxicated. She quoted the findings of research into Aboriginal communities (Sackett 1987; Burbank 1980 and others) which found that violence almost always followed drinking and that when an inebriated husband was violent towards his wife, observers were reluctant to intervene (1986 p.293). Shotland (1985) addressed the reactions of white bystanders to male/female acts of violence and reported similar findings to Tonkinson's. He also discussed whether 'helping victims' should be legislated.

Whilst excessive consumption of alcohol may often have accompanied or preceded acts of domestic violence, this is not to say that it was the cause or explanation. In many cases, alcohol had not been consumed at all (O'Donnell and Saville 1982; Hatty and Knight 1985; Pahl 1985). In addition, as Venables (1987) has reported, batterers in an intoxicated state, were able to exercise restraint towards their partner in a public place in contrast to the uninhibited expression of violence in the privacy of their homes. Pahl regarded alcohol more as an excuse than as a cause (1985 p.40).

9. The theory related to exposure to violence between parents suggested that children of violent parents either became violent partners in their adulthood or gravitated towards violent men for partners (MacDonald 1977; Owens and Steimetz 1977, Gayford 1979 and Steimetz 1977). Whilst there was insufficient evidence to support this theory of the cycle of violence (limited sample; no indication of people similarly exposed who do not end up this way; and the need to examine the complex conditioning process that would have to occur in both instances), one major consideration overlooked in these studies was the impact of legal sanctioning on the discouragement of violent behaviour. It was quite possible that children exposed to their father's violent acts, used such behaviour in adulthood because they have learned that one can 'get away' with it. Police and other members of the criminal justice system often failed to take legal action against offenders when the violence occurred in the home.

Scutt (1983) and O'Donnell and Saville (1979) regarded this theory of the cycle of violence somewhat skeptically. Scutt found that victims and aggressors came from a variety of backgrounds - abusive and non-abusive (Scutt 1983 p.120). In over 90% of O'Donnell and Saville's cases of battered women studied, it was found that a predisposition to assault was unlikely to be related to the violence. Predisposition to violence was considered in terms of family history and experience of violence in any other adult relationship, in O'Donnell and Saville's study.

10. Given that the majority of users of health and welfare services are women, it was more likely that they would be the ones seeking help suggesting that they were the identified problem rather than the offending male. From the author's experience as a social worker in the health field, it was not uncommon for police and magistrates to refer battered women for help to cope with their violent partners or for marital counselling without employing any legal sanction against the offender's behaviour.

11. Again, from the author's experience in working with domestic violence cases, police and magistrates have excused men's violent behaviour with the assertion that they were under stress at the time. Stress was often present in cases of spouse abuse (final report of the Royal Commission on Human Relations 1977 and O'Donnell and Saville 1979).

However as a theory, in itself, stress does not explain abusive behaviour nor why it is the male rather than the stressed female who is most often the abuser and why their frustrations are not taken out on persons outside the family.

Freya Headlam (1985) in her article entitled 'Working Wives' referred to a recent study by Patricia Cowland which showed that women at home with young children were under a great deal of stress, spending 60-80 hours per week on domestic chores and child care. Although there have been some changes in attitudes of spouses towards sexual division of labour in the home, actual behaviour has hardly changed. Women still did the bulk of all these duties whether she works outside the home or not. Bryson (1985) supported these findings stating that 'even when women equally share the economic role, it is rare for their partners to share equally in domestic work' (1985 p.303). Hence, it appears that working women with children would be under more stress than their violent partner yet do not take their frustrations out on him.

We can see the physical abuse in the power relations between women and men often reflected in the power relationship between mothers and/or fathers and their children. Children are the most vulnerable and powerless group in society. The structural causes in the abuse of women may well be reflected in a similar abuse of children. See Stark and Flitcraft's article on 'Women- battering, Child Abuse and Social Hereditary - What is the Relationship?' (1985) for discussion on this incidence and nature of wife-battering in mothers who abused their children.

12. Maynard (1985) found from an examination of social workers' records, there was a tendency to regard any breakdown in the family as a consequence of the woman's inadequacies. It was her responsibility to rectify the situation. Social workers supported the traditional view of the structure of the family unit and the woman's subordinate position in it. They were reluctant to threaten its stability regardless of the best interests of the women and children. Maynard also felt that social workers silently supported male control. They encouraged women to consider the reasons for their husband's violence and to respond to them (1985 p.137).

Dobash, Dobash and Cavanagh (1985), like Kuhl (1983) found that social workers not only were reluctant to take an active role in assisting abused women, but their responses were largely victim-blaming and denied the significance of the problem for the victim (1985 p.160-163). Kuhl findings also applied to the clergy and other counsellors.

Similarly doctors, the most frequently chosen source of help by abused women (Pahl 1979; NSW Domestic Violence Task Force 1981; Victoria Women's Policy Coordination Unit 1985; Western Australia Domestic Violence Task Force on Domestic Violence 1986) have been found to be condemning and unhelpful in their dealings with abused women or have failed to identify that their injuries were indicators of abuse (Burris and Jaffe 1984; Stark, Flitcraft and Frazer 1979; Johnson 1985; Pahl 1979; Dobash, Dobash and Cavanagh 1985).

Stark et al regard doctors' 'treatment' of battered women as controlling in a similar way to which their husbands dominate them at home thereby recreating the private world of patriarchy (1979 p.461).

13. Patricia Morgan (1985) reviewed the process in the State's delivery of social welfare services (particularly to residents of refuges, psychiatric assistance, etcetera and criminal justice. She described the State's use of bureaucratisation, professionalisation and individualisation to de-politicise a social problem in order to maintain social control.

As Morgan stated, the provision of professionalised services not only provided 'an environment supportive of the individualisation of wife-battery but has essentially guaranteed that battery be subsumed under this rubric' (1985 p.73). Government responses have largely been based on findings from psychological-oriented studies. They have included counselling, housing and welfare policies that promoted the continuation of an individualistic approach to domestic violence which have minimal and band-aid effect on the problem. Offering social reform that promoted 'egalitarian relations between men and women' would have far greater impact (Dobash and Dobash 1981 p.458).

Formalised services can have an important ideological and educational role in highlighting the oppression of women. Kiel (and similarly Allen 1982) believed the criminal law arena does have the political potential to create new solidarities where women can be given equal status to men in a broader social context (1986 p.15).

14. Marchant (1986) and Beecher (1986) gave support to the view that social workers' fail to address gender issues of power within families through their use of systems theory - a popular approach favoured by the majority of social work clinicians. This approach accepted the differences between women and men in the family, workplace and wider social field as 'normal' and not as part of a process that needed to be examined and challenged. Beecher, in critiquing three types of systems theory - strategic, structural and systemic - stated that all offer a technical - empirical and objective - way of working with families that was presented as ideologically neutral. They did not take into consideration that the family's beliefs (and the therapist's) may be locked into the dominant patriarchal ideology which needed to be confronted in order to stop the oppression of women socially, sexually and economically.

In addition to systems theory, there were many other diverse schools of thought with similar limited perspectives. The growth of literature on 'feminist' social work theory and practice was a testimony to the need for social workers to become more radical in their understanding of, and work with families. The writings of Wilson (1980) and Statham (1978) were examples of such literature.

15. Dobash, Dobash and Cavanagh referred to the complex nature of women's private lives and not necessarily the severity of the violence which affected their decision to seek help (1985 p.151). Homer, Leonard and Taylor (1985) also supported this view. This suggests that it would be equally difficult for battered women to freely volunteer information to researchers.

16. The rise of the women's movement in Britain, the United States and Australia in the 1960's and 1970's lead to an upsurge of interest in research on domestic violence. According to Okun, there were only four psychological studies specifically on the subject prior to 1970, apart from the writings of Cobb in 1878 (1986 p.11).

17. Wearing (1986) described four types of feminism. Liberal feminism believed individual women can assert themselves in many different ways to increase their personal power - a view often held by many counsellors of abused women. Traditional Marxist

feminism which related the oppression of women to class divisions in society based on economic power. Radical feminism, less developed as a theory than Marxist feminism, perceived men's assertion of power as a means of dominating women. Men were unquestionably placed as the elite with women being inferior and powerless. Socialist feminism combined sexism (patriarchy) and capitalism to explain women's oppression in society.

18. Edwards, A. (1987) in tracing the history of feminist theories in male violence, identified an earlier trend of using classic feminist theories to explain oppression of women and a later trend of understanding the social control of women through the experience of women who were victims.

19. Orthodox research methodology stressed the need to validate findings through objective empirical measurement. This approach was considered 'hygienic' because it demanded objectivism through the separation of researcher from the researched. Inherent in this approach was an implicit distrust of the researched as a reliable source of data (Oakley 1981; Knight and Hatty 1987). For the feminist, the relationship was a crucial instrumental tool in the administration of the research, in eliciting social reality (Stanley and Wise 1983; Oakley 1981; Finch 1984 p.81; Dobash and Dobash 1981; Glennon 1983 p.269).

20. Traditional methods of researching class has been the use of surveys often conducted in refuges (Gayford 1979), prisons (Snell et al 1964), mental health clinics (Gelles 1972) or through the examination of records through welfare and legal sources sporting a bias towards lower class groups. It was these people who were more likely to come to the attention of helping agencies and police and who were more willing to report their experience (Okun 1985 p.48).

This sampling bias overlooked the positives in those women who were able to remove themselves from violent situations. It has unwittingly deprived abused women of the chance to improve their status and lessen the likelihood of further abuse.

21. The Congalton Scale covered the following categories: Professional and Managerial; Sales, Small Business; Clerical, Trades; Skilled; Unskilled.

22. Marxist feminists who associated class with domestic violence looked to patriarchal capitalism to explain the oppression of women and subsequent likelihood of abuse. The Marxist feminists related class division in society to the means of production. That is, it was one's economic position that determined class and the basis of power. Under capitalism and to its benefit (Molyneaux in Wearing 1986 p.41-42), women were largely restrained from the sphere of wage labour (unpaid home duties). In keeping with the low status of their unpaid work in the home, the majority of employed women were relegated to lowly paid, low status tedious jobs (Bryson 1985). Women were therefore seen to occupy a lower class status to men and were therefore likely to be the less dominant partner in a heterosexual relationship.

23. It is a commonly held belief that domestic violence occurred only in lower socio-economic classes. This is false. Statistics have distorted the real situation. For example, agency statistics were biased in that clients who used their services were mainly from working class backgrounds. Private medical practitioners (used by middle-class women) and casualty departments failed to record abuse as such (Stark, Flitcraft and Frazier 1979; Newberger and Bourne 1978; Dingwell, Eekelaar and Murray 1983). Newberger and Bourne (1978) found that in the case of child abuse amongst affluent families in the United States, local general practitioners were more likely to record their injuries as 'accidents'. Dingwell, Eekelaar and Murray in relation to child abuse, spoke of the complete discretion that the medical profession offered their patients ensuring a confidential service to the middle-class victim (1983 chp.5).

Middle-class women may refrain from making their plight public for fear of damage to their husband's career (Hatty and Knight 1985). This was also noted by the author in her experience in country towns in northern NSW where abusive husbands held prominent positions. Increasing media attention to domestic violence, instigated by the author and colleagues had resulted in a number of middle-class women informally and confidentially revealing the problem for them.

Phone-ins despite their limitations, revealed that domestic violence was not confined to working class people and was distributed across a broad spectrum of occupations (Royal Commission on Human Relations 1977 Vol. 4 p.134; Hatty and Knight 1985; Scutt 1979).

24. Class as an explanation of domestic violence did not explain the prevalence of female victims over males across all levels of society. Some radical feminists such as Kate Millett (1971) believed that class distinctions only existed between males and not between women and that male dominance over women was independent of class division.

25. Harner and Maynard highlighted the difficulties in trying to combine both concepts of class and gender to understand inequality, power and oppression. There were several social processes with gender inequalities underlying them affecting women of all social groupings and hence which were central to all women. They suggested the focus of studies of violence against women should be on 'gender stratification' (1987 p.10-12).

26. Barrett offered a socialist feminist perspective that combined patriarchy and capitalism to explain the oppression of women in society. Her analysis was quite thorough. It took the form of looking at the characteristics of female participation in the workplace in capitalist society; explanations for these characteristics; the role of gender ideology in the division of labour; and the extent to which such divisions (including those in the home) served the needs of capitalism (1980 chps. 5 and 6).

27. The traditional male-headed structure of the family household was oppressive to women. Barrett stated categorically that the liberation of women lies essentially in the 're-allocation of childcare' (Barrett 1980 p.226). She did not see this as a possibility in capitalist societies because of the entrenched sexual division of labour with women confined to home duties or being poorly paid if in the paid workforce, and not in a position to afford child care.

Women have been traditionally cast in the payless role of carer of the aged and disabled as well as children. For country women, this role is more strongly maintained by the absence of adequately developed services for the aged and disabled (Samyia 1987 p.4; Wetzel 1987 p.52).

28. Barrett's arguments were supported by the findings of the Women's Bureau, Department of Employment and Industrial Relations, Canberra Australia (1986). Women were concentrated in a narrower range of occupations than men. Their work was often part-time or casual. Wage rates were lower than that paid to men for comparable work. Unemployment rates were high. Women's access to training programs was limited, particularly in country areas.

From Encel et al's assessment of women's subordinate position in the labour market in 1974, it appears that Australia has not advanced in women's interests since then (1974 p41). A study by the Australian Bureau of Statistics revealed a similarly negative picture - '...men continue to be paid far more than women all their working lives' (Sydney Morning Herald January 16, 1988 p5).

29. Lois Bryson (1985) believed women will not be able to compete with men equally in the workforce whilst they continue to carry the traditional roles of carers. With more adequate support services (State intervention) and a greater participation and

responsibility carried by men, women would have a better chance of overcoming some of the internal barriers to achieving gender equality in the labour market.

It is not just these facts per se but the underlying attitudes and prevailing ideologies that go with them. Encel et al discussing the issue of equal pay quote a Mr. Anthony Quinn, a rural politician who stated, 'if this happened women could earn more than men and this would adversely affect the dignity of the male' (1974 p49). Even in the 80's women are battling to get support from unions who demonstrate far greater concerns for their male members (Greer 1988).

30. When one examines Australia's figures on poverty, it becomes apparent that poverty as in other western countries, is now largely a female issue (Edwards, M. 1982; O'Loughlin and Cass 1984; Bryson 1985; O'Donnell 1983; Montague and Stephens 1985). As Anne Summers (1985 p.117, cited in Montague and Stephens 1985 p.19) commented 'the vast majority of the poor are women' and that 'virtually the entire social security system in Australia exists as a monumental testament to our systematic refusal to grant women independence'. Women comprised nearly two-thirds of Australia's social security pension and benefit recipients in the 80's (Montague and Stephens 1985 p.v). Social Security beneficiaries received a weekly average of \$65 whilst the average wage earner received \$305 (Henderson 1985 p.6).

31. Features of the rural labour market served to make it difficult for women to get suitable, stable, high-paid work (Powell 1985). With respect to Aborigines, Jenni Neary (1984) found that there was an extremely high rate of unemployment amongst Aboriginal women of all ages suggesting that many do not enter the labour market at all.

Employment opportunities for Aborigines are heavily influenced by ownership of capital (Commonwealth Government Review of Aboriginal Employment and Training Programs, cited in Waterford, 1985/6 p13). This Review recommended that if the situation for Aborigines is going to change, then they need to be given opportunities for owning their own businesses and employing their own workers. One of the primary de-powering factors in Aboriginal communities compared with white communities (for example, Moree, NSW) is the total lack of capital controlled by Aborigines in a community that works solely on a capital-ownership system. Therefore, no matter what opportunity programs for female employment are introduced into the community the basic power relations between whites and Aborigines is not changed (McKenzie 1987).

As a recent survey by Ross on Aborigines and unemployment predicts, unless radical measures are undertaken to change the situation, Aborigines are 'virtually guaranteed a life-time of poverty because of lack of skills, because they reside predominantly in rural areas which are in economic decline, because they are unable to gain a living from traditional sources and because they are dependent on others for paid employment' (Sydney Morning Herald October 14, 1987). The study presented a very grim future for Aborigines.

32. Browmiller speaking on rape, had a similar view to Cornell. She stated that the reason this sort of behaviour was not sanctioned by society and the criminal justice system in particular, was because aggressive male assertion over women was culturally accepted and because men held the positions of power in the justice system like in all other 'institutions, settings and authority structures which license such conduct' (in Edwards, A. 1987 p.19).

33. Adler related dominance to physiological differences, decision-making responsibilities in the relationship and how each partner perceived the dominance in the other.

34. Radical feminism is a relatively new perspective. As Wearing stated, there were different ideas as to the 'exact source and origin of male power' (1986 p.43).

35. Radical feminism however, generally failed to acknowledge the different ways male dominance existed across different classes in capitalist societies. It was only partially able to explain why working class women were less likely than skilled middle-class women to leave oppressive abusive relationships, that is, in terms of economic necessity.

36. Although domestic violence was regarded as criminal behaviour, legal practices operated to suppress it as such.

Allen (1986) mentioned the practice of public shootings of wives as being an acknowledgement of 'a wife's unpardonable provocation to the poor defendant'. Provocation here referred to such things as infidelity, ingratitude and desertion by the battered wife. The outcome of court was often mitigation and mercy or conviction of a lesser offence than murder. Although the death penalty prevailed until 1955, it was only enforced in cases where men murdered other men or strangers. The significance of wife-killings was thereby discounted.

37. Stark et al, for example, claimed that medical staff by their treatment practices recreated the private world of patriarchy and maintained control over abused women. Through labelling, prescribing tranquilisers and not making appropriate referrals, abused women were made totally dependent and not given the opportunity and freedom to make decisions that would help them take control over their lives. They stated, '...what indecision encourages is not violence as such, but obedience to hierarchical relations' (1979 p.481).

38. Spector and Kitsuse (1977) were critical of such governmental responses to grievances of the women's movement believing them to be routine and ineffectual in many cases, and often conducted by a 'political-intellectual minority' (cited in Manning 1985 p.10). Despite these general criticisms, the value of these reports in enlightening the public and the government on the extent and nature of the problem, cannot be underestimated.

39. This method had some disadvantages - self-selection of the respondents; the need to have possession or access to a telephone, limiting the sample; difficulty in verifying information offered by the respondents; and the attraction of more articulate women to respond. However, because of its anonymity, it was one method that was likely to encourage middle-class women to speak out on domestic violence and was an indication of the need for further research into domestic violence amongst middle-class couples.

40. Reports from the United States (Tierney 1982; Brienes and Gordon 1983; Pagelow 1981; Martin 1988; O'Shea 1988), the United Kingdom (Dobash and Dobash 1981; Morgan 1985; Pahl 1985a, 1985b) and Australia (Knight and Hatty 1987; Allen 1986; Flaskas and Hounslow 1980; New South Wales Domestic Violence Committee Report 1983-1985) indicated the women's movement has had limited success and still has a long way to go in order to achieve its goals.

41. Harmer and Leonard (1984) offered an interesting account of how the DHSS government organisation, London expressed its ambivalence towards the Parliamentary Select Committee's attempts to confront the problem of marital violence. They observed the activities of the DHSS which favoured the direction of funding for research away from the women's movement and which attempted to offer its own research questions based on a traditional ideology of the family.

42. This suggested that governments tend to take on problems that are manageable and which serve their political interests (vote-catching strategy). The success of feminists'

construction of domestic violence as a social problem requiring social action, rests with the State.

43. There are several reasons why State policies failed to get implemented in practice (Howe 1983 - although her reasons applied to policies for the aged, they can be extrapolated to policies in other areas). In the area of domestic violence one reason may be that the ideas and recommendations put forward by feminist authors were in advance of and in direct conflict with, men's consciousness. Traditional welfare ideology of the State located social problems within the individual - that is, a victim-blaming approach. The women's movement in contrast looked to the broader gender and class inequalities to explain social problems.

44. Parker (1985) discussed the vast gap between 'law in the books and the law in action', with respect to women and the law in England. He stated that despite progressive legal changes since the 1970's, the judiciary has voluntarily chosen to cut down its own powers to use the law.

45. Women have been overtly discouraged from using the legal system (Scutt 1983; NSW Domestic Violence Committee 1985; Stratmann 1982; Hatty and Sutton 1986). In McLeod's terms, legal social policies are a 'modern manifestation' of chivalry designed to rescue and protect women (1986 p.2,19). Scrutiny of what happens in Australia in practice, indicates that there is no protection for abused women and children unless criminal law acts as a deterrent (Stratmann 1982 p.57).

Stratmann further elaborated that under the Criminal Injuries Compensation Legislation, many victims of domestic violence were not eligible. In Victoria they were completely excluded (1982 p.57). The philosophy behind this was to ensure that an offender's spouse would not benefit financially from the assault.

CHAPTER TWOMETHODOLOGY

This chapter firstly provides a rationale for this study. It then describes the research methodology used and introduces the reader to the scene of the study which is called 'Barken' to maintain confidentiality.

JUSTIFICATION FOR CURRENT STUDY

Whilst there is a growing amount of information on domestic violence, there has been no research in Australia on the police response to the problem in country areas apart from a study by Mason (1980).¹ In addition, little attention has been paid to the specific problems faced by country women living in abusive situations. A number of surveys such as those conducted by the State Task Forces in New South Wales, Victoria, South Australia and Western Australia have included respondents from non-metropolitan areas. Apart from the Western Australian Report (1986) and the Queensland Report (1988) however, the specific difficulties and needs of country women and children, have not been addressed. Findings from the Western Australian Report indicated for example, that Aborigines (for cultural and social reasons primarily) and white rural women, were isolated without access to services. These findings coupled with those of Alison Wallace (1986) which showed a disproportionately higher incidence of domestic homicides in rural NSW, warrant a caution against generalisations being made from metropolitan - based research.

In reviewing numerous overseas studies, it became apparent that very few addressed domestic violence in small communities and even less focused specifically on the police response.

There were several studies (referred to in chapter one) that were attempts to explain the phenomenon of domestic violence. These focused on the pathology of the victim, offender or both. The rise of the women's movement saw an expanded view of the problem and an attempt to locate it in the realms of gender inequality, oppression and power. Feminist studies gave some understanding of how police practices and other structural factors kept women trapped in violent situations and provided valuable guidelines to understanding the Barken police activities and the effects of structural constraints on rural women generally. However, these studies were not conducted in rural settings. A clear need existed for additional research on family violence in country areas to further clarify the differences and give support to the limited current findings of the Barken study.

Of numerous studies (international and Australian) that addressed services,² only Taylor (1987), Lacy (1979a, 1979b), Muir (1985), and Daigle, Dupuis, Lurette and Nelson (1983) specifically addressed services in country localities - the former two with respect to services for women and children and the latter two with respect to combined police and crisis teams.

The criminal justice system received much attention primarily with the view to reform (Seddon 1985, 1986; Moore 1986; Christie 1986; Scott 1983, 1979b; Stanko 1985; Waters 1986; Franks 1986; Long 1985; Rooney 1983; Alexander 1985; Chappell, McGrath and Moore 1985; Kiel 1986; Carter, Couchman and Windsor 1986; Lansdowne 1983, 1985; Ursel and

Hatty and Knight 1985; Brown 1987; MacLeod 1986; McKinnon 1982; McCann 1985; Parker 1985; Stratmann 1982). Whilst the legislation must equally apply to country and metropolitan offenders, one can hypothesise that such factors as infrequent court hearings, threats to close down court houses in some country locations, lack of anonymity, media reporting of court cases, and familiarity with court personnel and police would affect country women's willingness to take legal action. If this is the case, these factors would interfere with the effective enforcement of the law and as such should be explicitly acknowledged and given special consideration by those working in country areas.

Several papers on the police response delineated strategies for intervention. One noted omission from many of these was attention to the attitude and prejudice of police towards victims, offenders and 'family breakdown' which strongly influences their exercise of discretion and which makes their reliability as informants on the nature of domestic violence, suspect. This was particularly evident with a number of studies (Borris and Jaffe 1983; Jaffe, Wolfe, Telford and Austin 1986; Van Blaricom 1985; Thompson and Gilby 1980; Banks 1984; Bell 1985; and Sherman and Berk 1984).³

Where attitudes and underlying values of police were investigated (Bowker 1982; Scutt 1979, 1982, 1983, 1985; Stanko 1985; Brown 1984; Pahl 1982; Cannings 1984; Farragher 1985; Hatty and Sutton 1985), it was possible to see that men were being protected by police at the expense of women and children's safety. However, the impact of this in a small community had not been assessed. The Barken study threw some light on this matter when women expressed their views on how the police dealt with the problem and why they were reluctant to call on their support.

Although there is a dearth of literature on rural policing in Australia,⁴ and overseas (Decker 1979 p.97), some country-based police believed that their job was different to that of city police (O'Connor 1986). Having a 'very intimate knowledge of the community' (O'Connor 1986 p.158) and placing a great deal of emphasis on community relations (evident from country newspapers such as the Daily Liberal, Southern Weekly Magazine, Barken Times and an article in the Sydney Morning Herald, January 11, 1988 p.12⁵) ensured that the police played a very prominent and important part in maintaining some form of social control in small towns. The question of course, is who is being socially controlled in these towns, in situations of domestic violence?

Scott Decker examined the way country police actions conformed to the standards of the community and how the latter defined what was police work and what was not. He noted that the community informally pressured police into doing more 'peace' than 'law' work particularly when the community was small in size, stable and homogenous. Decker's work indicated that country policing was significantly different to that in metropolitan areas with respect to handling a variety of incidents, including domestic matters.

Because of the life-threatening and criminal nature of woman-battering, police intervention is of the utmost crucial importance and has therefore been chosen as the focus of this research. Figures from the NSW Bureau of Crime Statistics and Research indicated that the laws relating to domestic violence were rarely enforced in country towns. This has also been found to be the case in metropolitan centres worldwide (Hatty and Sutton 1985; Allen 1982; Scutt 1983; Pahl 1982; Farragher 1985; Bowker 1982; Hunt, McCadden and Mordaunt 1983; Thompson and Gilby 1980; Burris and Jaffe 1983; Bell 1984a, 1984b, 1985; Homant

1985). Given the special context in which domestic violence occurs in rural settings and in which it is policed, this study provides some unique insights into both aspects of the problem.

The aim of this research was to systematically investigate how police handled domestic violence in a country town, and why the law pertaining to it, was rarely enforced by them.

RESEARCH METHODOLOGY

The study of Barken is a sociological study which explores several facets of domestic violence in the context of rural life. These include the police response, women who were abused, the role of health and welfare service providers and the part played by the criminal justice system. To a lesser extent, the social, economic and political factors that make leaving violent situations difficult for Barken women are also explored. Whereas other studies focused on the courts, police, medical and/or other services, refuges or the women, this research views the problem from a number of perspectives in a substantive way in a small community.

The methodology used in this study was very much influenced by Dobash and Dobash's prescription for action research which would help overcome resistance likely to be encountered. They recommended that a researcher's message be presented in the form of an alternative that 'contradicts the premises of the old system (existing explanations and institutional responses to domestic violence) and competes for consideration'. This alternative must 'operate on at least three inter-related levels including individual, ideological and institutional

methods, explanations and solutions' (1981 p.458). They elaborate that the method should be

'concrete and include historical and contemporary contexts. The explanation must consider why woman battering has occurred and continues as a recurrent pattern within the traditional fabric of society, how it operates and is supported by institutional ideologies and responses. The proposed solutions must include short and long term alternatives that challenge existing ideologies and institutional responses to the problem' (1981 pp.457-458).

Sources of data - records

Using 1985 police and court records and statistics and details from the NSW Bureau of Crime, Statistics and Research, a number of cases of domestic violence that had come to the attention of police in that year, was identified. Police records consisted of telephone message pads (where all telephone calls to the station are recorded), occurrence books (where all action taken by police is recorded) and the charge books. Cases were classified by the researcher as domestic disputes (28), domestic violence (13), and threat/fear of violence (5), totalling 46 incidents. There were another two cases of failure to comply with bail conditions related to two of the thirteen domestic violence incidents. It is very likely that there were more incidents that came to the attention of police in that year that were not documented⁶ and certainly more that did not come to the attention of police at all.

These forty-six cases were then checked for hospital outpatient and in-patient attendances related to injuries not just for the year 1985, but also before and after that year. Community Health Centre, refuge and the Department of Youth and Community Services' records were also examined. These various records provided concrete evidence of the way helpers (and police) define the problem, document it, and subsequently deal with it. With a number of incidents of violence, it was possible to trace the series of institutional responses by the medical, welfare

to trace the series of institutional responses by the medical, welfare and criminal justice systems which provided valuable information on the overall coordination of their services.

The 1985 records were chosen so that there would be no interference with current case intervention processes - legally, medically or otherwise. The fieldwork was conducted in 1987. Where any of the 1985 sample were currently experiencing violence, this was documented but no social work intervention was offered by the researcher. This was not considered an appropriate role.

Sources of data - semi-structured interviews

Police

Thirteen police (including one policewoman), the main subjects of the study, were interviewed. However not all of these had been working in Barken in 1985. This was not considered crucial to the findings as police response in general was the focus and not necessarily the responses of any individual officers. Questions were designed to elicit police experiences with domestic violence work both in metropolitan and country areas whilst on and off duty. The latter was inquired about as in country towns, people are likely to approach police (and helpers) whom they know on an informal basis. They were also asked how they intervene. This included their use, and knowledge of other services, what training they received officially and unofficially (from other police, usually senior to them) for this sort of work, and their opinions on its adequacy.

Their understanding of the problem, their attitudes towards working in this field and in the town of Barken were also sought. Their attitudes towards family breakdown were assessed in the question relating to the significance for them in keeping the family together when intervening in domestic violence. Police were asked to comment on their perception of the community's attitude towards domestic violence and towards enforcing the law on it. Personal data was collected to examine variables such as number of years spent living and working in country areas, length of service and rank, marital status, involvement in community activities, and whether they socialised with people other than the police. Their description and opinion of the town were also sought.

One of the most valuable opportunities to gain information on the police was through 'unofficial' participant observation. The author spent a great deal of time working from the police station, often til it closed at midnight. On numerous occasions, she observed women presenting for assistance. The way police handled these matters was noted though no attempt was made to get involved with any current cases. Informal discussions with police took place several times whilst at the station and on these occasions, police volunteered their views on domestic violence, particular cases (including the parties involved) and their willingness (or lack thereof) to get involved in this sort of work as well as making comments on the research process.

Helpers

Interviews were conducted with various helpers to provide further data on their involvement in domestic violence, and on the police.

Information came from the local Community Health Centre (five staff), Department of Youth and Community Services (two staff, based in a

neighbouring town), the local refuge (four staff), and the Probation and Parole Department (one officer). Eight hospital nurses were interviewed. These nurses were more likely than other staff to come in contact with victims of domestic violence because of their evening and weekend shifts and/or location, for example casualty and female medical and surgical wards.

In addition, a number of other people in the town were interviewed. Three of the seven doctors willingly participated along with all eight members of the clergy, four solicitors, the chamber magistrate, and the visiting police prosecutor. The visiting magistrate refused to be interviewed stating that his attitudes towards domestic violence could be assessed from his court judgements.

This group was asked about their experience with crisis and long term domestic violence work both in city and country areas, whilst on and off duty. They were asked who women first turned to for help, where their referrals came from, and how they handled crisis and long-term cases. Their understanding of the nature of the problem was also assessed as well as their attitude to working in this field. In addition to being asked what services were available for victims and offenders, helpers were asked how often they used them and to comment on the effectiveness of each to meet the needs of the clients and offer suggestions for improvement. Information about and evaluations of, programs and services provided additional qualitative data on domestic violence (for example, how helpers and clients perceived the problem).

Helpers were asked about the purpose for involving police in domestic violence matters and vice versa. They were asked to comment on the helpfulness and effectiveness of police, and how abused women reacted to

their involvement and to going to court. Suggestions for improving police intervention and training were requested.

This group was asked to comment on the community's attitude towards the police in the town and whether acceptance into the community was necessarily good or bad for policing generally and in particular, with respect to domestic violence. They were also asked to comment on the community's attitude towards domestic violence and towards enforcing relevant law.

Finally, they were asked to give a description of the town.

Personal data was limited to occupation, qualifications, length of time in job and residency in the town.

Victims

The most valuable participants in this study were the fifteen women who were victims of domestic violence. Comments by the women about police practices provided a balance between what the police said and what they did. The women's experiences with the police highlighted the significance of police attitudes and practices in the continuation of domestic violence. One of the main features of the analysis of the interaction between police and victims was the inclusion of gender in the context of power.⁷ The author followed the practice of Dobash and Dobash (1979; 1981) and focused on the means whereby individual police maintained power and privilege over abused women - a psychological dimension - but viewed these practices in the wider social, historical and cultural context in which patterns of violence against women occurred.

For the year 1985, there were no male victims although one of the fifteen women had, after several years of abuse by her husband and no legal action by the criminal justice system in that time, shot at her husband in self-defence in 1984. His abuse continued beyond 1984 and was described by the police as the worst example of violence against any of the women.⁸

The forty-six incidents of domestic disputes reported to the Barken police in 1985, involved nineteen identified women and three unidentified women. Four of the nineteen were not interviewed for the following reasons: one elderly woman was too ill (her hospital records revealed severe physical abuse including multiple fractures over a long period of time); two were fearful that the interview would put them in danger of being further abused by their partners who were actively assaulting them at the time of this study; and another woman living on the land could not get into town to be interviewed due to poor roads affected by the current rains. It would have been valuable to have spoken with her particularly on the subject of how she gets help when isolated by distance and lack of transport access off the property. Despite not having interviewed these women, their case histories were as eloquent as those of the sample.

Whereas one criticism of early researchers' work was sample bias towards lower class groups who were more likely to come to the attention of helping agencies and police (Okun 1985 p.48), the Barken sample of women came from different classes and backgrounds. Women interviewed were the wives/partners of graziers, farm workers, public servants, prominent businessmen, teachers, unemployed men, truck drivers and tradesmen. Most women had endured violence for long periods before police became involved. Although it would have been helpful to have talked with women

who had chosen not to involve the police,⁹ information on women's reluctance to do so, still came from those interviewed. Because this was often related to past dealings with police, the information was a valuable contribution to recommendations for improvement in police practices and attitudes.

Another criticism relating to the sample bias of some studies, has been the failure to interview the women who have survived the abuse and left their partners. The Barken study included women who had been able to leave and identified their strengths, supports and other factors that had made that possible. The fact that they were being interviewed two years after the 1985 police contacts, provided the opportunity to look at the nature of continued domestic violence in a historical context.¹⁰

All women were highly cooperative and willing to talk about their experiences of violence, and their encounters with the police, despite some initial embarrassment. The questionnaire was carefully designed in such a way as to be sensitive to the feelings women would be likely to have about being interviewed concerning a very private aspect of their lives. This gave recognition to the fact that it was the nature of their private lives and not necessarily the severity of the abuse that determined whether they chose to involve the police (Dobash, Dobash and Cavanagh 1985; Homer et al 1985).

Not only was sensitivity observed in the content of the questionnaire, but also in the way it was delivered. As noted in footnote nineteen of chapter one, the feminist researcher cannot be separated from those being researched. A 'naturalistic' approach was used whereby rapport was established to convey ease with the researcher and the research process, and to develop trust. The author's experience of growing up, and of

having worked in the country in later years as a social worker had enabled her to transform some very technical skills involved in the research process, into clear open communication and dialogue with rural people. Trust operated in two directions: implicit trust in the women as being reliable sources of data and trust in the researcher generated by an assurance of confidentiality, explanation of the purpose of the research and of its process.

Victims, like the other respondents, were asked to comment on the community's attitude towards domestic violence, and towards enforcing the law. They were then asked if they had involved the police and if so, what had they wanted them to do and how helpful had they found them to be. General comments on how well police handle domestic violence in the town, were also sought. Their willingness/reluctance to involve them in the future was also inquired about. In some situations, they were not the ones to call the police. They were asked for their reactions to the police coming to the house/scene of the attack when this was the case.

The chamber magistrate was a significant aid to abused women in terms of finding out their rights, getting information about the legislation and taking out Apprehended Domestic Violence Orders to protect them against further violence from their partner. Given the importance of this contact which, in addition to the police, was a gateway to the criminal justice system, women were asked to relate their experiences with the local chamber magistrate and with the court. Their willingness/reluctance to press charges and whether they had endured pressure to withdraw them, were also explored.

They were also asked if police had dealt with reported violence differently depending upon whether it occurred in public or in the privacy of the home.

Information about the couple's social contact with the police, either individually or together, was explored with reference to the effect of this on the way police dealt with their situation.

Women were asked to comment on their perceptions of how the community view the police in the town and whether they shared a similar view. They were also asked whether acceptance of the police into the social life of the community affected the way they did their job generally and in relation to domestic violence.

Questions about the nature of the violence experienced by women and that directed by them towards their partner were posed.¹¹ These questions permitted the free description by the women of the violence as they experienced it and gave them the opportunity to talk about violence used by them against their partner.¹² Although 1985 police records covered incidents only of female abuse, it was important to ask the latter question for two reasons. Firstly, the author did not want to be biased and overlook the possibility of male abuse having occurred. Secondly, one statement frequently made by police in the pilot study conducted in another small town of NSW, and by police from headquarters interviewed prior to the Barken study, was that the women 'give as good as they get'. Given Adler's findings (1981) that men tend not to regard women's violence towards them seriously and that there is a low correlation between power and violence for women, it was important to check the dynamics of the power in violent relationships in Barken.

The difficulties experienced by women in leaving violent relationships and accessing services were also explored. For those women who were successful in leaving, these questions gave them the opportunity to state what factors (personally and externally) helped to make this possible.¹³ In the Barken study, women were asked about the difficulties they have/had in leaving abusive situations rather than being asked why do they stay. Framing the question in this way acknowledged the external constraints as well as internal that made it virtually impossible for many women to leave. Questions relating to rural women's access to services gave further weight to this acknowledgement.

Finally they were invited to make suggestions for improving the way domestic violence is policed in country areas and for the training of police to handle this problem in the country.

Offenders

Offenders were deliberately not interviewed in this study. The reason for this was that the main parameter of the study was the response of the police in domestic violence matters - the effectiveness of which is measured in terms of the protection given to the victims - women and children. In addition, violent men significantly under-report their behaviour compared with violent women partners (Bulcraft and Straus in Dobash and Dobash 1981 p.449-450; Okun 1986 p.28-32).

Demographic data

Additional data came from the local newspaper (subscription over two years whilst research was in progress and review of papers for 1984 and 1985). Newspapers indicated how the media reported cases of domestic

violence, gave some insight into the community's attitude to this problem and similar ones affecting women predominantly (such as sexual assault), as well as providing valuable information on the status of women in the town, general information on the town, its social problems, its strengths and resources, and demographic details.

Community profiles and statistics from the Australian Bureau of Statistics were also obtained and provided additional demographic data. The profiles were available from the local Council, Department of Youth and Community Services and Health Department.

These various sources of data were complimentary ways of yielding information about domestic violence in Barken and about the town itself.

BARKEN

A brief description by way of introduction, and reasons for the selection of this town as the location for this study are set out below.

Barken had a population of approximately 8500 with zero population growth since 1978. It was made up of many well-established families both in and out of town, and has had an influx of single mothers with children over a period of several years. Over sixty percent of the children in one school belonged to one-parent families. A significantly large proportion of the population were elderly. Transients (mainly seasonal workers) 'stand out by their dress and different ideas. They are not regarded positively by a lot of people', said one of the helpers. There was a wide spectrum of social classes that, according to many, mingle fairly easily though a number of people thought it was difficult to be accepted into the community with people being

'cliqueish'. 'Anyone with different views to traditional ones are outlawed', said one helper, a local.

Descriptions of the town varied greatly. Only three of the thirteen police interviewed had a favourable view of Barken. Those officers who liked the town enjoyed their work, made friends and felt settled, whilst others could not wait to leave. Eight of the thirteen police stated the people were anti-police and hostile towards them. According to one officer, every third or fourth arrest there was a police assault. Some of the officers were strong in their judgement of the townspeople. 'Arseholes', 'hair bags', 'pus bags' were some of the adjectives used by them to describe the people. (One can hypothesise that the officers' impressions of the town and their comfort in working there would play a significant part in how they behaved professionally.)

Most people interviewed described Barken as quiet and stable socially and highly conservative in a political sense. Some said it lacked excitement and culture. Drinking (lots of pubs and clubs) and sport seem to be the main social activities. Such words as 'very sedentary', 'not going ahead', 'stagnating', 'parochial', 'politically ignored', 'apathetic' were used to describe/explain the lack of development. On the positive side it was described as 'supportive and cohesive', 'pleasant', 'a good family town', 'large enough for some services, yet small enough to be able to walk down the street and meet people you know'. On certain issues (such as closing down the maternity wing in the hospital) the community was interested and involved. A small group of people were identified as being progressive and wanting to see development that would boost the town economically.

The fact that there were between 200 and 300 homes for sale at the time of this study, was indicative that prospects for the town did not look good. Economically it has been very unstable and in this respect, the future was grim particularly for youth and the chronically unemployed which included women. Like most country towns, it had a single economic base and characteristic of most rural economic industries, it experienced marked fluctuations subject to overseas market trends and structural changes occurring throughout all of rural Australia such as the amalgamation of small properties into large corporations to make them financially viable.

Most people in the town described Barken as a welfare town with a large percentage of residents being on some form of social security which they believed was increasing. The high proportion of welfare recipients in the town was confirmed in the community profiles.

Essential services such as the Department of Social Security, the Commonwealth Employment Service, Youth and Community Services (now known as Family and Community Services), were not available in Barken. Residents needed to travel to the neighbouring town. Daily public transport was not available to do this. A visiting service was provided by some of these departments on a regular basis.

The police station was not operating twenty-four hours a day. After closing time (midnight weekdays and later on Saturday nights) the phone was diverted to the lock-up keeper's residence. The court house was manned daily by a chamber magistrate and a clerk. Court hearings were conducted every two weeks.

Barken was chosen for the site of this study because of its size - population-wise and number of police servicing it. A pilot study was

conducted in a smaller town (population 1200 with four police officers) and indicated the need for a larger place. There was too little data to be able to make any significant conclusions about police handling of domestic violence matters.

LIMITATIONS OF THIS THESIS

Unfortunately, a large amount of data was not used in the writing up of this thesis as more was available than was required for the purpose of attaining a Masters degree. Nevertheless, already some has been written for publication, as conference and numerous media presentations, lectures and training workshops (for social workers, police, refuge workers, community welfare workers and clergy)¹⁴ as well as towards social action on a state and federal level. As mentioned in chapter one, the success (and goals) of feminist studies can be gauged in terms of their ability to provide a broad understanding of the phenomenon of domestic violence; their social action impact; and their ability to influence the attitudes and responses of workers in the field. The author has deliberately taken a broad and thorough analysis of this problem in a country town in order to achieve the above goals, keeping in mind that this is the first study of its kind in Australia.

The original intention of this research was to investigate a problem of major concern to rural women and children and which would highlight many of the difficulties facing them in their daily living. Little research has been done on women and children living in rural areas of Australia. A visit to many academic institutions and rural areas of the United States in April/May 1988, revealed that America also, still had a long way to go towards making a substantial contribution to literature in this field. Because of Australia's dispersed population, it is more

difficult than in any other country to provide access to services. However, given that Australia's rural milieu represents that of Canada's more closely than any other country in terms of remoteness,¹⁵ comparative studies would make a significant contribution towards a greater understanding of the needs of country women and children and how to provide services that are accessible, appropriate, affordable and acceptable to country people in remote areas.

There is a great need for more research of this nature. It would not only provide insight into the difficulties for consumers of services, but also offer suggestions for providers of the services, police included. This research offers some recommendations for the provision and delivery of police services to country areas. It must be remembered though, that domestic violence is a complex problem requiring a multitude of services in addition to police. These other services are not elaborated upon with the same degree of specificity as police services in this thesis.

The extent to which the Barken police were influenced by the community's attitude towards woman-battering unfortunately was outside the scope of this study and would constitute a thesis in its own right. Nevertheless, the responses of victims of abuse indicated that police were impacted by the the same social forces that impinged on their partners and the rest of the community, and that the entire community's attitude towards women, needs to change if the problem is to be combatted.

FOOTNOTES

1. Mason's work was written prior to the Crimes (Domestic Violence) Amendment Act 1983. Referring to police in a major provincial city in NSW, he reported that the regularity of minor domestic confrontations has resulted in 'a certain lethargic attitude in most police' (1980 p.7). It is necessary to establish whether such attitudes prevail despite increased police powers (for example, the use of the Apprehended Domestic Violence Orders) in minor as well as serious incidents.

2. Studies that confined their focus to a particular service included refuges (Pahl 1985; Berk, Newton and Berk 1986; Loseke and Berk 1983; Marcovitch 1976; Taylor 1987), medical (Stark, Flitcraft and Frazier 1979; Pahl 1979; Stark and Flitcraft 1988a, 1988b), social work (Maynard 1985) or a variety of formal services (Burris and Jaffe 1984; Kuhl 1982; Dobash, Dobash and Cavanagh 1985; Johnson 1985; Lacy 1979a, 1979b); or informal services (Homer, Leonard and Taylor 1985). Other research studies on domestic violence services have addressed ways of intervening into the problem (Bard and Zacker 1971; Van Blaricom 1984; Conrad and Jahn 1985; Marshall 1985; Muir 1985; Leger 1983; Walker 1985; Daigle, Dupuis, Lerette and Nelson 1983; Townsend 1987; Buchanan and Harkins 1983; Hall and Ryan 1984; Finn 1985; Wehner 1985).

3. For example, Thompson and Gilby (1980) looking at the role of police, focused on the victim to explain their non-arrest policy without making any reference to the male-supremacy attitude of many police along with their adherence to the dominant ideologies of the sanctity and privacy of the family. It is interesting that Sherman and Berk's research, certainly the most well-known in the area of police intervention into domestic violence, fails to address the relevance of attitudes of police to women and the 'family' in their dealings with victims. This is especially interesting given that the study arose from interest generated by the women's movement and lawsuits against police for failing to intervene (Sherman and Berk 1984 p.2).

4. Papers by Mason (1980) and O'Connor (1986) were the only two articles to be found on policing set in country areas of Australia. Mason's work made no reference to the particular difficulties facing country police in handling domestic violence. O'Connor's article covered general policing in the 1860's compared with that in 1985 in the NSW town of Walcha.

5. The relationship between the police and the media in country towns would be an interesting phenomenon to study, particularly in light of the frequency with which articles (nearly always accompanied by photographs) about their community activities appear in country newspapers. Police are in a potent position to influence what gets published about them.

The author discovered the power of the police to carefully select and word items of news reported to the local media whilst working in country NSW. She called a special meeting with heads of police and the Sexual Assault and Domestic Violence Committee to establish guidelines for media releases. It was important that the identity of the victims of such offences not be easily recognisable in the reporting, particularly when the incident occurred in very small towns in the region.

6. Researchers' analyses of helping agencies and police records and statistics have revealed that these are not accurate sources of data on the number of cases of domestic violence they come in contact with (Maynard 1985; Hunt, McCadden and Morduant 1983; Burris and Jaffe 1984a, 1984b; Johnson 1985; O'Donnell and Saville 1979). For example, Maynard (1985) examined social work records and found that wife-beating was not always recorded in

files. Often it was not the main focus of the social worker despite documentation of their understanding of its severe effects on their clients.

7. The inclusion of gender in feminist studies on domestic violence have a bias in favour of women. It was not until gender was considered however, that male/female power issues in domestic violence and in the practices of helping professionals including police, could be explored and adequately explained. Feminist theories are the only ones that can explain the very high incidence of female victims (97% of recorded cases - Stubbs 1985) in comparison to males.

8. According to several of the police, the only thing this woman did wrong was not succeeding in killing her husband. She, herself reported that every second person in the street said the same thing to her.

9. In order to interview women in addition to the 1985 police records, random sampling in the town would have needed to be done. O'Donnell and Seville (1979) suggest that random sampling is not an appropriate research method because of the sensitive nature of domestic violence.

10. A bias with the use of refuge subjects as the only sample of battered women under study, is that the positive strategies adopted by some abused women to survive, are overlooked in research. This is the case with Dawn Rowen's (1985) attempt to identify a syndrome of battered women from the experiences of those who have presented at a refuge in South Australia. Consideration of the coping mechanisms adopted by some abused women may be valuable in preventing the repeated pattern of abuse characteristic of the 'syndrome' as well as creating a positive picture of women.

11. The work of Straus, Gelles and Steirnetz (1980) has been criticised by Dobash and Dobash (1981), Okun (1986) and Brienes and Gordon (1983) because they used rigorous measurements of the ways couples handled conflict (the Conflict Tactics Scale). For example the CTS was perceived by Dobash and Dobash to be poorly constructed as an abstract measurement of domestic violence which alone would invalidate their findings. Straus et al had omitted consideration of the context in which the violence occurred, the effect of it on each, and earlier findings by Straus and Bulcraft that violent men significantly underreport their behaviour compared with violent women (Dobash and Dobash 1981; Okun 1986). Their attempts to adhere to strict empirical methods and abstract measurement (CTS) was at the expense of an accurate portrayal of the dynamics of male domination over women through the use or threat of violence (Brienes and Gordon 1983 p.503).

12. This is in keeping with the new feminist scholarship in domestic violence research which is a testimony to the higher status accorded to female subjects. Victims are allowed to construct their own reality of the abuse rather than it being defined by the researcher.

13. This focus on positive strengths of women, attempts to avoid what a number of qualitative studies on battered women have done and that is attribute typically negative female traits to their subjects. For example, Walker in her theory of 'learned helplessness' assumes women to have low self-esteem and to be economically dependent on their partners (Loseke and Cahill 1984 p.303). According to Loseke and Cahill, Walker has explained contradictory findings by saying that females have 'inaccurate perceptions of themselves'. Loseke and Cahill, referring to the detrimental effects of research on why women stay in abusive relationships, view women as double-victims. That is, victims of abuse and victims of 'experts' who construct their identity and place interpretations on their experiences to the destruction of their character and personality.

They reviewed a large number of studies on why women stay in abusive relationships. They believed that a focus on this question in fact created a new category of deviance which

suggested that failure to leave implied a need to investigate a woman's competence. They regarded this focus as a value judgement of the researcher which does not respect a woman's own justification for her behaviour (1984 p.305). In addition to labelling her behaviour as deviant and unreasonable, researchers have recommended treatment further denigrating the woman because of the stigma associated with such. In effect, they further victimised the women on whose behalf they were supposed to be speaking.

14. As Loseke and Berk stated, 'social science is only beginning to tap the contradictions and complications surrounding the needs of women victims of domestic violence' (1983 p.45). Although there is a need for further dialogue between researchers and applied workers to ensure more effective remedies (Knight and Hatty 1987), feminists need to be aware of their own forceful ideology that can be offensive and inappropriate for some women seeking assistance (Richards 1980; Loseke and Cahill 1984; Loseke and Berk 1983). This also applies to professionals who are defensive when confronted with evidence of the part they play in perpetuating women's oppression.

15. Although Australia like Canada, has many people living in remote areas, a significant difference in the population settlement pattern is that Australia's population is dispersed unlike Canada which has clustered and linear patterns of settlement. In the United States small communities are not all that far away from a large population centre of 20,000 or more. The reason for this is the number of rivers which Australia does not have (Samyia 1987 p.115).

CHAPTER THREEPOLICE PERCEPTIONS OF AND RESPONSES TO DOMESTIC VIOLENCE AND THE PERCEPTIONS AND RESPONSES OF THE WOMEN VICTIMS

This chapter and the next provide a comparative analysis of the Barken police perceptions of, and responses to domestic violence, and the perceptions and responses of the women victims. The analysis provides an understanding of the gap between legislation and its implementation in practice in this particular town. This chapter begins with a brief introduction to the domestic violence legislation as it applies in New South Wales. It then identifies police use of discretion as the mechanism whereby they act out their reluctance to use the legislation in some situations. Cases of assault which came to the attention of police in 1985 are examined to ascertain why some of these proceeded to court whilst others did not. The rest of the chapter outlines the ways in which discretion is exercised by police in their dealings with abused women. Chapter four focuses on the women's experiences of police intervention and ends with some lessons for more effective intervention based on women's reluctance to involve the police.

LEGISLATIVE REFORM

In 1983 the Crimes Act 1900 was amended to place greater emphasis on the need for police and courts to regard domestic assaults equally as seriously as assaults between strangers.¹ The changes have been constantly under review.²

Legislative reform was introduced in April 1983 with further amendments in December of that year and more recently in February 1988. Changes that occurred after the study was conducted (February 1988) are mentioned in footnotes.

There were no changes to what actually constituted assault in the Crimes Act. As Stubbs (1986) reports, 'Domestic violence was defined as any of a range of existing offences from murder, serious assaults and sexual assault, to common assault (or the attempt to commit such an offence) where the offence occurred between those married or living in a defacto relationship.' In December, this definition covered separated couples, the partners in defacto relationships and legally married couples.

Defacto and legal spouses can be compelled to give evidence in domestic violence proceedings except in limited circumstances.³

Police powers of entry into residences to investigate or prevent domestic violence were made clearer. They could remain in the dwelling sufficiently long enough to carry out their investigation and take whatever action was considered necessary where a resident of the house (victim or child) had invited them in even when an occupier of the house refused them access.

Where entry was being denied, police could, under the new amendments, obtain a telephone warrant authorising entry and again, only stay long enough to investigate that particular offence and take the appropriate action. Stipendiary magistrates and other persons appointed by the Attorney-General, were authorised to issue warrants to police by telephone in urgent cases.

Police have been instructed by the Police Commissioner to arrest where an offence has occurred and to apply for an Apprehended Domestic Violence Order (ADVO) on behalf of the victim.

One of the most significant innovations in the legislation has been the ADVO which placed restrictions or prohibitions on persons apprehended for domestic violence for a period of up to six months. Breach of this order constitutes a criminal offence with a maximum sentence of six months imprisonment. In December 1983, fining was added as another option for breach of conditions. Also, the order could be obtained in cases of molestation or harassment without actual or threatened violence having occurred. This order can be applied for verbally or in writing, by either the victim or police.⁴

Where a person appealed against the order being imposed, bail conditions could be applied which would offer some protection to the victim in the interim.

A warrant for the defendant's arrest or a summons for their appearance can be issued. An advantage of the use of a warrant rather than a summons (which can mean a delay of a few weeks between issuing the summons and the matter being listed in court), is that the matter can be dealt with sooner. Bail conditions can be applied in the meantime to give protection to the victim.

Laws about all provisions of the Bail Act applying to defendants have been clarified with police attention being drawn to the likelihood of further abuse and harassment whilst the alleged offender is on bail.⁵

The information provided above on domestic violence legislation, is merely a summary and concentrates heavily on the amendments to the

Crimes Act 1900. This is because the provisions of the Act had been considered adequate to deal with domestic violence offences. However complaints by the NSW Domestic Violence Task Force and writers such as Scutt (1979a, 1982, 1983) and Gibbeson for the Royal Commission on Human Relationships (1977) identified problems in the implementation of the legislation (both through police and court procedures) and in its adequacy to offer sufficient protection to victims. The amendments focused on above, have been attempts to bring about significant changes in these areas.

ONE STEP FORWARD, TEN STEPS BACK

Given that the reforms were largely based on women's experience of violence and of the legal system (documented as recommendations of the NSW Task Force on Domestic Violence 1981), it was anticipated that they would offer women greater protection through the law; reduce the incidence of violence they were being subjected to; and result in prosecution where such offences were being committed. This has not been the case in the majority of circumstances (Hatty and Sutton 1986; NSW Domestic Violence Committee Report April 1983 to June 1985; Lansdowne 1985) and certainly in the majority of the Barken sample.

A major loophole in our legal system in Australia and elsewhere (Reed, Fischer, Kantor and Karales 1983; Hunt, McCadden and Mordaunt 1983; Cannings 1984; Farragher 1985) is the power of discretion. As one very senior member of the police force proudly stated, 'The greatest power we have, is the power of discretion. Not even the new domestic violence legislation can take that power away from police.' Giving one example of such discretion, he went on to say how difficult my research task

would be with respect to getting an accurate picture of police practices through their records because police can choose either to record or not to record particular events and can be selective in what they document and how they do it. Lorraine Radford (1987 p.137) speaks of the power of language which is used by people within the legal sphere to 'name some women as victims and others as not'. Such discretion, Radford argues, effectively means that police construct the problem of domestic violence rather than those who actually experience it, and they define whether it is criminal or non-criminal.

Police use of discretion through their recordings, is only one way they construct women's reality for them. There are several ways police exert such dominance over women who require their protection. These are exposed in this chapter and the next with specific reference to the Barken police and abused women.

POLICE DEFINITION OF DOMESTIC VIOLENCE

Although the reforms of the Crimes (Domestic Violence) Amendment Act 1983 clearly set out new guidelines giving police wider powers of intervention, it was apparent from the Barken study that police operate from their own interpretation of those guidelines and only in some selected individual cases, are they willing to comply with the spirit of the reforms.

From the evidence collected, the Barken police undermined these legislative changes in several ways. One of the most common was where they made their assessment of assault totally independent of the woman's statements about what had occurred and totally independent of the legal

definition of domestic violence. Consequently no legal action was taken by the police in these situations.

All police officers interviewed considered that the severity of injuries sustained by the victim determined the action taken. Ten of them stated they would lay charges when there was evidence of serious assault. 'Obvious injuries provide a prima facie case for arrest', said one officer. Although they were not asked to specify what constituted a 'serious assault', it was evident that they were the ones who made the assessment of the seriousness of the incident and that those assessments entailed more than the extent of physical injuries. An analysis of the data revealed that different police officers took different additional factors into consideration.

There were thirteen cases of assault attended by police in Barken in 1985. These charges will be discussed in depth to determine what factors were taken into consideration by the police in their decision to either proceed or not, with court action.

POLICE DECISION TO GO TO COURT

Only seven of the thirteen cases of assaults on women did proceed to court. They had been committed by three men.⁶ Five of these involved the one offender with four of the five charges being made against him over one incident. Another offender had two additional charges laid pertaining to his failure to comply with bail conditions of not to harass or molest his spouse. These two charges occurred eleven days apart.

The following table shows a breakdown of charges relating to the three offenders:

TABLE 3.1: Charges of Offenders

Offender	Offender 1	Offender 2	Offender 3
Charges	Fail to comply with bail conditions Fail to comply with bail conditions Assault female	Assault female Assault OABH* Assault female Assault OABH Assault female	Assault female

*Occasioning actual bodily harm

Whilst one of the offenders was involved only in this one isolated incident where no injuries were incurred,⁷ the other two offenders were well-known to the police both locally and in other towns for inflicting very severe injuries to their partners frequently over a number of years (further confirmed by hospital records). They were also known to the police in relation to other matters.

Offender 1's victim's hospital records for 1985 alone revealed numerous accounts of injuries from assaults:

'..pain in right side of head allegedly punched there by husband'... 'very distressed'... 'assaulted by husband - two bottom front teeth loose, cut lip, teeth have been forced through lip' ... 'hit to right side of forehead, lacerations and abrasions noted, bruising evident'... 'said to have been hit by husband with a closed fist twice on the forehead, complaining of headaches, right frontal haematoma, half the size of a tennis ball, lacerated skin one inch in the centre of haematoma, dried blood on the surface of swelling, left hand, chest, ear, nostrils, neck...'... 'incomplete abortion'.

Not only had this woman been severely battered and suffered a miscarriage as a result of her husband's beatings,⁸ she, like several other victims in this study, had a long history of gastro-intestinal problems. Offender 1 was first charged with assault on October 30,

1985 and was subsequently imprisoned for four months. His appeal against this sentence was dismissed. His wife reported that he had not physically abused her since coming out of gaol. His apparent reform was further confirmed by his willingness for me to interview his wife on the grounds that other women may be helped as a result. This one example points in the direction of Sherman and Berk's findings (1984) that arrest reduces the likelihood of further abuse.

Offender 2's victim suffered numerous severe injuries and also had a history of gastro-intestinal problems and old fractures revealed in skull, chest and leg X-rays. Injuries recorded in hospital file included:

'Has numerous bruises on both legs, buttocks. Haematoma left side of forehead, smaller haematoma right side. Haematoma back of head on right side and bruising under right armpit and lateral aspect of chest...bruising to left eye'...'depression, suicidal...'cuts, bruises'...'bruising to right arm, periorbital haematoma both eyes, anxious and upset, suicidal...'...was struck on left face and jaw requiring stitches. Had been strapped, kicked and punched, numerous bruises and contusions on face, shoulders, arms, back abdomen, buttocks, left leg, left foot, consistent with history of severe assault.'

The injuries sustained on the last occasion were so severe that the admitting doctor took photographs and stated that they were the worst injuries of assault he had witnessed in over thirty years. This incident resulted in four charges being laid by police, two of which (Assault OABH) eventuated in a committal for trial. The remaining two charges (Assault Female) were withdrawn when finally heard in court nine months later. The couple have since separated and it is unknown whether abuse is still taking place.

As evident in these cases and observed by Thompson and Gilby (1980 p.304) and Burris and Jaffe (1983 p.313), police will arrest and lay charges in some situations of severe abuse, particularly when the

offender is well known.⁹ What is also apparent, is that not all such charges effectively result in a conviction. Some reasons for this are discussed later in the section Police Decision Not to Go to Court - 'Lack of Cooperation of Victims'.

The victim in the 'isolated incident' was different to the other two victims in that she held a highly prominent position in a neighbouring town which she stated at the start of her call and was financially independent of her husband. Her employment would require her to be articulate. Without having the exact details of her conversation with the police, one could quite readily assume that she would have been assertive in her request for police action. The ability of women who are financially independent of their spouses, to be assertive after situations of abuse, has been well-documented by O'Donnell and Saville (1979).¹⁰

In summary, it can be said, from the limited number of case studies that the law was enforced when the alleged offender was well-known to the police for his criminal activities - not necessarily confined to assaults on women. Given their knowledge of the offenders' history, police may have felt more confident in succeeding in getting a conviction. Prompt police action in the 'isolated incident' may well have been due to the articulate requests of the victim and her social and economic status.

POLICE DECISION NOT TO GO TO COURT

A close examination of the six cases that that did not proceed to court, from the Telephone Pad and Occurrence Book entries revealed the following varieties of severe injuries/offences:

- swollen ankle, soreness to left leg, arm, throat
- the offender pushed his hand into the wife's face
- unconsciousness and bruising to chest
- punches to the head, ripped clothing
- nature of injuries not stated
- attempted strangulation, bruises to the neck

The fact that no charges were laid in respect of these six cases indicate that the existence of injuries does not, in practice, necessarily guarantee a legal response by the police. It is clear that other factors were taken into consideration before a decision concerning prosecution was reached.

According to the Telephone Pad and Occurrence Book, the first and second cases were precipitated by disagreement between partners over custody issues. Both couples were accordingly advised by police to see solicitors. That is, the assaults were overlooked as criminal offences with emphasis being placed on what the dispute was about - a Family Law matter. In one case the assault was regarded as a civil matter and injuries were played down:

'The only visible signs of any injury were a swollen left ankle. She also complained of soreness to the left leg, arm and throat...(She was advised) to see her family doctor and her solicitor concerning a civil action for the assault' (Emphasis added)

The playing down of the injuries sustained may provide the officer with some justification for failing to arrest, should there be any supervisory questions. Pahl identifies this process of assessment as 'criming'. That is, where police make the decision as to whether an offence should be classified as criminal or civil (1982 p.337). Canning has also observed the police practice of minimising injuries in their reports for the purpose of justifying their failure to arrest to their supervisors (1983 p.53).

In the third, fourth and fifth cases, despite the severity of the injuries no action was taken by police. In each case they justified this by saying that they were acting in accordance with the woman's wishes. Parnas (in Bell 1985 p.526) and Stanko (1985 p.130) also found that police explain their policy of non-arrest with the assertion that this is what the victims want. Scutt goes as far as to say that police force such wishes on to women because they themselves are reluctant to act (1983 p.239). Whilst the apparent respect for the victims' wishes by the Barken police may seem commendable, overall with this sort of police response, there is a lack of respect for and understanding of the reasons why abused women do not want to press charges against their partners. This latter issue will be discussed in more depth later. Conversely, in some cases where victims have requested a charge to be laid, police do not always respect this request (Scutt 1983 chp. 9; Bowker 1982 pp.485-486).

In the sixth case the victim presented to the police station seeking some assistance from the police. She was in an intoxicated state and not sure which of two named men was her assailant. The police did not further investigate the matter on the grounds that the woman was intoxicated. She was unable to describe either of the alleged offenders or help police locate them. She was advised to 'go home and sleep it off' and told that if she wished to proceed with the matter, she could attend the station in a sober state to enable police to speak with her. No follow-up was undertaken by the police. Clearly in this case the onus was on the woman to mobilise the legal process. As Stanko notes, successful prosecution depends on a number of factors¹¹ not the least, the credibility of the witness. She refers to the ideal witness in prosecutors' eyes as the 'stand-up' witness,

'Certain types of women in certain types of circumstances of physical and sexual assault are more likely to be considered 'stand-up' witnesses, and their complaints worthy of public prosecution...' (1985 p.124). (Emphasis added)

It appears that despite her claim of attempted murder (through strangulation) supported by signs consistent with the claims (bruises to the neck), the fact that this woman was intoxicated at the time and had been drinking at the hotel, meant that her credibility as a witness was diminished. In their eyes this justified their taking no action. The fact that police did not further investigate the matter (for example to see if other persons had witnessed the incident), suggests that their assessment of the situation was solely based on their judgement of the victim. That is, whether she was deserving of their assistance and whether police believed she may have 'asked for it' by being out late at night drinking at the hotel.

In addition to the lack of police action in response to the acknowledged six assaults, no advice was given on future protection for the victims through the use of the ADVO nor did the police apply for one on the woman's behalf. This also applied to other cases from the 1985 sample and is consistent with the findings of the Western Australian Task Force on Domestic Violence (1986 pp.112-114, chp. 6) and the NSW Domestic Violence Committee (April 1983 - June 1985 p.21).

Each of the six cases was individually assessed rather than a case of assault being accepted outright. Police would go to the house, enquire what had lead to the violent outburst and then deal with the situation in relation to the precipitant, or other irrelevant factors such as neighbours' complaints about the noise, rather than deal with the violence itself. One woman saw this as a good thing. She informed me, 'They weigh up the nature of the violence. That is, how severe the

assault is and then decide what is best for you and advise accordingly. For example, whether it's serious enough to do anything. In some situations, for example, police have advised that it would be better not to do anything as it would make things worse.'

Interviews with other abused Barken women also confirmed this practice of police on numerous occasions. However, these women stated they wanted police to take action on their partner's violent behaviour. Such action included anything to stop the violence; removing the partner from the house; charging him with assault; and talking to him to calm him down. One woman wanted the police to leave when they called so that husband would not shoot them as he had threatened. He would wait inside with a loaded shotgun whenever they arrived at the house and instruct the wife to tell them to leave or else he would shoot them. This happened on several occasions. Each time she was desperate for police help but sacrificed it for their safety. All women were frightened, terrorised, intimidated by their partners, and physically and sometimes sexually assaulted by them. They wanted the police to deal with their partner's behaviour. Women complained that instead, their experiences were minimised in a number of ways.¹²

One of the Barken women interviewed alleged that on one occasion she met the police at the door with her nose bleeding profusely. She had been severely bashed around the head to the point of being totally unrecognisable. She asked the police officers to arrest her husband. They told her there was nothing they could do as they had not witnessed the assault. This woman had called the police on numerous occasions when badly injured. She attributed police inaction to the fact that her husband held a prominent position with the Public Service and his father was even more prominent, well respected and well liked in the town.

In some situations when the partner was drunk, women complained that police would ask him to leave and not return to the house until sober. These women were petrified of their partners when they were intoxicated. As one woman stated,

'I didn't want him to think he could get away with it. That's why I called the police. I was frightened. Whenever he drank, he would turn into a monster and assault me. He had a rifle and said he would shoot me. We lived four miles out of town and had no neighbours. Another time when he was drunk, he threatened to burn down the house with me and the kids in it. He said this in the company of his two mates. Despite the evidence that could have been used from the two witnesses, the police just spoke to him and barred him from the area!'

Another way women thought their experiences of violence were minimised, was when police would decide whether their injuries were severe enough to warrant charges being laid. One woman was told her injuries to her face were not serious enough for them to make an arrest as she requested. She said, 'My face was just red and not black like a few days later'. She believed that if an arrest had been made when she requested it, she may not have subsequently suffered further serious abuse. She added that she felt quite ashamed, humiliated and angry when she ran into one of the policemen up the street. Recognising her from the incident the few days before, he asked her how she was.

One woman reported that police did not come to the house to investigate the crime in order to lay charges. She was advised to just go to the hospital to get her injuries attended to and contact a solicitor in the morning. She said to them, 'Do I have to be dead before you'll come?' Another woman was told by a police officer when she rang for help, to see the chamber magistrate in the morning. She replied, 'I may not be alive then'. She had medical evidence of the abuse she had just suffered. Scutt's study revealed a similar police failure to attend such calls (1983 p.219). Several other Barken women who had to go to

hospital for medical treatment made similar complaints about police refusal to lay charges. Women were amazed with how the police would stand there listening to their partner's 'crap' instead of making an immediate arrest as they requested. They expressed anger that their accounts of their partner's behaviour and their obvious injuries had been discounted.

On two occasions women were told by police officers that there was nothing they could do as their partners were so abusive and so violent. In both incidents police had tried but were unsuccessful in getting the offenders into the wagon to take them away. They watched as one walked away, then they left. He returned to his wife five minutes later.

In the other case, police told the victim that it would be easier if she left town. This advice was repeatedly given to her which she found intimidating. She and her assailant had been separated for a few years. Scutt states this advice of police to leave is commonly given to battered women (1983 p.239). She also reports that victims in her study were told by police that the situation was 'too difficult' for them to do anything (1983 p.228).

There were other cases when police gave excuses for not intervening such as that it was up to the couple to sort it out themselves or that they had no right to remove a man from his home - that it was the husband's decision to leave or that they could not remove him because he owned or partly owned the residence. This advice was incorrect. From such statements by police, one must assume either that they are not aware of their powers to intervene or that they are unaware of other aspects of the domestic violence legislation. It seems from interviews with the police and other research that the difficulty lies both in educating

them about the legislation and getting them to enforce it (Lansdowne 1985; NSW Domestic Violence Committee Report April 1983 - June 1985 chp.3). Similar ignorance of the legislation on the part of the police has been reported in other States (Victoria Women's Policy Coordination Unit 1985 p.80; Western Australian Domestic Violence Task Force 1986 chp.6, chp.9).

Other ways the Barken women felt their experiences of terror, fear and threat were overlooked were when police were attempting to lay the blame for the attack onto them and when they would try to find justification for the offender's violent outbursts. One woman commented,

'They make you feel you're at fault and guilty - a nuisance to them and they don't help you. They tell you in a nice way, you deserve what you get. They say, 'If you have him back, we can't do anything'. They more or less say you deserve all you get'.

Another woman echoed, 'They look at you as if it's all your fault. They look down on you as though you've done something to deserve it - that you've asked for it.' This woman did not restrict this felt attitude to the police but also experienced it in the court.

Another woman regarded the police action of removing her instead of her abusive husband as locating the blame for his behaviour onto her, that in some way she had provoked him into pulling a knife on her.

One police officer's attitude towards overlooking the experiences of women was apparent in his alleged conversation with a member of the clergy in the town. He stated, 'I let them have a stout fisty fight. When they're finished I get them to shake hands and have a drink. I tell them to behave like adults'.

When going through the 1985 sample of cases with a number of the Barken police, an officer remarked of one victim, 'She deserved everything she

got. She kept taking him back for his money.' He continued on saying that eventually the police charged the offender and that he then came back and assaulted her again. However he made no connection between the possibility of this woman not having a choice about taking him back and the extent of the violence he was obviously capable of using to control her.

POLICE DECISION NOT TO GO TO COURT - 'LACK OF COOPERATION OF VICTIMS'

Some police officers who stated they would lay charges when there was evidence of serious assault modified their statements to add that they would arrest the offender in situations of apparent assault where the victim was willing to make a statement and proceed with the charges (7 out of 13). That is, a victim's failure to make a statement or proceed with charges meant that no legal action would be taken even though police have the power to lay the charges and legislation exists to compel women as witnesses.

The significance of cooperation from the victim was evident in the fact that twelve of the thirteen officers expressed frustration with women who withdraw their complaints and who refuse to be involved in any aspects of the legal process.¹³ With such lack of cooperation, police believed that the magistrate would dismiss the charges against the offender. Stanko stressed that for police, the victim's willingness to prosecute is one of the 'two essential features of convictable cases' along with her credibility (1985 p.125).

An examination of the seven cases that went to court in Barken in 1985, revealed that five were dismissed and it was only in two of these five

that reference was made to the victim being unwilling to cooperate. Both victims were excused by the magistrate from being compellable witnesses. In one case, the victim's reluctance to give evidence appears not to be the sole concern of the magistrate in his decision to dismiss the charge. His stated grounds for excusing the victim in this case were:

'The defendant was highly intoxicated at the time; it was an isolated incident; there were no injuries; and for the sake of the children, she did not wish to proceed.'

Likewise, in the other case the magistrate considered other factors. Although he acknowledged that the woman was not well enough to give evidence (she was suffering 'nerves' and had been prescribed tranquilisers), he added that the offender was 'allegedly reformed' and had 'allegedly given up alcohol'.¹⁴

It appears that the actions of the magistrate alone would contribute to police exasperation and frustration with domestic violence cases. Like Scutt (1983 p.239), Cannings (1984 p.47) and Stanko (1985 chp.9), Farragher believes that the police decision on whether or not to take legal action is dependent not so much on the victim's willingness to cooperate (and for that matter, what happened at the scene) as on their perceptions about what will happen in court. He goes as far as to say that 'the police are extremely selective about who they sponsor to take legal action' (1985 p.117).

In the Barken study, adding to the frustration police expressed with uncooperative victims, is the confusion experienced by them when women changed their minds about having partners removed from the house. Eight of the thirteen police when asked if victims usually wanted them to take specific action, stated that the women always changed their minds the

next day or not long after the event regardless of what they initially requested of the police and often regardless of the extent of the injuries. In such circumstances it would be almost impossible to carry out to completion the victim's initial wishes.

This apparent ambivalence of the women and their reluctance to be involved in any aspect of the legal process were clarified during interviews with them.

WOMEN'S RELUCTANCE TO TAKE LEGAL ACTION

Fourteen of the fifteen victims interviewed said that they were reluctant to press charges. The remaining victim stated that she was not reluctant at all and in fact, had wanted to but the police had talked her out of it. She added, 'They were in uniform, had used their authority and had settled him down.' The implication here being that police authority was all that was needed to stop the violence. It was this victim who reported that within the next few days, she had received further and more severe abuse from her husband. One question whether having her husband charged as she requested might have prevented the later incident from occurring. Cannings (1984 p.47) and Scutt (1983 chp.9) also report that it is not uncommon for police to actively discourage women from prosecuting.

The most commonly stated reasons given by the fourteen women for their reluctance to press charges was their partner's threats on their life if they took such legal action, and/or left them. Their responses are listed below:

- partner threatened to kill woman if she left
- partner threatened to kill himself if she left
- partner threatened and did physically assault woman further
- partner threatened to destroy house and possessions if woman left
- fear of partner if involve police
- partner threatened to and did locate and further harass woman
- restraint from partner when tried to leave, included rape
- previous bad experiences with police
- thought nothing would happen legally
- embarrassment of going to court
- fear of going to court
- previous bad experiences with court
- pressure from partner's family
- no support; cannot involve others because of danger to them
- thought of the children
- thought the violence would settle down
- felt sorry for partner

All women took their partner's threats seriously and gave vivid accounts of the violence they were subjected to and descriptions of the awesome size and physical strength of their partners. Most of the men possessed firearms although weapons used by the men to exercise power over their partners included broken glass, knives, belts, shoes, blocks of wood, stones and bricks.

One woman's husband made the threat on numerous occasions that if he went to gaol as a result of her calling the police, she had better leave town because he would kill her when he got out. Hospital records on this woman indicated that husband had come close to doing so already. She claimed she endured bashings for twelve months before seeking police help. This couple lived in the woman's house and all the furniture belonged to her. He had threatened to put an axe through everything if she ever left him. On one occasion after she walked out on him, he set fire to the house. This woman said she was trapped if she tried to get help and trapped in welfare if she left as her husband would destroy any financial security she had.

In some situations when police had called to the house, regardless of who had called them, women reported that the violence had escalated once the police left. As mentioned above, one woman's experience was that when the police would arrive her husband would instruct her to tell the police nothing was wrong and wait inside for her to return with a gun in his hand. The assaults would then resume. Another woman reported similar experiences. Her partner on one occasion, held a large piece of sharp, broken glass at her back when the police called and then continued attacking her after they left.

Only one woman in the study informed the police of the threats her husband had made against her if she had him charged.

For those women whose partner drank, the likelihood of fatally inflicted violent attacks was increased. One woman on a property told of how she would lock herself and her husband's six children in the bedroom every night with the wardrobe against the door while her husband would 'go beserk' drinking his home-brewed wine. This man successfully kept his wife isolated from townspeople and likely aid for six years.

Several women in Barken reported that their partners did everything in their power to restrain them from getting help from any source, let alone involving the police. Common stories were of men ripping the phone from the wall; physically restraining them from leaving the house; pinning them down and raping them; confiscating car keys (more common in situations on properties in addition to ripping phone from wall); letting car tyres down; and grabbing the children knowing that their wife would not leave the house without them. This intimidatory and controlling behaviour by their partners successfully isolated the women

from vital communication links and left their assailants virtually immune from prosecution.

Women's reluctance to use the law for fear of reprisal from their partner is widely documented (Farragher 1985; Cannings 1984 p.47; Scott 1983 p.217, 231; Bowker 1984 p.92; Brown 1984 p.280; Stanko 1987 p.122, 124-131; Okun 1986 p.73; Thompson and Gilby 1980 p.304; Western Australian Task Force on Domestic Violence 1986 p.114), yet is rarely acknowledged by police and other members of the judicial system.

The next most commonly stated reasons for women's reluctance to press charges were their fear and embarrassment at having to go to court. Victims expressed concern that, being a small town, everyone would know and that, as usual, the court reports following each hearing, would be written up in the local newspaper. One woman spoke of the time when she first took her husband to court and how the hearing was reported in the local paper. She had refrained from telling her children to save them the embarrassment only to have her daughter come home from school with a copy given to her by a fellow student. Such embarrassment is commonly felt by city and country women alike (Victoria Women's Policy Coordination Unit 1985 p.101; NSW Task Force on Domestic Violence 1981; Western Australian Domestic Violence Task Force 1986 p.55).

All seven women interviewed who went to court as a result of being abused described the experience as very painful and not one that they were eager to repeat. Women complained of being put under a lot of pressure and harassment by their partners and his relatives to withdraw the complaint during the period awaiting the hearing. Two women mentioned that their doctors had prescribed them Serapax because their anxiety was so high. For one victim, harassment had continued at the

court house on the day, even in front of police, who did not take any action. McCulloch reported a similar incident in the foyer of the Russell Street Police Station in Melbourne (1986 p.526).

Women described their experiences as 'nerve-wrecking', 'scary' and feeling like they were the one on trial - not their partner. They complained of having been intimidated, cheapened and discredited by solicitors and magistrate. Stanko describes police, prosecutors, juries and judges as the 'second assailant' for this reason (1985 chp.8, 9).

Such strong reactions of the women would be sufficient reasons for not wanting to press charges and in doing so, thereby create yet another traumatic experience for themselves.

Victims' poor previous experiences with police and their belief that nothing would happen legally also served to discourage them. One woman had formed this opinion of the police after one unsatisfactory experience. Others spoke of a number of occasions of police telling them that there was nothing they could do to help them. If nothing could be resolved by the police through their intervention, women were even more pessimistic about their ability to successfully utilise the legal system. Such comments as 'the need to have witnesses', and that 'husbands cannot be removed from the house because he owns half' gave women little hope of getting legal support for their plight. Also those women who experienced their partner's charges being dismissed in court had little faith in the legal system.

Many women interviewed by Scutt had spoken of several bad experiences with the police which resulted in their reluctance to involve police further and pursue legal action (1983 chp.9). The difficulties for women in mobilising their own legal proceedings have

been extensively documented and are just as much to do with the nature of women's private lives as with the external constraints placed on them (Dobash, Dobash and Cavanagh 1985 p.151; Homer, Leonard and Taylor 1985; Thompson and Gilby 1980 p.304; Scott 1983 pp.217-218; Burris and Jaffe 1983 pp.310-311; Borkowski, Murch and Walker 1983 chp.8; Farragher 1985 pp.117-118). It is because of these difficulties that the legislation on domestic violence in a number of states in Australia has been amended to place greater responsibility on police and the court system to effect the law (Stubbs 1985; Long 1986; Cornish 1986; Jacobs 1986; NSW Domestic Violence Committee Report April 1983 - June 1985 chp.1).

Three Barken women were under pressure from their partner's family to not lay charges to protect the family name. One situation involved a well-established grazier family name; another - a distinguished identity in the town; and the third case involved a socially prominent family. Three other women did not want to involve anyone in their situation - police included, out of a sense of personal pride.

Eight women expressed concern about the repercussions on the family that might result from a charge against the husband. Such concern ranged from belief that children need a father; it would mean the end of their marriage for them and their children; social stigma for themselves as 'failures' and for their children at school; and concern that children would end up with a criminal record like their father. These concerns for the family were also noted in the Victoria Domestic Violence Task Force Report (1981 p.101), the Western Australian Task Force on Domestic Violence (1986 p.114) and the NSW Task Force on Domestic Violence (1981).

From the above information supplied by the women about why they are reluctant to pursue legal action, it is apparent that their partner's coercive behaviour featured most commonly in women's responses. As already mentioned, only one woman had the courage to state this publicly knowing the likely repercussions and this was in court. It should also be added that she was being supported by a social worker and self-help group (in a neighbouring town) at the time. Conversations with a number of police later revealed that several were not aware of the degree of such coercion on the part of alleged offenders. The extent of such pressure is evident in Thompson and Gilby's findings. They found that in almost half of those cases involving spouse assault seen in Family Court, the complainant withdrew the charge as a result of pressure from the accused (1980 p.304).

Regardless of their reasons for not applying the domestic violence legislation, some common features of police power in defining the situation for women, emerge. These are discussed in the next chapter.

FOOTNOTES

1. For details of the history of domestic violence law reform in NSW see Stubbs (1986).
2. For example, the Women's Coordination Unit in the NSW Premier's Department has been monitoring domestic violence legislation. Also Lansdowne (1985), Stubbs (1986) and Prosecutors' Branch NSW Police Headquarters, Sydney (1986) - the latter in metropolitan and rural areas with respect to the use of the ADVO.
3. The victim can apply to be excused from giving evidence but the judge or justice must be satisfied that the witness was not under any threat to withdraw. The availability of other evidence and the seriousness of the charge must also be taken into consideration when excusing the victim (Stubbs 1986).
4. In February 1988, any related persons in a household or who have at some stage resided with the offender, including children and relatives, could apply for the order. In the case of children under 18 years of age, only police officers can make the complaint on their behalf. The order does not extend to boarders or tenants. In addition, the six month validation period has been discarded and is now subject to the court's specification.

Orders may be varied or revoked on application but police must apply in cases of children under 18 years of age.
5. Amendments to the Bail Act, February 1988 have resulted in defendants not being entitled to bail if they have previously failed to comply with conditions imposed for the welfare/protection of the complainant. In these cases they can be arrested without a warrant.
6. Whilst it is estimated that only one in ten cases of domestic violence gets reported to the police (Cannings 1984 p.44) although Dobash and Dobash suggest that the figure is more likely to be about 2% (in Pahl 1985 p.7), it is common that not all cases known to police are brought before the courts. For example, Burris and Jaffe reported only 17% of cases of assault known to police were taken to court (1983 p.310). Field and Field (1967) stated this happened in only 16% of their cases studied (in Cannings 1984 p.45). Farragher divided his cases - arrest occurred in 20% of the life-threatening ones and in 15% of those where there was bruising and black eyes (1985 p.115).
7. A lack of injuries and/or a lack of visible injuries does not mean an assault has not taken place. Using Straus' Conflict Tactics Scale, Burris and Jaffe's sample of battered women included 22% of one group (private informant group) who had no injuries or visible injuries whilst the figure was 19% for the common assault group. Of course all of the assault causing bodily harm group had visible injuries. One of their findings was that the severity of the charge was related to the severity of the injury and the need for treatment of the injuries (1983 p.313).
8. Of the 1000 cases Bowker studied, 479 wives had been assaulted whilst pregnant. Seventy-two of these actually suffered a miscarriage as a result of their partner's violence towards them (1984 p.86).
9. Burris and Jaffe, for example noted that males charged with the more serious offences by police had more involvement with them 'with family troubles and other types of interventions' significantly more often than those males charged by their victims. That is, as the severity of the charges increased so did the average number of police contacts over other matters (1983 pp.313-314). The police were more prepared to lay a more severe charge when there was a history of police contact over other issues. The authors stressed

that the increase in the number of more severe charges noted in 1981, compared with 1979 figures is not due to women being more severely assaulted but that police are becoming more sensitive to the seriousness of them and may be feeling more frustrated with these offenders (1983 p.316).

10. Studying 145 cases of battered women in Sydney, they found that women who were skilled and in paid employment were able to assert themselves to leave abusive relationships after a relatively short period of time. It was those women who were financially dependent on their partners, unskilled, and not able to afford child care or housing who suffered more severe abuse for longer periods.

11. These factors according to Staniko are: 'how serious a crime is, the strength of the evidence, the defendant's characteristics, including whether the defendant has ever previously been arrested or convicted, and the complainant's characteristics..' (1985 pp.123-124).

12. Bowker documents several studies along with his own where women have wanted their assailants arrested but police have blatantly refused to do so or have talked them out of it. Four such studies showed that arrest had been refused in more than 61% of cases where a request was made (1982 p.478). His own study revealed a figure of 83.9% (1983 p.485). Scutt also found that police refused to arrest the offending partner at the victim's request on numerous occasions (1983 chp.9).

13. An overwhelming majority of police (91%) interviewed by Horant and Kennedy in 1982, expressed dissatisfaction with victim's lack of willingness to cooperate with prosecution (cited in Brown 1984 p.280).

14. The NSW Domestic Violence Committee Report (April 1983 - June 1985 p.32) lists factors considered by magistrates in their decision to excuse women from being compellable witnesses in 35 cases in NSW in 1984. Reconciliation was the overwhelming major reason given. However some of the other reasons strongly favoured the offender. For example, 'offence not serious, no need for treatment, no injuries'; 'no previous assault'; 'undertakings by the accused'; 'little likelihood of further offence'; no other witnesses'; 'complainant under the influence at the time of the offence'. Interests of the children and the future of the family also rated highly.

One needs to be cautious about assuming that reconciliation has been a choice freely made by the victim and that a magistrate's decision to not pursue with a legal remedy is in the best interest of the relationship.

There are several reasons why women cannot leave abusive situations (Truninger in Otter 1986; Pagelow 1981; Crancher, Egger and Bacon 1981; Gelles 1979; O'Donnell and Saville 1979 and Carnings 1984), so that reconciliation is the only avenue to take. In extreme cases of violence against women, that is, femicide, Allen found that a woman's threats to leave or actual departure from an abusive situation in an overwhelming number of cases, resulted in her death. This suggests that a woman is at greater risk if she attempts to leave.

As O'Donnell and Saville (1979), Scutt (1983), Borkowski, Murch and Walker (1983), the NSW Domestic Violence Task Force (1981) and several others have found, women just want the violence to stop. Sherman and Berk (1984) conclude from their study the most effective way of doing this is by pursuing the legal option of arrest. By not proceeding legally, magistrates leave women unprotected.

CHAPTER FOURFEATURES OF POLICE POWER IN DOMESTIC VIOLENCE SITUATIONS

Just as violence towards women can be explained in the broader social context of gender hierarchy, so can the behaviour of the police towards abused women. This chapter highlights common features of police power in Barken, that is, their controlling practices towards victims of domestic violence. These features are related to the broader political issue of power relations in our patriarchal society where the majority of men dominate most women placing the latter in a highly vulnerable position of powerlessness, dependency, oppression and abuse. That is, police are not only agents controlling women, but, at the same time, their practices have the effect of maintaining unequal power relations between men and women.

The analysis of police behaviour in Barken identifies the need for police training to extend beyond knowledge of the legislation to include confrontation of the sexist attitudes displayed by some police, greater awareness of the experiences of abused women and an insistence that the legislation be used and that no act or threat of violence is acceptable.

When intervening in domestic violence police need to look beyond the causes and show greater concern for the position of the woman being abused. This concern for the woman should include understanding of the reasons why women are reluctant to take legal action (chapter three) and

of the long-term difficulties they have in getting out of violent relationships (chapter five).

The use of discretion by members of the police force must be subject to strict supervision.

Women's reluctance to use the police based on their dissatisfaction with their practices, and the implications of this for police training are discussed in the latter part of this chapter.

FEATURES OF POLICE POWER IN DOMESTIC VIOLENCE SITUATIONS

GATEKEEPERS

Firstly police are able to affect whether battered women receive the benefits of the changed legislation - thus acting as 'gate-keepers'. Because of the life-threatening nature of domestic violence, police are the most crucial point of contact for women. They are dependent on the police for protection and for the prosecution of their assailants. As evident from the Barken study, police frequently discouraged women's access to their legal rights despite their responsibility to ensure the legislation was enforced. Police have prevented cases from going to court through their reluctance to prosecute the offender. Rarely have they made use of the ADVO.

One major problem with police decisions to consider legal action only where there has been serious injury, is that in situations where no assault or only a minor assault has occurred, a victim in fear of her partner is not given the protection of the law. When this happens, the

powerlessness of women in violent situations and their susceptibility to future victimisation are ignored (McLeod 1986).

According to the 1985 records, ADVO's were taken out in only one case by the police and this was in a situation of continuous severe abuse. Eleven of the thirteen officers had never applied for an ADVO on the victim's behalf although in eight cases they had suggested that the woman herself take out the Order. The latter course specifically undermined the intention of the legislation. Power for the police to do this was given on the grounds that women are too frightened to do so for fear of retaliation from their partners. There had not been any follow-up to see whether women had applied for the Order. In the five incidents where police were called to the house because of women's fears/threats of violence towards them, police took no action despite evidence of weapons, furniture being destroyed and a history of abuse in three of the five cases.

As Hatty and Sutton caution, police may not be aware of the potential danger to the victim in cases where only 'minor' or 'trivial' incidents occur, resulting in the 'lowering of the threshold of vigilance' (1986 p.4).

In several of the cases police would not have been aware of a history of assault because (unlike the author) they would not have had access to hospital and health centre records, they stated they lacked communication with the health department staff and because of high turnovers with consequent lack of familiarity with cases in question. Yet such histories were obvious in thirty-eight of the forty-six incidents of 1985 and involved twenty-two of the thirty offenders when non-police records were examined.

No evidence of previous assault from records could be established in the remaining eight cases. In three of these, the victims' names were not supplied to make such an investigation possible. However, a lack of evidence of previous assault in these eight cases does not necessarily exclude the possibility of its occurrence.¹

The frequency with which police may return to the scene of a domestic dispute is apparent from a Kansas City police study in 1977. Within the preceding two years police had been called to the scene more than once before in 85% of cases of domestic assault or murder. In over half of the cases, it was at least five times (cited in Cannings 1983 p.52). Given the high number of histories of previous assaults in the Barken study, Hatty and Sutton's comments and concerns are well-founded here.

These findings highlight the need to alert police to the fact that what is a 'verbal domestic dispute' on one occasion, may lead to possible assault on another, and that there may have been a previous history of physical abuse. They are supported by evidence from other studies that have found that abuse often tends to be ongoing and that it increases in frequency and intensity over time (Pagelow 1981 p.278; Dobash, Dobash and Cavanagh 1985 p.154; Thompson and Gilby 1980 p.303; Burris and Jaffe 1983 p.316). This has implications for police to use the ADVO in known cases of previous assaults and when the victim fears violence or has experienced threats of it.

By not understanding the nature of battered women's experiences, and in particular the difficulties they have in leaving abusive situations, and surviving on their own, police rarely refer women to other services that could assist them. Women's encounters with some members of the helping professions in Barken - legal, medical, health and welfare - are

unfortunately similar to that with police. Agencies define domestic violence in various ways. The outcome of this is that there is a lot of individual action with each case being dealt with on an individual basis with no delineated policy for providing an adequate, appropriate and coordinated approach to intervention. In effect, there are a number of gate-keepers in addition to the police - all of whom act in such a way as to prevent private troubles becoming public issues and in doing so, deny women the help to which they are entitled.

Battered women have no comeback. Like rural women for the main part, they are not an organised pressure group who could demand action from the various systems who have a role in domestic violence intervention. Some women have complained to the Health Centre staff, but not to the police, that they are not getting the service and action from the latter that they are wanting. Their response to ineffective assistance is to avoid use of it. Women's reasons for not calling the police in the future, are elaborated upon in the latter part of this chapter.

INDIVIDUALISATION AS A MEANS OF DE-POLITICISING THE SOCIAL CONTROL OF WOMEN

Secondly reference has been made to the tendency of some of the Barken police to deal with each case on its individual merits rather than categorically apply criminal law (arrest and ADVO) as a sanction against violence towards women. For the majority of women (only one saw it as a good thing), this individualisation process minimised their experiences of violence and perpetuated not only a lack of trust in their local police force but also a lack of control over their own life to live free of abuse and to feel safe at all times. This meant that apart from such

issues as who was to blame for the attack, or what caused the argument or whether one or both partners were drunk at the time, etcetera, the broader and more general concerns of battered women were completely overlooked.

These broader concerns of the Barken women included such things as their powerlessness in violent situations, their inability to leave abusive relationships, the constant fear they lived in daily and the totality of abuse they experienced - financially, emotionally, sexually, psychologically as well as physically. It was a greater understanding of these issues that featured strongly in women's comments on suggestions for police training.

For the majority of police interviewed, understanding domestic violence as a problem of society with its roots in socially-constructed gender structures, appeared to be totally out of their awareness.²

Failure to address the broader concerns was apparent not only in police reluctance to use legal sanctions against violent expressions of male power over women, but also in their failure to use support services that could address some of the other power issues with the women.

IDENTIFICATION WITH OFFENDERS

A third feature of police power in domestic violence situations is that police use their discretion to determine whether men's violent behaviour is offensive or not. The frequency with which the Barken women perceived police as being on their partner's side (ten of the fifteen women studied with only two being willing to call the police in future

incidents for their children's and their own protection) suggests that this discretionary behaviour may be based on police alliance with men.³

As mentioned earlier, women were amazed at how police would stand there listening to their partner's lies despite their obvious injuries. One woman said, 'When police see women knocked around, surely they'd think something happened. Seeing the way they have dealt with my friends, I realise how useless they are.' In one case they believed the child who 'was not game to cross his violent father', said one woman who had red marks across her face when the police called. She claimed the police accused her, 'Your husband could not have hit you because your boy said he didn't'. This woman had already been telling me of how she would step in the way when her husband would physically assault the children when he came home drunk which indicated the strength of the fear he would generate in his children.

Some of the Barken women regarded the reluctance of police to label their partner's violent actions as criminal as a way of protecting the men from adverse publicity in the town. Several offenders were prominent in the community (well-established grazier families, government employees, socially active and community spirited with involvement in local committees and groups) and some socialised with the police.

Twelve of the thirteen Barken police studied claimed to socialise with townspeople. 'Mateship' is strong in country towns where people have limited choices for friends and social activities that will provide a recognisable high status level and a sense of belonging in the community. There is no doubt that the actions of police (both on and off duty) are subject to scrutiny by townspeople. For example, nearly

all people interviewed in this study when commenting on the police, referred to them individually.

The extent to which police in their dealings with domestic violence, are affected by attitudes and values upheld by the community, particularly a community like Barken that is small and relatively stable, requires independent research. However, the remarks of two members of the clergy point to its existence. One said, 'Young police come in, arrest the man and have him charged. You can't have this attitude. One policeman's haste sometimes is incredible. Afterwards, police get criticised.'

Another commenting on police inaction stated, 'The attitude of non-involvement in domestic violence is similar in both country and city police but the reasons are different. In the city police won't get involved because they don't know or understand the people concerned. They fear reprisal and they might get shot. In the country, police won't get involved because they do know the people. It is their friendship that might get 'shot down'.'

Police claimed to use the utmost in objectivity. One officer stated, 'I will not attend a 'domestic' when I know the couple well'. Another said, 'It doesn't make any difference who the couple are or whether I know them personally.' However, the women reported differently. Some spoke of the positive aspects of the police knowing their partners whilst others saw a negative side to it though what remained in some of these cases was a somewhat subjective and individualised response to the offender's behaviour.

A number of women spoke highly of one particular police officer and expressed relief whenever he attended the call. They felt supported by him and knew that their partner would take notice of him. He knew one

family well where violence occurred as his daughter was a friend of their daughter. He would occasionally drop in on this household to see how the wife was knowing that her husband abused her severely and frequently. As his visits were irregular making it hard for the husband to know when the police officer was likely to call in, the violence stopped. There had been none for the past eighteen months since the visits started. However, what did persist was the emotional and severe financial abuse towards this woman which she claimed was worse than the physical abuse because it was constant and the threats were terrifying.

Another police officer was also well respected by some women. He always showed genuine concern for the women (also evident in my interview with him) and he was able to control the men, even in one case where he socialised with the offender. 'He is the only one my husband will listen to - the only one who can calm him down,' said one woman, giving numerous other accounts of ineffective interventions by police after she had been subjected to extreme abuse by her husband. She went on to say that if she needed someone to talk with, this policeman could be relied upon.

'Being friends he wanted to help more. If he was available he would take the call to our place. He was a good deterrent. My husband would never hit me while he was around. One thing about men is that they're scared of losing their friendships.'

She described this officer as a polite man who gave cautions rather than enforce the law.

Another woman describing this particular policeman positively, said he 'plays the part of a social worker.' After he told her her face was not bashed severely enough to warrant an arrest being made, he then talked to her husband outside. She added sympathetically that it must be difficult for police who know offenders, who play cricket with them and

drink with them as they did with her husband. She stated that it was probably easier for new police officers who did not socialise with the locals.

One woman's husband played darts in the Police Dart Club. She claimed this association made no difference to the way police responded to the situation when her husband was violent towards her. They were consistently 'useless' but she believed this had nothing to do with the fact that he associated with them. She had two major relationships with violent men and the police were unhelpful in both periods of her life.

Some women saw a more negative side to the police knowing the offenders they were dealing with on a social level or related to the offenders' status in the town. One woman commented that the police were too involved with people in Barken and therefore would not intervene in domestic violence situations. Another woman's experiences with police who knew her husband socially were quite distressing for her. Her husband's father 'was also very good friends with police who called to the house'. Her husband was a government employee whilst her husband's father held various prominent positions in the town. She stated categorically that 'all police sided with the men. They all know his father which made a difference. They didn't want to make a spectacle of her husband's father because he is so well known in town. They didn't want to damage his name.' One woman tried to explain the lack of police willingness to get involved with the explanation that police were probably aware that the men could not face public knowledge of their behaviour.

In all situations outlined above, although women considered police officers' involvement with their partners as either positive or

negative, some common themes prevail. The success of intervention was only temporary when police intervened. Violence continued in all but one case. Not one offender referred to above was ever charged by the Barken police.

None of the officers who were interviewed who were in Barken in 1985, associated on a social level with the three offenders who did get charged in that year. Whilst the physical abuse was known to have stopped in one of these cases (the other two were not followed up), like that case mentioned above where the police officer would 'drop in' on the victim, both victims in these situations were still experiencing emotional and psychological abuse. Studies overseas suggest that arrest is the best form of deterrent to further physical abuse (Sherman and Berk 1984), yet one must not overlook the power of emotional and psychological abuse in keeping women maintained in oppressive relationships. It is also important to understand that these forms of abuse are necessary steps to the onset of physical abuse as men need to get women in such frames of mind in order to be able to subject them to such violent acts.

Another theme is the reliance of individual responses of individual police officers for support and protection. Although women have been able to rely on particular police, these officers are not always available to help. In fact one officer has left Barken whilst the other has been promoted making it less likely that he will be available for street duties.

A third theme to emerge was women's expressed reluctance to involve the police whether their partner's association with the police was perceived as positive or negative with respect to the help they received. There

was hesitation when they suspected that some police would side with their partner. In those cases where women saw the police association with their partner as a good thing, they stated that the fact that they knew the police officers personally, made them feel embarrassed to call them. Consequently, police association with offenders restricts the possibility of women doing anything about the violence. They are aware of the likely outcome when police 'favourably' treat their partners and they are aware of their feelings of embarrassment at calling police they know. As a result they do not report to police.

A fourth theme is that by not prosecuting men's violent behaviour publicly (in court), police are reinforcing a commonly held view in Barken that what happens in the home is a private matter not of public concern. This ensures that male violence is not visible. This has a number of repercussions. The police are not 'pushing' enough cases through to the court. Consequently, the court is not making a definitive statement about the unacceptability of violent behaviour in the town, yet they have a responsibility to do this. Women are not having their partners charged with the offences which leaves them at risk of further abuse. By not acknowledging the seriousness and totality of women's experiences, police are not referring them on to agencies that can help them address not only their own reactions to their partner's behaviour, but also other issues related to their needs for safety for themselves and their children.

PUBLIC/PRIVATE

Despite powers of entry, because the location of the dispute was the home, some Barken police labelled the incident as a 'domestic' which

reduced its criminal significance in their eyes. It was then considered to originate from problems in the marriage - a private matter.

According to a few of the Barken women, rather than interfere in what was regarded as a personal issue, police responded to the incident as a disturbance of the peace. As one woman stated, 'The police will only take him away when the neighbours complain of the noise'. Disregarding the criminal aspect of the violence created a dilemma as to whether police should arrest or employ the welfare, peace-keeping aspects of policing (Avery 1981; Hunt et al 1983; Hatty 1987). Yet it has been found that arrest reduces the number of repeated assaults on women (Sherman and Berk 1983).

The lack of a legal response reflects the ideology of privacy that what occurs in the home is a private concern and not for 'public scrutiny' (Scutt 1983 p240; Farragher 1985 p118). As one member of the NSW police force in Sydney remarked to me early in this study, 'A man's home is his castle. It is not for police, courts and the welfare to intrude into the family and take away a piece (the head) of it'. Similarly, one of the clergy interviewed remarked, 'There is something private about a person's home that police respect.'

Whilst in fact a few of the Barken police when speaking about their reluctance to enter the home referred to the latter as a 'man's castle', this attitude is evident in several studies that found that police were less likely to arrest when the couple were married compared to a defacto relationship or were married but living apart (Pahl 1982 p43; Jeffrey and Pahl 1979, cited in Johnson 1985 p113; Field and Field, cited in Cannings 1984 p45).

According to the Barken women, marital status had nothing to do with whether police would intervene in the home or not, but that the issue was to do with men's rights in the privacy of a home. Several of the hospital nurses and members of the clergy believed police not only had this view but were probably identifying with the men at the same time. Commenting on the helpfulness or otherwise of the police, three women complained that when their partner was smashing up their house, the following replies from the local police were, 'There is nothing we can do about that madam, your husband is entitled to do what he likes in his home - he lives there'. What this woman had to inform the police of, was that the house was hers, she had bought it and that the furnishings her husband was destroying, were hers also.

Another woman was told when her defacto husband was also bashing her as well as the furniture, 'We can't remove your boyfriend, he owns half of the house'. The third woman called the police saying her spouse, whom she had separated from several months previously, was 'smashing up the house'. She was told, 'There's nothing we can do, unless your husband is destroying public property'. She rang back from a public phone, saying he had just smashed the phone - the property of Telecom - Commonwealth government. They replied that now they were able to come down and investigate. They still did not remove her violent ex-husband, she had to leave.

As some Barken women observed, the police were embarrassed to come into their homes and 'referee between husband and wife', yet they gave the impression of 'being very much in charge' and 'more confident' when they attended to incidents that occurred in the street or another public places such as a club. Speaking from their own experience, a few of the women stated the police dealt with their partner's violence in public

differently to how they would deal with it in their home. One woman, whose husband was well known to the police (for physical assault of other males amongst his offences) gave an account of how police would come straight away whenever her husband was abusive of her in public. They would lock him up immediately. She added they were frightened a riot would break out (there had been a number of riots in the town). Her husband would stay locked up overnight until sober. On the several occasions when he was violent towards her at home, they would just calm him down but not lay charges. One may suspect that this offender's history of aggressive behaviour may have helped police to feel more confident about apprehending him in public. However it seemed not to play a part when the aggression was in the home.

Several women explained police readiness to respond to violence in public in terms of their having an audience and thereby 'needing to appear to be doing the right thing' as 'everybody is watching'. One woman described her experiences of both situations. 'Police maintain an image of seeming to be doing something in public. When they come to our home, they don't bother. They imply I'm making it up. They don't care about women.'

A couple of women believed it did not matter where the location of the dispute was, police 'still don't do anything'. One woman commented, 'They say they can't do anything in public places either'. She described an incident in the club when her ex-husband threw something at her. 'Police did nothing...Everyone was scared of him. My father was upset with the police who left. He called them back. My husband wins every time. The police did nothing again. I had to leave. My husband stood there watched, sneered and laughed at me'. Another woman said, 'It doesn't matter (where the police get called to), you still get

blamed for it. In public, it's because you have disturbed the peace. At home, it's your fault because you've used bad language in front of the kids'. This woman expressed concern that her husband's violent behaviour had been ignored in both situations, whilst the police focused on her being the one to blame for the outburst.

The tendency of police officers to confuse law enforcement with the welfare and peace-keeping aspects of their work is largely attributed to adherence to dominant ideologies that sanctify the family and its privacy, and a man's right to chastise his wife. Not only did the Barken police express reluctance in entering the 'private domain' but eight of them said it was important to keep the family together and regarded the violence as 'marital problems' rather than criminal offences.

POLICE DETERMINATION OF WOMEN'S TOLERANCE FOR VIOLENCE

Women complained that the Barken police were attempting to control them when they would decide how much violence and threat of it, women should tolerate. Despite obvious injuries and a plea for assistance, women were told such things as 'We won't press charges. Your injuries are not severe enough. We don't think we can justify it', or 'There's nothing we can do to stop your husband bashing you'. A number of women had witnesses to their partner's violence, and the police still did not take any action to remove the offender. As the father of one woman said to the police on the phone, 'You no sooner left my daughter's place and he started in on her again. Can you come back up here, please?'

A number of women would call the police in anticipation of their husbands attacking them. Women stated that police complained about being called out when the husband had not actually hit them. 'They imply that you're wasting their time', said one woman, or 'That you're hysterical', commented another. They were informed that there was nothing they could do unless their husbands had actually harmed them. One angry woman stated, 'They told me they could do nothing about my husband until he actually does something. Yet he has made continuous threats on my life since we've been separated. I think this stinks'.

In four of these situations when police left without offering any protection (including the ADV0), they had to be called back within ten minutes. All were injured in that time. One of these women had her forehead split open and had to be taken to hospital. Two of them had their belongings destroyed as well. In one case, already referred to in chapter three, when the police first called to the house, they could not get the man into the wagon. 'He was six foot tall and drunk,' his wife explained. 'They tried but could not. So, they calmed him down and watched him leave. He returned to the house five minutes later'. She added that she did not bother to call the police back. Besides, he returned later with a friend who fortunately was sober.

Leaving these violent men in the house with their wives and children was a blatant discounting of the fear, terror and abuse women had been made to endure and what they would experience after the police departed. Several women spoke of their husband's bitter reprisals for having dared to call on the assistance of the police.

According to some women, the police would not even come to the house or would take their time in getting there. This was also supported by

hospital staff who felt the women they treated would have had less injuries had the police not taken so long to arrive at the scene. As one woman stated, 'They took twenty minutes to come. He had nearly killed me by that stage'. One hospital nurse remarked that she had heard people say about the police that they will 'give it one hour' and then go up and investigate. She believed that this was probably true particularly in the case of the recurring incidents.

The fact that an ADVO was sought by police on only one of forty-six reported occasions in 1985, and that a couple of women complained that police do not act on them, suggests that police use their discretion to decide how much violence, threats or fear of it, women should tolerate. It becomes understandable why police are referred to as the 'second assailant' (Stanko 1985 Chps 8, 9; Radford L. 1987 p136). It also suggests that the availability of remedies such as the ADVO is insufficient and that it needs to be backed up by education and in-service training.

Jill Radford offers a twist to the notion that police decide what level of violence women should tolerate. She regards such police power as 'defining the limits of violence appropriate for the control of women' (1987 p43), because 'the failure to condemn men's violence legitimates violence as an acceptable means of controlling women' (1987 p41). This statement is in keeping with the Barken women's comments that they felt that the police think they deserve what they get.

DESERVING THE LABEL 'VICTIM'

The intentions behind the new legislation are undermined when police completely ignore it and decide for themselves whether a woman is worthy

of the protection of the law. It is as if an abused woman has to earn the label 'victim'. It is possible to assume that the Barken woman who was intoxicated at the time of being strangled was judged by police to be undeserving of their assistance. One sure way of expressing disapproval of this woman (and other women's) behaviour and even of reprimanding her would be to refuse to investigate the crime. Susan Edwards (1987 p153-4) refers to a number of studies including her own in 1981, Adler (1982, 1984), Chamber and Millar (1983), McLeod (1982), Dobash and Dobash (1979) and Stanko (1985), and J. Radford (1987) also, where victims of sexual and physical assault were differentially treated compared with other victims because of an apparent failure to behave in traditional stereotypical sexually-appropriate ways.

Green et al would regard the Barken police response as an attempt by them to exercise control over women's social behaviour, thus perpetuating male supremacy and female subordination. They speak of the dominant patriarchal assumptions about what constitutes respectable 'womanly' behaviour, and how women who do not conform can expect to be reprimanded in some way (1987 p80). Women drinking at the pub is one particular activity that is totally unacceptable to men, like most other forms of independent leisure activity. Women's proper place is in the home. In fact the Barken police told the woman to go home rather than their taking her back to the pub to investigate her attack or to the hospital to have her medical condition treated and documented as evidence. This suggests that their reluctance to intervene was an expression of their disapproval of women who drink and who do it in public places.

It was whilst perusing through the 1985 sample that a number of police officers made some stereotypical and somewhat judgemental remarks about

the abused women. Women who had called the police on numerous occasions were referred to as 'a bitch' - this was applied to several women, the main reason for this label being that they had 'taken their partner back after the assault'.

There appeared to be much resentment about being called to a home frequently and little tolerance for women who 'deserve all they get when they keep taking him back'. In these instances it was the woman's behaviour, and not the man's that was being commented on. Because women do not leave or because they take their partner back, some police remarked, 'She continually looks for it and asks for it'. This statement was also made of one woman who was said to 'go away with other men for a weekend.' Such comments made by the Barken police as, 'She takes off and sleeps with other men' (said of a number of abused women but not of the men) suggest that they defined what is 'reputable character' for women. This was clear in one officer's remarks about one particular woman on the list, 'Oh, she'll tell you all about domestics. She has lived with about eight guys'.

Similar judgemental comments by a policeman were encountered during the pilot study. Whilst going through the 1985 sample for this particular town, one policeman referred to individual women as 'a slut', 'a mole' or 'just an Abo' living with a white fellow so what can you expect?' There is good reason to suppose that these comments reflect this police officer's general views about all women. It is interesting that he did not make any similar disparaging remarks about the men who carried out violent attacks on these women. Holding the view that women 'provoke their own demise' (Edwards S. 1987, chp. 11) not only frees men from responsibility for violent acts of behaviour, but attempts to control women by an assertion of what is unacceptable about their behaviour.

There may well be some truth in the belief of some feminists that 'men fear and despise women while at the same time desiring and using them to meet their own various needs' (Edwards A. 1987 p20).

One matter of concern about police attitudes towards abused women deserving intervention, was the adamant stated beliefs of some police that violence did not occur in some relationships despite the entries in police records, hospital files, and the statements of women to the contrary. Police either denied that any violence occurred, 'I can't ever recall him hitting her', 'It was verbal disputes only', or they would 'play down' the severity of the event, 'Oh, it was only a one-off, and we never heard from them again', or 'He did not assault her, he only locked her out of the house, though he did hit a guy at the races and later someone else', the officer added, indicating that he knew this person was capable of such violence but was not prepared to accept that it might have been directed at his wife.

It appears that police, like most other professionals, categorised women into 'good' and 'bad' and stereotyped them to help them formulate an opinion on them in order to decide how to deal with the situation. The decision was not a legal one but became a moral one.

The Barken women were in a no-win situation so long as police condemned them for not wanting to use the legal system whilst at the same time, limiting their access to it and perpetuating their subordinate position within the home.

To add further 'insult to injury', police (magistrates, solicitors and helping professionals) interpreted women's inability to leave their violent partners as women's unwillingness to act in cases of violence. As McCann acknowledges, 'This in turn mitigates against an individual

woman's ability to obtain adequate protection...' (1985 p86). She elaborates that such so-called 'unwillingness' fails to acknowledge women's 'primary responsibility for child care', their 'financial dependency within the home, [and their] ...inferior status in relation to [their]... husband'.

The next chapter addresses these issues for the Barken women with respect to their ability to leave violent situations.

WOMEN'S RELUCTANCE TO INVOLVE THE POLICE - LESSONS FOR MORE EFFECTIVE INTERVENTION

From the above discussion it is apparent that overall there is a great deal of dissatisfaction with the way the Barken police handle domestic violence situations and this largely accounts for the reasons why women were reluctant to involve the police. When reports were favourable, it appeared to be the characteristics of individual police officers and not necessarily the authority of the law that they possessed, that contributed to their being perceived as helpful. Two women found the police helpful on all occasions. Another four said they had both good and bad experiences whilst nine had only bad experiences. Women saw the police positively when they came back to check on them; when they were very supportive, thoughtful and easy to talk to; when they advised women of their options and left a pamphlet on domestic violence for them to read; when they told the partner to leave; and when they 'frightened the daylights out of him'. In these cases the women felt respected, cared about and had their experiences of violence acknowledged by the police.

Several women were very sympathetic towards the police for having to be involved in this sort of work. They recognised that knowing the offenders socially created dilemmas for them. They also mentioned that police were sometimes the subject of malicious gossip. A couple of women stated that when police have repeatedly called to the same house, women were accused of having an affair with the police officer who called. It is not clear whether the police were ever confronted with such talk, but the women certainly experienced it.⁴

When asked to make suggestions for police handling of and training in domestic violence, women expressed ideas that were based on their good and bad experiences of police intervention. For example, a number of the women would like to see 'more action from the police' in arresting their partners rather than using their discretion to act in only some and not all situations. 'They should just take the violent person away immediately and not ask questions. They try and talk him down rather than act', said one woman. She added, 'Men start up again as soon as the police leave. They can quieten down as quickly as they flare up. That's why there is so much domestic violence because men know police won't do anything about it.'

Several women were concerned about this latter point also. 'For men to know police mean business, the police have to grab them and take them away immediately. Women preferred legal action to 'just talking' to the offender, which ignored the real dangers for women and children. As one woman said, 'There is no time to reason with them, particularly when there are obvious signs of damage to property or injury to the woman.' Another woman's anxieties were, 'The men see the police walking away and not getting involved. This heightens women's fears, because this is when the police are really needed.' Further abuse once the police left

was the experience of nearly all the women interviewed. A woman stressed the importance of police action, 'Men become more aggressive after the police have left. Husbands state that women have no right calling the police, and the abuse gets worse.' So, the major issues here are that not only does the male violence go unsanctioned but that women are left feeling highly vulnerable to further, and in some cases, more severe, abuse when the police leave the scene. Women also expressed concern that their children would learn that one can get away with being violent - their father does.

Another point strongly stated by several women was the importance that their experiences be recognised, and responded to accordingly. This was expressed in a number of ways. 'Police should make sure they turn up when you ask them for assistance.' For another woman, this means, 'Believing women when they phone for help.' Others were distressed that police would leave them unprotected in the company of men who had just assaulted them, and that it was important that police understood what it felt like for women and children living with men in these situations.

Women suggested that, in their training, police should have contact with victims and welfare workers in the field in order to learn more about women's experiences and the nature of domestic violence. However, one woman skeptically remarked, 'People don't understand the experience unless they've had it themselves.' Another two women promoting the idea that police during training have the opportunity of talking to 'real' victims warned that the identity of the women should be disguised. They saw this as essential as those police who may have been involved with these cases may continue to put their own interpretations on these victims' situations and attempt to destructively influence other officers.

Women expressed frustration that police were not aware of the legislation and that a wide range of excuses were being given as to why they could not intervene. One woman's frustration was obvious in her words, 'Police should know the new legislation instead of this 'garbage' about intervening only if government property has been damaged'.

Another woman who stated that police should be more up-to-date with the law suggested that more time should be spent on training police in this field of duties.

Training was considered essential not only in respect of the law and of the experience as women see it, but in changing the attitudes of some police. One woman who saw domestic violence as 'a specialised field of work' stated, 'Police have got to be more informed. For example, 'women don't ask for it', which is a typical male attitude.' Another woman who experienced some very negative attitudes in the way police related to her, said,

'Police should have a better approach - similar to social workers. Instead, they are very abrupt and rude. They look down on me and on other women. They should talk to you and help you and not have the attitude that 'you must have asked for it or deserved it'. They need education to relate to people.'

Others expressed hope that training would change some officers' bias towards, and identification with men. As one woman stated, 'Men who are violent often lie about their violence and police need to know this and how to react when they deny the assault.' Another drew attention to the fact that it can be difficult for some police to enforce the law with men they 'drink and mix with' and therefore police coming to the country to work, 'need to be prepared for this fact'. Others believed that with more 'inside information about domestic violence', police might become 'more fair and less biased'.

A couple of women remarked that if police are not going to remove the man, they should at least tell the women what options she has. 'They should inform women of their rights and of services when they leave the man there because he is going to be straight back into assaulting his wife', said one woman. Another woman suggested that police 'should encourage women to leave their partner and explore options rather than stay and put up with the violence, especially if there are kids'. This woman was glad that one officer had talked to her about this and had left her a pamphlet on domestic violence. Pamphlets should be left in everyone's letter boxes, suggested the women as if they are only available from public places such as doctors' surgeries, women will be too embarrassed to pick one up.

Several women whose husbands were not removed from the house, requested that police come back to check on them and continue to patrol the house. As one woman said, 'This could prevent a lot more violence from happening'. Another way to prevent further violence from the men towards them, suggested a couple of women, is for police to remain calm. One woman described how a police officer banged her husband's head into a dish because he would not cooperate with them. This made her husband even more resistive, she claimed, and it made him more angry. Women are not only put at a greater risk of further abuse after the police have called, but they are at times subjected to witness further acts of aggression, this time committed by the police. One woman was distressed that the police 'used the same stand-over tactics' with her husband that the latter would use on her. It is interesting to note that both these offenders had an extensive criminal history.

Whilst a number of the points discussed above may not have been intentional on the part of police, it is important to stress in their

training, that such inaction and what can be regarded as inappropriate action, have the consequences of further disadvantaging abused women. There appears to be an inextricable quality in some police officers' activities that work in such a way that people suffering are further suffering because of the system.

As police are in the forefront of domestic violence - the first agency to be called upon to intervene - they are a woman's gateway to accessing a variety of assistance. That is, they are a crucial link in networking women with support services. Police need to be educated about the multifaceted nature of domestic violence in order to know what the needs of victims are and whom to refer them to. They need to understand the private nature of women's lives and the nature of oppressive social structures, that keep women maintained in abusive relationships, as well as their own contribution in this respect, in order to be sympathetic to the reasons why women may be reluctant to involve them or others, and why they may find it difficult to leave their partner. They should regard referrals as non-intrusive but as providing women with options to help them make decisions for themselves and for their children.

It must be stressed that police are only one of many components of the system that unwittingly operate to the detriment of women who experience violence in their lives. The next chapter focuses on the social, economic and political components of the system that impinge on abused women.

FOOTNOTES

1. One can safely assume that many victims do not seek hospital or welfare assistance for the same reasons that they stay in abusive situations (pressure from partner, fear of reprisal, feelings of shame, embarrassment, guilt, lack of resources - personal, financial, or of accessible and confidential services etcetera) and therefore would not come to the attention of such agencies for records to be readily available. There is a possibility that the eight cases in question may have sought private consultation with doctors and solicitors but the author did not have access to their files.

2. I was interested in knowing how police in Barken defined domestic violence. Four of the thirteen police studied (the one policewoman included) mentioned the fact that we live in a male-dominated society as a contributing factor in domestic violence and showed some understanding of the pressures abused women were subjected to by their male partners. These four and the remaining police officers all offered other factors as well - related to either party or both such as alcohol abuse, financial problems and marital difficulties.

3. Police are predominantly male. In NSW nine percent are female (Sun-Herald December 27, 1987 p.144). It would be interesting to know if policewomen exhibit any alliance with men perhaps based on their power and authority, which are typical male traits. The only policewoman in Barken had been there for five months and had very limited experience in domestic violence cases. The women saw her as very sympathetic to their situation and particularly caring towards children. Homant and Kennedy's study (1984) found policewomen to be more understanding, more concerned and provided women with more information than male officers in domestic violence matters.

A difficulty for rural women is that the smaller the town, the less chance there is of access to a policewoman, or indeed other female professionals at crisis time.

4. One woman was particularly distressed by such gossip. She was the topic of conversation on numerous occasions at work to the point where she was considering leaving town to get away from it as well as from her estranged husband who was continuously harassing her and the children.

CHAPTER FIVESPECIAL DIFFICULTIES FACING RURAL WOMEN WHO WANT TO LEAVE VIOLENT
SITUATIONS

Why do women continue to live with men who treat them in a violent and/or abusive manner? In the Introduction to this thesis a number of answers to this question were examined, ranging from those who claim that women enjoy being subjected to violence and humiliation, to those who see the social and economic constraints faced by the women as determining their course of action. The research carried out in Barken provided an opportunity to allow women themselves to say why they continue to live in such relationships. In addition, it provided an opportunity to discover the particular difficulties that confront women living in rural areas, whether in town or in remote properties. This chapter reviews the evidence on this controversial subject.

When the Barken women gave their reasons for not leaving, two factors emerged as critical: the women's fear of their partners and their concerns that they would not be able to support their children on their own. Several other reasons were given as well. Overall, the picture that emerged showed that there is no simple answer to the question of 'why do women stay?' A multiplicity of factors operate to limit their choices.

This chapter shows how the context of rural life shapes women's responses to domestic violence. It describes the structural factors

within the small town of Barken which made women's experience of domestic violence more stressful and which affected their ability to leave violent situations.

A lack of transport and accommodation, limited opportunities for financial independence, oppressive community attitudes and undeveloped domestic violence services in Barken, are identified as the factors that generate limited options for women who want to leave abusive situations.

This discussion focuses on the women's attempts to get free of violent men. However, violence, threats of it and harassment still continue even after women leave and are often conducted by the men with even more vengeance than previously. The onus should be on men to stop their violent behaviour and not on the women to escape from it. The criminal justice system also has a responsibility to play. So long as it continues to favour men, women have little alternative but to endure the abuse or leave if they are able to do so.

LEAVING TOWN - NO TRANSPORT, NO MONEY, NOWHERE TO GO

No Transport

The Barken railway service stopped operating some years ago as part of the State government's policy of discontinuing services which are not commercially viable. The State Rail Authority operated the only bus service out of Barken and this was to the neighbouring town to connect with the train timetable there. A plane service was available to other towns and major regional centres for those who could afford to use it. As several people in the town commented, it was not hard to determine

which bus or flight anyone would have taken, and which direction they would have headed. In addition, the gossip network was such that someone would inform their partner of which bus etcetera they had left town in.

Several women gave accounts of how their husband would drive alongside the train or bus waiting for it to stop so that he could drag them off and take them back home. They described this experience as not only terrifying, knowing that they would be worse off when they were in the private company of their partner, but also as highly embarrassing in full view of people they knew.

No Money

For the majority of women, the option of leaving town was not available. Most claimed to be financially deprived with insufficient money for food and clothing for themselves and their children, let alone for the cost of transport out of town and the means to survive. Several women stated that their partners would set aside money for their own needs.¹ One woman stated she did not even have money for a phone call to get help when abused (the neighbours refused to get involved and phone the police out of fear of her husband).

Another woman was dependent on her husband's friend to drop by with food for the family. The spouse, like the majority of partners of the women studied, drank heavily and was earning a wage. He had put an end to her taking in ironing and minding children (he would assault her in front of the children) to earn some income and told her that if she applied for social security, he would do everything in his power to ensure she lost

it. An attempt to leave this relationship and live with her brother in a capital city, failed after a week due to the brother's inability to support her and the children along with his own family.

One woman who was unable to afford to leave town, drove for three days with the children around town, sleeping in the car at night until she learned she could receive assistance from the visiting district officer of the Department of Youth and Community Services. She was temporarily placed in a caravan out of town, but later returned to the home for the comfort of the children. Having been sexually abused by a family member as a child, she refused to involve any relatives for support. Besides, they were aware of her situation but had never offered to help.

The expense of travelling sufficiently far away and of establishing themselves in a new location in order to be safe from harassment was well beyond the means of most women interviewed. There were five women working who were successful in leaving their violent partner. Another two had also left and went on social security. One of these women left after eleven years of abuse, 'waiting for the children to grow up'. She stated she in fact was better off financially as at least she had a 'reliable form of income'.²

A number of women stated they did not know how to apply for social security. Until June 1985, the services of the Department of Social Security consisted of a visit from one of their officers, fortnightly, from the regional centre one hundred and sixty kilometres away. Subsequently, the Department established an office in a neighbouring town with thirty-three workers. Instead of the service to Barken improving with such large staffing nearby, the visiting ceased, leaving

Barken women to make their own way to the office. As noted in the Barken Times May 30, 1985,

'This may create transport hassles for local jobless people without cars. The State Rail Service runs the only bus service between the two towns. Its timetable - catering for rail passengers - makes it impossible to travel to and from the office in the same day'.

The consequence of this cut-back of an essential service is that it is now impossible for abused women with children to make their way to the nearby town to get advice and apply for income security without their partner's awareness.

Eleven of the fifteen women interviewed placed a lack of money as one of the main reasons for not being able to leave. Nine expressed a reluctance to give up the financial security of their home/property.

Adding to the lack of money, many women claimed it was virtually impossible to take more than the clothes they and the children had on. As one woman stated, 'Ninety per cent of abused women in this town have young families with dependent children. They cannot pack up everything with the kids'. Women were too frightened to come back later. One woman asked the police to go with her to pick up some school clothes; they refused. Two women (on properties) were able to plan their departure and load up the car in advance. Another woman (also on a property) took suitcases of belongings bit by bit over a period of months to friends' places until she had enough to set up house in another town. Three women who left in their partner's presence were restrained from taking anything with them, including a cot in one situation.

Another severe constraint on women who wish to leave their partners is the scarcity of employment opportunities.³ The town has one major

industry and this had constantly been under threat of closing down and had on several occasions with large numbers of workers, men and women, being retrenched frequently. Several people interviewed were angry that there was no political or financial assistance to the town to help deal with its special employment problems.⁴

People described Barken as a 'welfare town' and a 'poor town' compared with its neighbours. Some locals stated that because of this, politicians did not regard the town favourably and many commented that 'It doesn't rate politically'.

Commenting on employment opportunities in Barken, one woman stated,

'There is no chance in the world of women getting work here. You need a car to go out fruit-picking and this is only available seasonally. You seldom see a job advertised - friends and contacts get any vacant position. Besides, people stay in the one job for years because there's nothing else to go to'.

The very grim employment situation, especially for women, was acknowledged by everyone interviewed in Barken.⁵

The likelihood of getting a well-paid job to support themselves and children seemed remote for most women. A number of people remarked that there was resentment towards anyone who did get ahead - particularly if they were women and had other than traditional views on anything. Some said, 'Children are not encouraged to get higher education in Barken'. In keeping with the findings of the Western Division Select Committee (1984), young people between the ages of 15-19 were the 'hardest hit by unemployment' (The Barken Times May 16, 1985 p.1). Lack of jobs combined with the traditional attitude that 'a woman's place is in the home'⁶ meant that many girls became pregnant shortly after leaving school. 'They know they're likely to end up marrying young', was how one woman saw the situation. 'Marrying young and having kids is a trap

for abused women', said another woman who became pregnant not long after leaving school, and was supporting her family solely on social security.

The local Commonwealth Employment Office manager saw no need to give unemployed women any special attention,⁷ '...it is the policy of the Commonwealth Employment Service to be non-sexist and in the whole context of the unemployment problem, women's unemployment was not singled out' (The Barken Times March 19, 1987 p.2). Although he mentioned a couple of schemes that were targetted for women, to not give female unemployment special consideration denied them equal access to the labour market which, as outlined above in chapter one, has always been strongly favoured towards male employees.⁸

The interest in furthering education beyond secondary school, was low in Barken.⁹ Contrary to the findings of the Western Division Select Committee (1984), higher education courses available locally were very well advertised.¹⁰ As far as possible they catered to local industries and employment opportunities and offered adult literacy courses to help people achieve a level satisfactorily to undertaking further study. The Women's Unit within TAFE (Department of Technical and Further Education) at a regional centre had begun to offer mature aged women who had been away from the workforce and study, a course designed to help them seek work. It appeared to be the low job prospects in Barken that provided the disincentive to take up education and such courses described above.¹¹

Child care facilities were available in the town but were inadequate to meet the demand for those parents who wanted to work, study or have relief from the constant task of looking after children. The need for expanded services constantly featured in the local newspaper (The Barken

Times July 21, 1987 p.2; August 4, 1987 p.1; February 11, 1988 p.1; February 27, 1988 p.1).

Nowhere to Go

Several women stated that even if they could afford to leave, they had nowhere to go. A couple of women told of how they would pack their bags several times but did not know where to go. Very few would turn to family and friends and those who did, were reluctant to continually impose. One major concern was that other people's lives could be endangered. Although a refuge was established in the town, 'everyone' seemed to be aware of its location. It was not uncommon for women to be followed by their partners when spotted around town no matter where they had sought shelter. It was no surprise that the refuge was occupied predominantly by women from neighbouring towns rather than from Barken.

Another problem was the difficulty in getting accommodation in it. A refuge worker was quoted in the local paper,

'We have even had to turn away some women and children from the refuge because we have no room for them. We try to place them in another refuge in a surrounding town, but sometimes we are unable to do so leaving the woman to fend for herself... The majority of women who come to the refuge are victims of domestic violence' (The Barken Times January 2, 1988 p.3).

Refuge staff were reluctant to advise police of their facilities in the early stages of its operation, because they alleged that in a couple of instances, some police officers from Barken and a neighbouring town had informed offenders of its location. Like the situation in many small towns in Australia, there was a shortage of cheap housing in Barken. Waiting lists for Housing Department homes and for affordable housing

through the Community Tenancy Scheme attested to this (The Barken Times May 2, 1985 p.5).

Many women expressed a reluctance to leave the town they had grown up in and where their family, friends and supports were. They believed the men should be the ones to leave. As one woman said, 'It is hard to leave your home. Nine times out of ten, things in the house have been put together by the woman. The women have worked for the home and are not prepared to give it up for him'.

COMMUNITY ATTITUDES IN A SMALL TOWN

The small size of the town was one of the most constraining factors on the Barken women's decision to get assistance from police or neighbours, friends or relatives, or to leave an abusive relationship. Attitudes of the community about domestic violence, marriage and women's needs (to feel safe), according to the victims, were oppressive, mostly unsympathetic, and strongly expressed in people's reluctance to get involved. The lack of anonymity and privacy along with the gossip network that is a part of small towns, were equally constraining.

People's Reluctance to Get Involved - Knowledge of the Offender

All women believed people in Barken were reluctant to get involved in domestic violence matters. Some interpreted this reluctance in terms of a fear for their own safety. One woman stated, 'Everyone knows the violence my husband is capable of. They are too frightened to help. Even men are frightened of him. No one will come near me when I need

them.' She went on to say how, on one occasion, she had been ordered off a neighbour's front porch when she ran to him to use his phone to ring the police. Her husband was chasing after her with a knife. Similarly, another woman had the door closed in her face a number of times by neighbours when she had gone to them for help. She believed they were scared of having to be a witness in court against her husband because they feared retaliation from him. She described her husband as a big man who was capable of going to any length to get revenge. He was well known in town for his violence and the fact he owned a shotgun.

Not all women thought the public were aware of their partner's capabilities as men were careful in some cases not to let others know of their violent behaviour. One woman said not even her friends would believe her if she told them about her husband, 'He is so good to the world outside but he is a "street angel, home devil"'. She made an interesting comment, that although his aggression towards her was far more violent when he was drunk, when in public with her, and highly intoxicated he would not display any of the violent behaviour he would deal out at home. Five women said that their husband's status in the town was such that no one would ever suspect them of being capable of violent outbursts. These men held prominent positions professionally and/or socially and were highly respected in Barken.

Community Attitude to Domestic Violence - A Marital and Private Matter

People's reluctance to get involved was seen by some women as part of the attitude that 'wife-bashing' was a marital problem that should be sorted out by the couple themselves - not a criminal problem for which the police should be involved. Many women complained that neighbours

and more often their relatives, refused to contact the police for them. As one woman described this attitude, 'People think that what goes on in the home, should be kept private. They don't like to make a public spectacle of a private event. Once others are brought in, everyone gets to hear about it'. Interviews with members of the helping professions, including doctors and the clergy, revealed a similar attitude to domestic violence.

Women who could not sort out this 'marital problem' on their own were reluctant to leave the relationship. They stated that to do this, would simply reinforce people's view that they had failed at their marriage. In addition, there was disapproval by some in the community to marriage and family breakdowns. A number of women were told by their relatives, 'You made your bed, you lie on it'. They stated that the expectation was that they should put up with the abuse. A couple of women were given this advice from their church minister.

Blame the Victim

One of the most alienating factors was the blaming of the women for the abuse they received. According to them, this was a commonly held attitude in Barken. Some remarks as, 'She must have deserved it', 'If that was my wife, I'd do that to her too' were often heard by the women. Some felt guilty about the abuse, and for them, such attitude reinforced the guilt. One woman thought that if she was a better wife - kept the house clean, was a better cook - maybe her husband would not bash her up.

Another woman was beaten up by her husband in a gutter, in the company of three other men whom she alleged, 'jeered him on'.

A lack of sympathy was often accompanied by disapproval of women who repeatedly went back to their partners. Not only was this attitude contrary to that upheld by people who regarded domestic violence as a private marital problem, thereby leaving some women confused about what they 'should' be doing about the violence, but it demonstrated a lack of understanding of the difficulties women were having in leaving abusive relationships.

Stigma

Many of the women were conscious of a stigma attached to being a battered woman. The social stigma was so strong in Barken, claimed some women, that there was no way they would let on what they were going through. Despite the humiliation they felt from being abused physically, emotionally and psychologically, the Barken women expressed a desire to try to maintain their dignity. One woman told of how she would stifle her cries in case the neighbours in the flat next door overheard. Eleven said they were too embarrassed to get help on most occasions and all were reluctant to appear in public with bruises, cuts and other obvious injuries. Women on properties were able to hide their bruises more easily than women in the town.

Although the Barken women had endured some horrific physical violence most claimed that the emotional and psychological abuse were far more traumatic for them. Such abuse was very difficult to hide in a town where everyone knew each other well enough to be familiar with each

other's general moods and temperament. One woman enlarged on her experiences,

'As a result of the mental abuse, I developed low self-esteem. This abuse was far greater than the physical abuse. He would put me down like you'd never believe. When the flogging was over, at least it was over. I could then get on with my life and the kids. But he would rubbish me for the next few days and I would just walk around like a zombie'.

Another woman described similar abuse.

'The mental abuse was far worse. My self-esteem was really low. He used to get me so down that I could not do anything to help myself. His threats of abuse were worse than what he would actually do to me because he would taunt me with them for a few days and they were terrifying'.

Both these women found it hard to not show what they were feeling inside when they would go out. As the first woman added, 'One day I went to the police. It was not the black eye and bruise on my face that embarrassed me, but the fact that I was not able to hold my head up out of shame, while I was talking to the police officer.'

No Supports

Some women claimed to be fortunate to have close supportive friends whom they could depend on. Three of the abused women had established their own little support network and offered each other shelter, transport to get away, and child-minding whilst they went to the chamber magistrate, health centre etcetera. For others, there was a sense of loneliness, particularly those on properties with no help closeby. For one woman, it was impossible to leave town without someone she knew finding out about it. She claimed that her husband used to get his relatives to 'keep an eye on her' if they saw her up town. Whenever he went out for the day (he was unemployed and spent most of his time at home), he would

get his mother to come over and stay with her. One of the most difficult things women who had left their partners and remained in Barken had to cope with, was seeing his relatives and friends and fearing judgement and rumours being made of them by these people.

Both women on the land and in town claimed their husbands isolated them socially. Women complained of their partner's refusal to allow them to mix with anyone or to take on employment where they would then have contact with people. One woman was forbidden to talk with women who had helped her.

Women who had attempted to leave and/or were successful in doing so, stated they felt isolated and lonely being away from their usual environment. One woman who moved off the property, said she felt more lonely when she moved into the neighbouring town because she knew no one. The only support she had was a staff member of the health centre.

Formalised domestic violence services were not organised to specifically address the needs of women and children. Most of the Barken women received no counselling at the time of being bashed. Unless they attended the hospital between 9.00a.m. and 5.00p.m., it was rare for the welfare officer or community nurse to be called in to offer counselling and advice regarding community resources. The only social worker available was from a neighbouring town. Whilst most of the hospital nurses felt compassion for the women, they often did not get involved stating that they knew the women and respected their 'right to privacy'. Like the police and clergy, most of the hospital nurses were not aware of the services abused women and children needed.¹²

Many women were not aware of any services available to them. Some did not even know there was a refuge. Fear of a lack of confidentiality was

foremost in many women's minds. Only three of the fifteen women stated they would use local services if they were available and that they would only do so in desperate circumstances because of the stigma attached. Although they spoke highly of both hospital and community health staff, the fact that they knew them personally discouraged them from involving them, similar to their reluctance to use police whom they knew personally. There seemed to be more comfort in seeing health and welfare workers who visited the town. The choice of lawyers in the town was limited and women complained that they were unable to represent them because they had worked on behalf of their partner in the past. Some had heard of a good solicitor in another town but did not have the means to get there.

WOMEN ON THE LAND

Given the unique existence of life on the land, it is important to separately discuss the experiences of abused women living on properties. Whilst most of the comments made by the Barken women were from first hand experience, some made their remarks on the basis of what they had known of other women. In all, the findings revealed that for women on the land, the structures created by isolation and distance, the employment situation, and the financial arrangements between couples, made it more difficult for women to leave an abusive relationship, compared with women living in the township. In addition, in all cases their partners possessed firearms which were 'part and parcel' of living on the land although the possession of firearms was also highly prevalent in the town according to the women interviewed.

Isolation and Distance

One of the major difficulties for women on properties was the lack of transport and communication links to get help. Women spoke of the great lengths their husbands went to, to ensure they did not get help when they were being abused. Although several women in Barken spoke of how their partners would 'rip the phone off the wall', for women on the land, this was often the only way contact could be made with the outside world. One woman was reluctant to use the phone because it was on a party line whereby there was no privacy if she wanted to call for help. Another woman complained that she had to have her telephone repaired numerous times. On several occasions, like the experiences of other women, her husband would hide the keys of the car. Women told of how their husbands would first let the tyres of the car down, then come inside and bash them up.

A fear of this group of women was that if they did use the car to get away from the bashings, their partner would jump in another car or on a motor bike and chase them. Some women complained that the only means of transport available was an unregistered vehicle that would not go very fast or make the distance into town.

One woman described the old battered utility farm truck that she would use to drive the children five kilometres to a road (not a main road) where they could then catch a school bus into town forty-eight miles away. Her husband used the better vehicle for his work around the property. He refused to allow her to go into town shopping on her own. The only time he allowed her to shop was when he drove her to a general store/post office sixteen miles away at monthly intervals. On rare occasions, he would take her into town, 'when he was in a good mood'.

This woman claimed she had planned her escape for months. Everything she was going to take had been left under the bed. Finally, after six years of abuse, timing her departure to coincide with the floods, she took husband's vehicle to the back of the house on the pretense of cleaning it, then loaded it up with some belongings and the children, and drove to husband's daughter's place more than 100 kilometres away where she left the car then caught a train to her destination. With the floods, it would have taken him two weeks to get to where she had gone to from one direction, and four weeks from another.

The isolation on properties posed a major problem to getting help when needed. The comments of one woman, 'No one can hear your screams', was echoed by a number of women. 'No one would know if anything happened', said another. One of them remarked, 'No one notices if you don't come into town because you only come in once in a while to shop. No one misses you. Visits are planned. They ring up first before coming out in case you're in town or up the paddock.' Whilst the isolation factor was to women's advantage when it came to hiding their injuries to save face in the community, it posed a severe problem when they needed help.

Financial Situation for Women on the Land

Another factor making the decision to leave an abusive relationship difficult for some women on the land, was to do with finance. These women claimed they had no money of their own although they worked long hours helping the husband.¹³ There was no financial independence with the property being in both their names. The lack of ready cash was another problem. One woman complained that everything had to be 'charged up on the account'.

Tradition and Protection of Family Name

According to one woman who grew up on a farm and then married a grazier, women on the land are traditionally tied to the home territory. 'Even today, women, particularly those on properties, are told 'their place is in the home!'.

Four women said they were too proud to be seen getting help or to leave their husbands. As one stated, 'Country women are regarded as tougher than those who live in towns or cities. They live without comfort and put up with a lot. Their resilience is probably due to the many responsibilities they have on the farm.' Although one woman made the comment that abused country women are not aware of the services available for help, it appeared from these women's comments, that if these services were accessible, it was likely that they would not be utilised.

Another factor is the strong pressure abused women on the land feel to protect the family name and to put up with the abuse. One woman who eventually left, claimed her mother-in-law, on a number of occasions, had sabotaged her efforts to get away from her violent husband. Not only was she reluctant to come to her daughter-in-law's aid (would arrive several hours later or not at all), but she refused to involve the police. The mother-in-law came from a well-established grazier family in the district and accused her son's wife of 'blackening their name'.

STARTING AGAIN WITH SOMEONE NEW

Whilst most of the separated men were in a new relationship, they continued to interfere in their ex-partner's attempts to establish themselves in another relationship. Women told of how their partners would confront them in public places and at home in the company of their new boyfriend and make threats on both their lives. One described the loneliness she felt at having to give up someone she was only just starting to get to know. In her words, 'He was such a decent man, he seemed to care about me, but his life was in danger if he continued to see me, so we stopped going out'. Another woman found it safer to have a relationship with someone from another town. There was less chance of harassment for them both from her ex-husband. However she then had to contend with the gossip of the new boyfriend's family who disapproved of her because she had been married, was older than him, and had children. One common complaint of several women was that there was a shortage of 'decent' men in town. Even if they wanted to form a new relationship, the choice of a partner was limited.

NO ESCAPE

Women who had separated and chosen to remain in Barken, continued to suffer ongoing abuse - physically, emotionally and sexually. It was impossible to avoid contact and, as mentioned above, the abuse was often more severe. As one woman stated,

'I can't get away from him. He won't lay up. The abuse and harassment are worse than before. He has tried to kill me several times. He barges in and then rapes me. I have had the door fixed several times. His parents tell me to think of the children and let bygones be bygones. He is in another relationship and continues to bash his new girlfriend up as well'.

Despite being separated, women complained of no privacy from their partner (and his family and his friends). Another woman said, 'He thinks he can still walk in and spend time with us'.

Women lived in constant fear of partners arriving at their home. One woman who had moved off the property into a small town nearby habitually ran to the window whenever she heard a car (even during the interview). She had been separated several months. Not being able to depend on the local policeman as she claimed he took sides with her mother-in-law, she had to get ready to phone her own parents for help should her ex-husband arrive.

Unless women had the means to get right away from the town to a safe location unknown to their partner, and to financially support their children and themselves, they were very likely to have to stay in Barken and endure ongoing harassment and abuse. For many of the women, a lack of affordable housing, no employment opportunities and the oppressive attitudes of relatives and others meant that they were pressured to stay with their violent partner.

It can be seen from the above discussion that there were a number of factors associated with living in a country setting that shaped women's responses to the domestic violence they were experiencing.

The solution to domestic violence is not (as many police officers have suggested) in the women leaving but in a multitude of efforts that address the power relations between women and men in all aspects of society. As indicated in chapter one, the woman's movement has still a long way to go. Barrett (1980) stated there is no solution to the problem of domestic violence short of a 'cultural revolution'. Scutt

suggested that ultimately the changes required would necessitate a massive restructuring of society and re-adjustment of relations between women and men so that 'the inequalities that inevitably lead to domestic disputes may be eliminated, leading to the eradication of those disputes' (1979 p.12). Whilst these solutions may seem impossible to achieve, the criminal justice system, the health and welfare system and other organisations can begin by taking an ideological and educational role in highlighting the oppressive social conditions impinging on women, particularly on those living in country areas.

FOOTNOTES

1. This phenomenon has been well-documented in a number of studies, as well as being true of most of the Barken couples studied (National Women's Advisory Council's study by Edwards 1982; Edwards 1981; Western Australia Task Force on Domestic Violence 1986 p.34; O'Donnell and Saville 1979 p.15; Office of the Status of Women Poll 1985 cited in Maas 1986 p.19; Maas 1986 p.19). The Office of the Status of Women's poll revealed that for four out of every ten mothers surveyed, Family Allowance was the only source of outside income. The Western Australian Domestic Violence Task Force Report survey found that 48.4% (phone-in) and 51.1% (newspaper) of respondent's had no control over finances in the relationships.

2. Although some women claimed that at least with Social Security they did receive some money and did so regularly, this source of income maintained them at a level below the poverty line. In some Aboriginal communities women do not even receive their Social Security cheques which have been found to be intercepted by some of the males (Brown 1977).

3. There is a need for employment opportunities to significantly maintain people above the poverty line (Saunders and Whiteford 1987 p.24; Browne 1987 p.85; Vipond 1986 p.20; Coleman 1987 p.20; Lawrence 1984 p.81; Williams 1985/86 p.20; and Henderson 1985 p.6-8). Women's earnings from either full or part-time employment can make a significant difference between living on or below the poverty line, to a level comfortably above it (Edwards 1982 p.252). By having sufficient money to re-establish themselves and their families, abused women will be able to leave intolerable situations of continuous battering and survive at least financially. Employment opportunities for women are therefore crucial in making this possible.

4. Representation of rural people generally is so less sophisticated than of urban people. When one looks at the State parliamentarians representing rural NSW, they are not renowned for their articulating capacity, their knowledge of the demographic issues within their area and of the economic structures within their electorates, the communities and so on. It is not just the parliamentarians but their advisory groups, election committees and sub-committees - all are taken from middle-class backgrounds from middle Australia (rather than from remote Australia) where there is no appreciation of the levels of problems (McKenzie 1987).

Briggs states that the downtrodden who live in rural areas have a 'severe audibility gap'. He adds that whilst collective action and civil disorder in urban areas carry weight, in rural areas the population is diffused and of low concentration. The opportunities to threaten, picket, sit-in or burn are sparse (1973 in Martinez-Brawley 1982).

5. Unlike the situation for urban women, employment opportunities for rural women to increase the family's financial resources, do not exist. Williams (1985/6 p.20) reported that of the 20 local government areas of New South Wales with the highest levels of unemployment in 1984, 19 were rural.

He also commented that unlike Victoria, Western Australia and Queensland, the New South Wales government has concentrated its efforts on reducing unemployment in the (Sydney) metropolitan area with little attention being given to rural areas (1985/6 p.20).

Cheers (1986 p7) added that unemployment in country areas was not only higher than urban unemployment but that it lasted longer (which is very disturbing because it means chronic poverty) and was concentrated in particular regions and affected Aborigines, islanders,

young women, juniors and handicapped persons more so than other population groups. The Western Division Select Committee identified women and Aboriginals as the two most disadvantaged groups with respect to employment prospects (1984 p.40).

6. Pressure to remain the carer rather than such responsibilities being shared by males and/or formalised services is strong in country areas. Conservative patriarchal ideologies are often blatantly articulated through the rural media by powerful community leaders and politicians. A headline, for example, in the Daily Liberal (Dubbo) April 14th 1986 read 'Married women should stay at home, says Cobb.' Michael Cobb is the Federal Member for Parkes. Mr. Ian Cameron, National Party MP for the Maranoa in Queensland was quoted in the same newspaper article. He said 'women should be encouraged to stay at home and care for their children instead of entering the workforce.' He added, 'That's what the National Party is all about - giving women incentives to stay at home and look after families and bring up young Australians as they ought to be brought up.' Mr. Cameron attempted to give strength to his male-dominant ideologies about the family, and position of women in society, by also appealing to women's 'sense of nationalistic responsibility'.

Encel et al (1974 pp.49-53) also documented similar assertions of women's place being in the home by numerous other politicians, both city and country representatives. They were particularly heard when the subject of government-provided child care was raised in parliament in the early 1970's.

This stereotypical female role is strongly upheld by many groups in the rural community. The author experienced this attitude when making reference to Michael Cobb's statements at a Conference in Dubbo November 1987 on Rural Children. Several women came to his defense supporting his views. As Poiner reported of women in her study of the New South Wales township of Marulan, members of the Country Women's Association voted unanimously at a meeting that married women should not take up employment if that was to the exclusion of others (1979 p.60).

7. Although an increasing number of country women have been entering the workforce (Roy Powell 1985) features of the rural labour market make it difficult for women to get paid work. These features are in addition to the general disadvantages faced by all women who seek work. Some of these features are listed below.

Industry is specialised and limited to mining, agriculture or tourism (Powell 1985; Masson 1986) and employ men predominantly (Masson 1986). These industries have a high-risk economic structure (Powell 1985; Lawrence 1984).

There is not as wide a choice in employment opportunities, occupation and skills for women (and men) compared with urban areas (Powell 1985; Cheers 1986). As Martinez-Brawley and Durbin emphasise, a limited range of occupations results in employment deprivation for women and a subsequent vulnerability to poverty (1987 p.29).

A higher proportion of work takes the form of self-employment compared with that of metropolitan areas. It is unlikely that an abused women (economically as well as physically) would have the finances to establish herself in a business. See the article by Bruce McKenzie 'Going It Alone' (1985).

Prejudice against employment of Aboriginal women is still a feature in some country towns. According to the Aboriginal Women's Task Force (1986 p.8) small business employers have demonstrated a preference to employ Aboriginals with light coloured skin. Some government departments through selection processes have made it difficult for Aboriginals to compete for public service positions.

8. Friedmann (1979) argues the rural unemployed need to have a visible social presence along with some form of political representation. Rural women in Australia have had little public support from government officials and workers, politicians and even from the Country Women's Association who maintained their long-standing policy of remaining detached from politics (National Farmer April 3, 1986 p.32), although they do see the need for an effective lobby (McKenzie 1985 p.27). Some government workers in country areas have complained that they have been openly discouraged by highly conservative senior management staff of government departments and hospitals from engaging in consciousness-raising activities that have a political dimension in that they call public attention to rural women's social issues.

Until 1985-6 when the rural crisis peaked as a national agenda of social issues, rural women themselves had failed to make their concerns public. Only then did women's action and self-help groups appear, followed by special education programs and information seminars.

Prime Minister Hawke's national agenda for women, the establishment of the Office of the Status of Women in the Department of Prime Minister and Cabinet, and the Rural and Provincial Affairs Unit within the Department of Primary Industries exemplify the recent government recognition of the need to increase rural women's political power (Policy Coordination Unit, Department of Community Services February 1986 p.14; National Farmer April 1986 p.34).

Their activities of calling for submissions, conducting needs surveys and funding research attest to a growing concern for country women. The National Survey of Rural Women's needs conducted by the Office of the Status of Women in conjunction with the Country Women's Association 1986 and the NSW Women's Health Review conducted by the NSW Women's Coordination unit are examples. One major drawback of both these projects has been their difficulty in reaching Aborigines in Western NSW in a significant proportion, single mothers, illiterate people, poor farmers and itinerant families (seasonal workers and caravan families).

Apart from the 1972-75 Whitlam era, historical accounts of Australian Governments' (National, State and Local) lack of concern for rural people, leave little hope of a better deal for rural people (Smith, B. 1987 pp.242-244) and even less hope for rural women.

9. Retention rates in secondary schools are much lower compared with those in metropolitan areas where more opportunity for higher education is available. These rates are even lower for Aboriginal children who, according to the Aboriginal Task Force Report, lack confidence and have not been made to feel welcome in some schools (1986 p.5).

The attitude towards education for girls is not progressive. Montague and Stephens (1985 p.4) and Poiner (1979 p.59, 62) found that young women saw their life roles primarily as mothers and housewives (the socially accepted thing).

There appears to be little interest in challenging women's traditional position in society. Poiner explained this as women's 'acceptance of the problems of the labour market and deference to acknowledged male rights and responsibilities as these dovetail with the position of women in a rural context' (1979 p.62). Yet, it is this very life role which makes women most vulnerable to continued abuse.

10. One finding of the Western Division Select Committee was that there was a lack of awareness of the range of formal and informal courses offered to country women (1984 p.65). TAFE and in particular their Women's Co-ordination Unit, the Board of Adult Education, and some agricultural colleges provide courses to women. The Board of Adult Education with its state and federal funding has established 62 community adult education

centres in rural NSW (Masson 1986 p.20) whilst TAFE has 68 colleges and 150 associated centres in rural NSW.

11. Even if country women wanted to pursue a good education, they would encounter difficulties. According to the study conducted by the Western Division Select Committee, education was regarded as 'the most important single 'service' and the greatest single problem' in Western New South Wales (1986 p.53). There are problems in attracting and sustaining staff to rural areas with inadequate preparation and support offered to those in small and isolated schools.

Well-staffed and well-resourced schools and higher education institutions are only available in some large communities and are not available to children in the smaller and remote areas whose parents cannot afford to board them or have them live away from home. The same financial travel and living away from home assistance available to some country children for secondary schooling is not available for tertiary education. One of the major reasons for families moving to large centres is the 'pursuit of educational facilities' (Western Division Select Committee 1986 p.53). However, financially this is not possible for many families. The sheer isolation from education centres, library and resource facilities, discourages external studies.

12. A more detailed analysis of the services in the town is written in a separate paper available from the author.

13. There is usually a lack of monetary value for women's work on properties (Masson 1986; NSW Women's Advisory Council 1985). For example, the NSW Women's Advisory Council in their booklet Women on the Land list farm women's duties, qualifications, conditions, hours and benefits with absolutely no salary which gives a good indication of the unpaid labour of these women (1985 pp.2-3). Women on properties often have little or no spending power of their own. National Farmer Magazine estimated that women contributed approximately \$6 billion per year to the rural economy, most of which is unpaid work (October 16, 1986 p.34).

Historically, women had undertaken the more lowly-considered farm duties (Lake 1985). Although there is a growing acknowledgement of women's input into work on the land and that women are becoming more responsible for important decisions, there is also a tendency for women to not want to appear to be more important than their partner (Poiner 1979 pp.58-9). In my view, this concern for the male ego not only perpetuates patriarchal dominance but it maintains women in a lowly status on the job hierarchy further de-valuing their worth.

CHAPTER SIX

CONCLUSION

This final chapter is in two parts. The first section summarises the conclusions of each chapter of the thesis. The second section answers the questions raised at the beginning of the study. These questions are as follows:

Why is the domestic violence legislation rarely enforced by police in country areas?

How do police practices affect victims of domestic violence?

What are the special problems facing police working in country areas?

What are the particular problems facing rural women regarding domestic violence?

What are the implications of the findings for police training and practice for domestic violence work in country areas?

The answers to the first four questions emanate largely from the data collected from those cases reported to the police in 1985, from the interviews with the Barken police and women victims and to a lesser extent, from those working in the field of domestic violence. The fourth question requires an examination of all factors (including the police response) that impinge on women living in rural areas that make it difficult for them to get away from violent situations. It draws together the theoretical discussion on gender issues in the first chapter, the findings in the study outlined in the third and fourth chapters and the structural factors specific to life in a small town. The final question allows the women and the author to offer constructive

feedback to the police with a view to improving their response to the problem of domestic violence.

The main aim of this study has been to examine the police response to domestic violence in a small rural town. An examination in chapter one, of explanations of domestic violence used by researchers, service providers and workers, set the framework for adopting the research methodology outlined in chapter two. It revealed that the most suitable approach to studying police behaviour towards female victims was to adopt a broad sociological perspective based on a feminist conception of the problem and feminist research methodology.

Earlier studies used traditional models of objective research and had focused the problem on the individual - victim, offender or both, rather than regarding it as a social problem. Reflecting the assumptions behind these research models, police and others working in the field of domestic violence for the main part, offered a non-legal response to the violence such as marital counselling, mediation, or a warning to an offender.

This focus on the individual ensured that the problem remained private, supporting the view that the state should not interfere in matters that occur within the privacy of the home. It permitted the use of male violence towards women without the constraint of the law and it did not address the unequal power relations between women and men or the difficulties women have in getting away from violent situations. In this respect, police and other workers were perpetuating the traditional ideology of the family that places men at the head of the household with the right to chastise their female partner.

When a broader sociological model for understanding domestic violence was adopted by researchers including feminists, other factors of significance came to the fore. These included the higher prevalence of female victims to male victims; the use and social acceptance of male violence as a means of controlling women; and the way male supremacy in all aspects of society - the home, law, religion, employment etcetera - creates the conditions for violence towards women. It also helped to understand why women were not able to leave abusive situations and why helpers including the judicial system, were not effectively dealing with the problem.

In the area of police intervention into domestic violence, feminist studies identified that police attitudes and underlying values towards female victims and violence in the home favoured men at the expense of women and children's safety. An examination of their practices within a feminist framework revealed that the police operated as an extension of the patriarchal system that perpetuated the oppression of women.

The current study of domestic violence in Barken adopted the later trend of feminist theorists of male violence and looked to the experience of the Barken women victims to understand the social control of women by police. Although this study focused on the means whereby individual police in the town maintained power and privilege over abused women (a psychological dimension), their practices were viewed in the wider social context in which patterns of violence against women occur.

This study also used the classic feminist theories of class and gender inequalities, to identify those structural factors that limit women's opportunities to leave violent situations and survive independently of their male partners. The Barken women's experiences of these factors

and others related to the small size of the town gave further support to the notion that social, economic and political factors operate to control women both in and out of the home. The women's comments about their life in Barken suggested that these factors were magnified in rural settings.

Typical of feminist research with its goal of having a social action impact, it has been the intention of this study to bring about changes in the way police handle domestic violence by highlighting the way in which police inaction and inappropriate action contribute to women's oppression. It has also been the intention to enlighten police working in country areas of the specific difficulties facing rural women so that they are able to understand women's responses to it and why some of these women are not able to leave violent situations. The point is made throughout that the solutions lie not in the women but in the effective application of the law and in efforts (government and non-government) that promote egalitarian relations between women and men.

A review of the NSW legislation changes in the areas of domestic violence in chapter three demonstrated the women's movement's attempts to give women victims greater protection of the law. The reforms were largely based on women's experiences of violence and of the criminal justice system.

Whilst police were given wider powers to intervene into domestic disputes, the Barken study showed that there was still a reluctance to use these powers. Police used their discretion to define what was domestic violence independently of the women's statements about what had occurred and independently of the legal definition of domestic violence.

An examination of those cases of domestic violence that went to court in 1985 in Barken indicated that police were likely to proceed with a prosecution when the offender was well known to them through his criminal history (that is, they were likely to succeed in getting a conviction) and perhaps when the victim was articulate and socially and financially prominent in the community.

In those cases that did not go to court, it appeared that despite the severity of the injuries to the women, police considered each case individually and took other factors into consideration. These included the precipitants (alcohol, arguments over custody of children, etcetera) that lead to the dispute between the couple, the women's reluctance to press charges against their partner and the credibility of the witness. Interviews with the abused women confirmed the police practice of dealing with each case individually and of not taking any action to stop the violence despite women's requests of them to do so.

According to the women, police had instead discounted their experiences of violence and terror in many ways. They stated police would not charge their partners when they were personally known to them or held prominent positions in the town; when their partners were intoxicated; and when the police thought their injuries were not severe enough. Very often they were told to leave town, sort it out themselves, that there was nothing they could do, or that they were not able to remove a man from his own home.

Police made comments about their reluctance to assist women when the latter were unwilling to make a statement and proceed with charges against their partners. Even though police had the power to lay the charge and the legislation compelled the women to be a witness, they

believed that the magistrate would dismiss the charge with 'uncooperation' from the women. When the cases that were dismissed by the magistrate were examined, only in two of them was reference made to the victim. The magistrate had excused them as compellable witnesses for a number of reasons - women's reluctance to give evidence was only one of many reasons.

The Barken police were unable to understand why the women would not 'cooperate' and why they did not leave their violent partner. They also could not understand how the women would continue to allow the men to return to the home or why they stated they did not want them removed when they called to the house. Interviews with the women on these matters clarified this apparent ambivalence on their part and indicated that there were no simple answers to these questions. A multitude of factors operated to limit their choices.

Overwhelmingly the main reason for inaction on the part of the women was their fear of their partners. Women were absolutely terrified of, and intimidated by these men. Their accounts of horrific violence (physical, sexual, emotional and psychological) were supported by the evidence in their medical records of not only severe physical injuries (broken bones, cuts, bruises, miscarriages, concussion, haematomas) but of histories of psychosomatic illnesses, gastrointestinal ailments, suicide attempts, depression, headaches, etcetera. These entries in their files suggested that battered women had been living under conditions of stress for long periods. Women stated that their partners made threats and carried out acts of violence against them if they attempted to leave them or take legal action against them. They took these threats seriously.

Women's traumatic experience of the court situation (including the likelihood of having the court hearing reported in the local newspaper) as well as unsatisfactory support from the police deterred women from taking legal action to have their partner removed from the house. They were pessimistic about their ability to successfully utilise the legal system.

External pressure from family, relatives, friends and neighbours to not go public with the abuse featured strongly in women's reasons for not taking any action legally or otherwise in addition to a sense of pride in the women themselves. As shown in chapter five, the stigma against domestic violence and particularly against the women was strong in country towns especially if they left the marriage. Another major concern of women discussed in chapter five was their ability to support their children if they separated from their partner.

Whilst chapter three focused on the use of discretion by individual police in response to domestic violence situations and detailed some of the women's reactions to such, chapter four identified some features of this power placing it in the wider context of the exercise of social control over abused women.

The Barken police acted as 'gate-keepers' by their prevention of women's access to the legal system and other services that could assist them with making decisions about their future. Despite their responsibility to ensure the legislation was being enforced, they frequently prevented cases from going to court and rarely applied for the ADVO on behalf of women who feared ongoing attacks by their partner. Women's encounters with some members of the helping profession revealed that police were not the only 'gate-keepers'. Some of the legal, medical and health and

welfare personnel including clergy, did not assist them with taking legal action and often discouraged them from leaving such violent relationships.

A second feature of police power lay in their tendency to individualise each case and not take into consideration the broader and more general concerns of abused women such as their powerlessness in violent situations, their difficulties in getting away from their violent partners and the totality of abuse they were being subjected to in addition to physical abuse. Police power over abused women was exemplified in their reluctance to use legal sanctions against violent expressions of male power over women and their failure to refer women to agencies that could address the other power issues that left women vulnerable to ongoing abuse.

Another feature of police power was their apparent identification with the men when they determined whether violent behaviour was criminal or not. The women perceived an alliance between the police and their partner based on the officers' tendency to believe the men despite their obvious injuries and the fact that they often knew the men and some socialised with them. Despite police claims of objectivity in their dealings with domestic violence cases, women reported differently and believed police were protecting men from adverse publicity in the town by not prosecuting them. Women saw negative and positive sides to police knowing their partner (and them) and to what they interpreted as officers' subjective individual responses to their partner's violent behaviour.

Overall police intervention only temporarily stopped the violence. Women's satisfaction with the police was dependent on which particular

officers were involved, their ability to have a deterrent effect on the men at the time and in their comfort in calling police whom they or their partner knew personally. There was obviously a distrust of some of the police and a great reluctance to use them.

Some of the Barken police had difficulty dealing with assaults that had occurred in the home and their actions indicated an adherence to the traditional ideology of the sanctity and privacy of the family. They expressed a reluctance to enter this private domain and some actually told women they could not intervene because men had the right to do what they liked in their own home. The majority of them interviewed stated it was important to keep the family together. They regarded the violence as a marital problem rather than as a criminal offence and often saw their role to keep the peace rather than make an arrest. Some women's experiences of police in both public and private places suggested that police found it easier to enforce the law when the assault took place in public.

Another significant form of control over the Barken women was in the police determination of how much actual and threatened violence women should tolerate from their partners. According to the women, this was exemplified in police taking their time in getting to the house; not arriving at all; not removing the men, leaving them and their children in the house with them; and not taking out an ADVO or acting on it when one existed and had been breached. Such behaviour forced the women to bear the abuse and blatantly disregarded the fear and terror they and their children were being made to endure.

Women stated they got the impression from the police that they disapproved of them, believed women deserved to be bashed and that they

were not worthy of their assistance. The section on 'Deserving the Label 'Victim'' exposed some disparaging remarks by some of the police officers about women who took their partner back or who were intoxicated at the time of the assault etcetera. Such remarks indicated that women's suspicions were correct and that police appeared to be promoting male supremacy and female subordination by defining what is unacceptable about their social behaviour. To categorise abused women into 'good' and 'bad' and 'deserving' and 'undeserving' promoted the idea that women created their own difficulties. This suggested that women and not the men, were responsible for the violence towards them so that police decision to help them was a moral one, not a legal one.

This chapter showed that police behaviour towards abused women in Barken had the controlling effects of leaving women and children vulnerable to ongoing abuse, powerless to do anything about their situation, and unsupported by the law with offenders being privileged and protected instead. Their tardiness in responding to domestic violence calls, their reluctance to assist some women who were not deserving in their eyes and their failure to arrest and charge offenders despite obvious signs of assault meant that they were able to control how much violence women should tolerate. Police practices de-criminalised domestic violence with no definitive statement being made in the town that such behaviour was unacceptable.

Given the extent of the control exercised by police on women and its similarity to that exercised by men on their partners, it can be said that both are contributing to the same social forces that keep women maintained in an oppressive position. Perhaps Jill Radford was correct in viewing police power as 'defining the limits of violence appropriate for the control of women' (1987 p.43).

The end of chapter four outlined the women's recommendations for changes to police intervention in domestic violence matters based on their good and bad experiences with the Barken police. Whilst being generously sympathetic to the plight of police working in this field particularly in Barken where they knew the offenders, socialised with them and were probably affected by the community's attitudes to how they should enforce the law, the Barken women called for a more active role in stopping the violence and in offering protection to their children and themselves. They believed police officers should check their biased attitude in favour of the offenders and their judgemental attitude towards victims. They also requested that police acknowledge the terror and fear they and their children live with and understand the difficulties they have in laying charges against these men and in leaving such situations.

The fifth chapter presented the Barken women's reasons for continuing to live with men who treat them in an abusive manner. It also outlined the particular difficulties confronting women living in rural areas, in town and on properties.

There were many factors affecting women's decisions to leave violent situations. A lack of affordable transport, refuge and cheap housing; limited opportunities for obtaining paid employment or accessing social security were some of these. Equally oppressive was the attitude of non-involvement of friends, relatives and the community in general (including some professionals in the field and some clergy) which reinforced the high status of the family unit and the socially designated role of women to ensure its unity.

Typical of small towns the gossip network was strong and whilst some women attempted to maintain their dignity in the town by keeping quiet about the abuse, others were subjected to much stigma, criticism and blame.

The isolation from social supports and services, particularly for women on the land, prevented them from obtaining assistance. In most cases this isolation was controlled by the men cutting off communication links and refusing to allow them contact with anyone who may learn of the assaults or who may assist them with leaving. In addition, women were geographically isolated by distance and a lack of transport.

Access to services was made difficult due to their unavailability on a formalised level, and inappropriateness to the needs of women. Police admitted there was little liaison with the refuge and community health staff with the result that few women were given the option of taking charge of their situation and of improving their life chances.

One of the most significant insights into the problem of domestic violence in rural areas emanated from the experiences of battered women living on the land. It appeared that these women had less chance of getting away from the violence than women living in the town. They suffered alone and with the threat of firearms in all cases, and without any support - emotionally, socially, medically and financially, that could assist them. They were particularly disadvantaged by the lack of transport into town and ready accessible cash. Pressure to remain quiet to protect the family name was very strong, particularly in those cases where the family was a well-known and well-established grazier family.

Women who managed to leave violent relationships and remain in the town were still subject to constant fear and ongoing abuse and harassment.

which, according to the women, was more severe than when they were living together. In addition, they experienced harassment from their partner's relatives and friends.

The opportunity for establishing a new relationship was marred by persistent harassment and threats to their and new partner's life. Malicious gossip reflecting the community's judgemental and blaming attitude towards women who leave their husbands and who attempt to get ahead in life, also prevailed as another form of control over the Barken women victims. Chapter five highlighted the fact that unless women were able to get right away from the town to a location unknown to their partners, there was no escape from further abuse and harassment.

Turning to the questions the author had at the beginning of this study:

Why is the domestic violence legislation rarely enforced by police in country areas?

Focusing specifically on one country town, the author has identified a number of reasons why the Barken police rarely enforced the legislation on domestic violence.

Through the use of their discretionary powers police made their own decision independently of the legislation, to define what constituted 'domestic violence'. Factors other than the severity of the injuries were taken into consideration. Injuries were either played down when recorded, completely discounted or minimalised in front of the victims to justify a non-arrest of the offender. Labelling the assault as a 'domestic' or a 'disturbance of the peace' enabled the police to employ their welfare, peace-keeping role in lieu of arrest. Factors which

precipitated the assault were given more weight than the fact that a criminal offence had taken place.

The likelihood of a successful prosecution was another factor taken into consideration by the Barken police. A criminal history of the offender and the plausibility of the witness seemed to play an important part in the decision to proceed with a charge of assault. Very few of the offenders had a criminal record reducing the chances of their being given a sentence appropriate to the crime. Two of the three men who went to court and subsequently to gaol in 1985, had a criminal record. The third did not and his case was dismissed by the magistrate because the offender was intoxicated at the time and his wife, a prominent businesswoman, wanted to withdraw the charge for the sake of the children. The outcome of this case raises the issue of the judicial system, police included, concerning themselves with the adverse publicity that prosecution would create for some men in the community.

The element of mateship was very strong in Barken. Police socialised with some of the offenders particularly at clubs and at sport activities. A number of the women believed that this familiarity with their partners was the reason they were not charged. Despite their claims of objectivity, there was certainly a police alliance with the men reflecting the common views of the male being the head of the household and of men's right to chastise women. This was apparent from such comments by the police as 'If she was my wife, I'd do it to her too', 'We can't remove a man from his home. A man's home is his castle'. Blaming the women for the violence enabled the police to shift the responsibility for the offence away from the men thereby justifying in another way, their reasons for not enforcing the law.

Another reason for the police not using the legislation was that some of them were not aware of its details, particularly of the 1983 amendments and of their powers to apply the legislation on women's behalf. For example, some had not even heard of the ADVO and believed that unless women were prepared to lay charges, no legal action could be taken. They were not aware that the amendments had acknowledged women's difficulties in utilising the legal system against their partner. The lack of understanding of these difficulties and of the legislation was evident in their comments that they would comply with the 'wishes' of the women and not arrest and charge offenders.

How do police practices affect victims of domestic violence?

The effects of police practices on the Barken women were significant in gate-keeping their access to their legal rights and discouraging their future use of police and legal services. If the findings of Sherman and Berk (1984) that arrest reduces the likelihood of further assaults, are accurate, then police failure to arrest offenders meant that women were made to suffer unnecessary assaults by men who were able to repeatedly get away with such behaviour.

Women felt demeaned by the police when their experiences of violence were discounted. Police assertion that there was nothing they could do to help them served to frustrate them. Being told they were to blame for their partner's behaviour because they took him back etcetera, instilled in these women a sense of guilt, hopelessness and low self-esteem which many already suffered due to repeated put-downs by their partner over several years.

What are the special problems facing police working in country areas?

Opinions are divided as to the advantages and disadvantages of working in small communities. Some of the literature consulted pointed to the advantages of police having an intimate knowledge of the community and the available networks to obtain information whilst other literature highlighted the stress associated with being in the public eye twenty-four hours a day and not having any privacy including for one's family.

It is difficult for police to separate their personal life from their professional life and many of the Barken police acknowledged this stating that they were a part of the community unlike their city counterparts who tended to work and live in different localities. Some described their professional role as often relaxed and informal with time to spend talking to people. Respect for police authority in the country was higher, suggested some officers who had both metropolitan and country experience. However, some expressed discomfort at the likelihood of being confronted by offenders and their relatives who were less respectful of police authority. Given the size of the town, it was impossible to avoid contact with them and not be the subject of their malicious gossip.

Knowing offenders socially meant it was difficult for police officers to be objective in domestic violence matters although for some women, a subjective response had a good deterrent effect (albeit temporarily) when their partner respected their friendship with a policeman. Of course, subjective responses that favoured offenders served to strengthen the mateship whilst at the same time did nothing to address the crime, the victims's needs, the unacceptability of such behaviour,

and the unequal power relations between husband and wife. Subjective responses that favoured some women only stopped the physical violence in one case (whilst sexual, emotional and psychological abuse along with financial deprivation, continued). Likewise, they did not address other issues. Women were nevertheless still reluctant to call on the police out of embarrassment and shame and in case they got an officer who was not sympathetic to them.

Having an 'intimate knowledge of the community' was not always accurate in the case of the Barken police, nor was it a good thing when it came to domestic violence. A number of the police claimed that they knew the couples well who were involved in domestic disputes and added that they were always the same ones. One officer's remarks about such familiarity with couples and the predictability of their behaviour suggested that police relaxed their attention to these cases, 'We know the couples. We know what they're likely to do. We just give them time to settle down, sleep it off and then they sort it out the next day between them.'

Police assumed an intimate knowledge of the couple and in particular that the violence between them was an indication of their having marital problems and that they were able to sort out these problems themselves. Consequently, women were not given any protection.

Another problem for country-based police is their inability to transfer when they dislike the town. A major concern of the author when talking to the police informally, was most officers' strong dislike of Barken combined with the fact that they were not able to transfer for some time. No doubt this would be quite frustrating and stressful to handle. From some officers' accounts, it affected their own marital and family relationships especially when there were pressures from the wife to

leave town. There was a strong possibility that such negative attitudes and stress affected their work.

One of the biggest anxieties of the Barken police was their fear of attending domestic disputes. Most of those who had experience with this work in city areas, thought it was more dangerous for them in the country. The higher level of possession of firearms in rural areas, the isolation, the lack of familiarity with property roads, the likelihood of violent men on properties having the time to arm themselves before they arrive, and the difficulty in getting back-up support quickly or at all, were the main concerns.

The infrequency of court hearings and the lack of established and coordinated support services complicated the Barken police intervention into domestic violence. The delay in having matters brought to court was an inconvenience to officers who wanted to have charges and Orders dealt with quickly. The unavailability of crisis workers meant that they had no one to refer the victim to for support and assistance. Liason with community health staff was almost non-existent.

What are the particular problems facing rural women regarding domestic violence?

The Barken women provided many answers to this question. In addition to those mentioned in chapters three and four (police practices) and five (structural factors), were women's lack of political power to bring about any changes for themselves and their children.

Because Australia's population settlements are dispersed, rural women are not politically organised. There is not an effective lobby for

calling attention to their lack of access to a standard of living comparable to that found in cities. Both state and federal governments have been actively withdrawing funds from services to rural areas as a way of rationalising expenditure (McKenzie 1986 p.30). Cut-backs have been in the areas of health (particularly the closing down of country hospitals), welfare, legal services (closing of courts), education and public transport. The resultant losses isolate rural women further from access to services, educational opportunities, employment and therefore options. This perpetuates their feelings of powerlessness over their own lives. The low status attached to women in such oppressive positions in society supported by such conservative ideologies as 'a woman's place is in the home' (Daily Liberal April 14, 1986) render them powerless to influence the public sphere.

If country areas are to be adequately serviced particularly with respect to domestic violence, governments will have to commit themselves to putting money back into rural areas and to be prepared to allocating sufficient funds to cover the extra costs incurred in delivering services to rural areas. There also needs to be a trend towards allowing services to be more localised in their funding, management and operation to cater to individual infra-structures. It can be argued that services such as refuge accommodation and on-going counselling should be available through facilities and visiting services from other towns to ensure confidentiality whilst each town should have after-hours crisis workers on call.

What are the implications of the findings for police training and practice for domestic violence work in country areas?

Ongoing training needs to be available to ensure police are familiar with the domestic violence legislation and their powers to intervene. Domestic violence must be seen as criminal. Victims need to be informed of their rights.

Whilst it is accepted that one of the most effective ways of bringing about attitude change is to educate people, educational programs need to present to police the facts about violence towards women and women's experiences of it.¹ It was apparent from talking to several officers even prior to this study, that police, like most people in the community operate from a number of myths.

Their training should have a self-awareness component that gives them an opportunity to confront myths and to examine how their attitudes affect the way they deal with violence towards women.

Strict supervision of police use of discretionary powers is necessary to ensure the legislation is being enforced in cases of domestic violence and that women and children's safety is not being jeopardised.² Given that the domestic violence legislation is rarely enforced in country areas, the police response should be officially monitored.

Police practices should be supportive to women and children. They should listen to the victim, believe her, and acknowledge the complexity of her experience of violence especially her difficulty in leaving an abusive relationship. They should realise that men will often lie about their violent acts. They need to know how to deal with this.

Given women's reluctance to involve the police for fear of exposure to the media, police should be careful not to identify victims when releasing information about domestic violence incidents and court hearings to the local media. The posting of details of court hearings outside court houses should also observe the same precaution.³

Where the danger is heightened for police called to properties, extra precautions should be taken and back-up staff made available.

It is difficult for the police to separate their social relationships from their duties. Police need to be prepared for dealing with this problem prior to taking up country postings and need peer support to help them and their families cope with the pressures of being highly visible in a small town. They need to learn about life in the country and the social problems of the community they work in, as they manifest themselves in the rural context. Knowing the local helping agencies and referring women to them is also essential.

Arresting offenders will reduce the number of repeated calls.

Recognising this will not only reduce their work load through its deterrent effect, but will be one way police can make a definitive statement in the town about the unacceptability of violence against women.

FOOTNOTES

1. Law and adherence to policy (enforced) will not change attitudes, but will change behaviour - that is the important issue. Change in attitudes is an educational matter and takes longer - sometimes much longer than behavioural change.

2. One way of ensuring police protection for battered women is for women to sue police officers who fail to take appropriate legal action. There have been a growing number of well-publicised cases of such lawsuits against the police in the United States (Sherman, Garner, Cohn and Hamilton 1985; Tacha 1988; Gee 1985). Lawsuits have been successful in bringing about changes in various police departments' policies of non-arrest in domestic violence matters (Sherman et al 1985).

3. This problem was addressed by the author when working in the country. Heads of police in the region were consulted about setting down guidelines for releasing information to the media in cases of sexual assault and domestic violence where the victims could easily be identified. They were also asked to change information posted on court notices outside the court room so that no reference was made to the victim or offence apart from quoting the section of the relevant Act it applied to.

In Barken the chamber magistrate was very aware of the distress to women of having their cases reported in the media and managed to unofficially refrain the editor of the local newspaper from publishing details of such cases on several occasions. Women need assurance that they will be offered such protection from public exposure.

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APPENDIX

INTERVIEW SCHEDULE FOR VICTIMS

COMMUNITY ATTITUDE TOWARDS DOMESTIC VIOLENCE

1. What do you think is this town's attitude towards domestic violence?

2. What do you think is this town's attitude towards police intervening in domestic violence situations?

VICTIMS' ATTITUDE TOWARDS POLICE INVOLVEMENT AND COURT

3. a) Did you involve the police when you were being abused?
YES NO

b) What did you want them to do?

c) Were the police helpful?
YES NO

d) In what way?

4. a) Would you involve the police if you were being abused in the future?
YES NO

b) Why? Why not?

5. a) Have the police intervened on occasions when you had not called them?
YES NO

- b) How did you react?
6. a) Have the police ever advised you to see the Chamber Magistrate?
YES NO
- b) For what reasons?
7. a) When you were abused did you consider seeing a Chamber Magistrate to get an Apprehended Domestic Violence Order on the person who abused you?
YES NO
- b) Would you consider seeing a Chamber Magistrate to get an ADVO in the future?
YES NO
8. a) Have you had to go to Court as a result of being abused?
YES NO
- b) Will you describe your experience of it?
- c) Would you go to Court again under similar circumstances?
YES NO
9. a) Did you or the police press charges?
SELF POLICE
- b) Have you ever been reluctant to press charges?
YES NO
- c) If yes, why?

d) Have you ever withdrawn the complaint or charges?

YES NO

e) Why?

10. How well do you think police handle domestic violence in this town?

11. a) Have you or your partner had any social contact with any police in this town?

YES NO

b) Do you think this had any effect on the way they dealt with your situation?

YES NO

c) In what way?

12. a) As a result of your own experience, do you think the police deal with domestic violence that occurs in public places differently to the way they deal with domestic violence in the home?

YES NO

b) In what way?

COMMUNITY'S ATTITUDE TOWARDS POLICE

13. a) How do you think the community view the police overall?

b) Do you share this attitude?

YES NO

14. Do you think that acceptance of the police into the social life of the community improves the way they do their job
- a) generally?

 - b) in relation to domestic violence?

NATURE OF DOMESTIC VIOLENCE

15. What do you think caused your partner to abuse you?
-
-
-
-
-
-
-
-
-
-
16. a) Have you ever hit or otherwise been violent towards your partner?
- YES NO
-
-
-
-
-
-
-
-
-
-
- b) When and why?

NATURE OF CONTINUED DOMESTIC VIOLENCE

17. Why do you think abused women often find it difficult to leave abusive situations?
-
-
-
-
-
-
-
-
-
-
18. Do you think it is more difficult for women in the country to leave abusive situations?
-
-
-
-
-
-
-
-
-
-
19. When you were abused did you use any social services to assist you?
- YES NO
-
-
-
-
-
-
-
-
-
-
20. Do you think women here generally know what social services are available for themselves and their children
- a) locally?

b) in neighbouring towns?

21. a) Do you think country women have more difficulty than women in the city in using services set up for domestic violence?

YES NO

b) What are some of these difficulties for country women?

SUGGESTIONS FOR IMPROVEMENT OF POLICE SERVICES

22. Do you have any suggestions to improve the way domestic violence is policed in country areas?

23. Do you have any suggestions regarding the training of police for domestic violence work in the country?

INTERVIEW SCHEDULE FOR HELPERS

PERSONAL DATA

1. Occupation:
2. How long have you been in this job for?
3. How long have you lived in this town for?

DEFINITION OF DOMESTIC VIOLENCE

4. Here state definition of domestic violence: the use of physical force between two adults of opposite sexes, married or in a defacto relationship either living together or apart at the time of the incident. Wife bashing and husband bashing are being considered. How does this fit with what you call domestic violence?

FAMILIARITY WITH DOMESTIC VIOLENCE

5. Have you had previous experience with domestic violence cases prior to coming to this town in
 - a) metropolitan areas
 - b) country areas?

	Y	N
Metrop.	[]	[]
Country	[]	[]

COMMUNITY'S ATTITUDE TOWARDS DOMESTIC VIOLENCE

6. What do you think might be this community's attitude towards domestic violence?

private matter	[]
public matter	[]
acceptable to a degree	[]
non-acceptable at all	[]
normal behaviour	[]
criminal matter	[]
victim-blaming	[]
marriage problem	[]
offender has the problem	[]
other (specify)	[]

7. What do you think might be this community's attitude towards enforcing the law on domestic violence?

arrest unnecessary	[]
arrest necessary	[]
mediator role	[]
peace-keeping role	[]
temporary separation	[]
separation with conditions (ADVO, bail)	[]
other (specify)	[]

EXPERIENCE WITH DOMESTIC VIOLENCE WORK

8. a) How frequently does this agency receive cases of domestic violence of a crisis nature from 1) in town and 2) out of town? (Specify number).

- b) What about long-term cases both in and out of town? (Specify number).

	CRISIS		LONG-TERM	
per week	[]	[]	[]	[]
per month	[]	[]	[]	[]
per 3 months	[]	[]	[]	[]
per 6 months	[]	[]	[]	[]
per year	[]	[]	[]	[]
	In	Out of	In	Out of
	town	town	town	town

9. a) How frequently would you personally receive domestic violence crisis calls from both in and out of town?

- b) What about long-term cases?

	CRISIS		LONG-TERM	
per week	[]	[]	[]	[]
per month	[]	[]	[]	[]
per 3 months	[]	[]	[]	[]
per 6 months	[]	[]	[]	[]
per year	[]	[]	[]	[]
	In	Out of	In	Out of
	town	town	town	town

10. a) How frequently would you receive domestic violence crisis calls from both in and out of town whilst off duty?

b) What about long-term cases of domestic violence whilst off duty?

	CRISIS		LONG-TERM	
per week	[]	[]	[]	[]
per month	[]	[]	[]	[]
per 3 months	[]	[]	[]	[]
per 6 months	[]	[]	[]	[]
per year	[]	[]	[]	[]
	In	Out of	In	Out of
	town	town	town	town

11. a) Who refers crisis cases to you?

b) Are they usually males or females who make the referrals?

c) What about long-term cases - who refers them to you?

d) Are they usually males or females who make these referrals?

	CRISIS		LONG-TERM	
	male	female	male	female
police	[]	[]	[]	[]
self	[]	[]	[]	[]
neighbours	[]	[]	[]	[]
friends	[]	[]	[]	[]
relatives	[]	[]	[]	[]
doctors	[]	[]	[]	[]
hospital	[]	[]	[]	[]
other	[]	[]	[]	[]
(specify)				

12. For both the crisis and long-term cases, who do you think victims first turn to for help?

	CRISIS	LONG-TERM
You initially	[]	[]
or others	[]	[]

13. Specify - Neighbours [] []
 Friends [] []
 Relatives [] []
 Doctors [] []
 Hospital [] []
 Police [] []
 Others [] []

14. A woman tells you that she has been assaulted by her partner, what would you do?

15. What do you offer women in crisis that is different from others who have seen them?

16. How do you deal with long-term cases of domestic violence?

17. What do you offer that is different from others who have seen these long-term cases?

18. a) It has been said that helping professionals are reluctant to intervene in cases of domestic violence. What do you think might be the reason for this?

b) How do you feel about getting involved in domestic violence cases?

NATURE OF DOMESTIC VIOLENCE

19. In your opinion what are the factors that contribute to domestic violence a) generally and b) specifically in country areas?

a) Generally

b) Country areas

NATURE OF CONTINUED DOMESTIC VIOLENCE

20. a) Why do you think abused women often find it difficult to leave abusive situations?

b) Do you think it is more difficult for women in the country to leave abusive situations?

USE OF SERVICES

21. a) Which services are available to refer victims and offenders to?
- b) Why do you refer them to each of these?
- c) Do you use them sometimes, often or never?
- d) Do you think these services effectively meet the needs of clients?
- e) If no, why not?
- f) What suggestions could you make to improve the services?

21.

CLIENT

SERVICES

PURPOSES

S
O
N
Y/N

IF NO, WHY NOT?

SUGGESTIONS FOR IMPROVEMENT

VICTIMS

OFFENDERS

22. a) Do you refer the victim to the chamber magistrate sometimes, often or never?

S
O
N

b) For what reasons?

23. a) Have you heard of the ADVQ?

YES NO

b) In what ways do you think it is effective/ineffective?

RELATIONSHIP WITH POLICE

24. a) Do you involve the police sometimes, often or never?

S
O
N

b) Why might you involve them?

c) What factors determine whether you would involve the police?

25. a) Do the police involve you?

YES NO

b) If yes, for what purposes?

c) If the police do not involve you, what do you think might be their reasons?

26. a) When you have worked with police on domestic violence cases, have you found them helpful?

YES NO

b) In what ways?

27. a) Do you think police deal with domestic violence that occurs in public places differently to the way they deal with domestic violence in the home?

YES NO

b) In what way?

28. How do you think abused women react to police involvement?

29. a) Do you think some women do not want to involve the police?

YES NO

b) What would be their reasons?

c) Do you think some do not want to see the chamber magistrate?

YES NO

d) What would be their reasons?

30. How well do you think police handle domestic violence in this town?

COUNTRY/CITY POLICING OF DOMESTIC VIOLENCE

31. a) Do you see any difference in the way domestic violence is policed in the country and the way it is policed in metropolitan areas?

YES NO

b) I'm interested in whether there are differences between country and city in the ways domestic violence is policed. I have a list of factors which may play some role in the policing of domestic violence. Could you comment on whether you think these play a role in city and country practices.

Which of the following play a role in the policing of domestic violence in metropolitan and country areas?

Offender	M	M	C	C
	Y	N	Y	N

- a) Relationship with offender socially
- b) Knowledge of offender
(criminally, personality wise, etc.)
- c) Status of offender (economically, socially, politically, professionally)
- d) Offender's use of weapons

Victim

- e) Relationship with victim socially
- f) Knowledge of victim
(criminally, personality wise, etc.)
- g) Status of victim (economically, socially, politically, professionally)
- h) Victim's use of weapons

Relationship

- i) Knowledge of the relationships
(steady, unstable, defacto etc.)
- j) Relationship with relatives, friends
of either participant
- k) Knowledge of the caller

Police and the Community

- l) Community's attitude towards domestic violence
- m) Community's attitude towards law enforcement and non-law enforcement roles
- n) Community's attitude towards the police generally
- o) High visibility of police and their families in the community
- p) Pressure from colleagues

Intervention

- q) Demography affects law enforcement, for example, distance to travel
- r) No police back-up. Working in isolation
- s) Lack of support services
- t) Infrequency of court sittings
- u) Other (specify)

SUGGESTIONS FOR IMPROVEMENT OF POLICE SERVICES

32. a) Do you have any suggestions to improve the way domestic violence is policed in country areas?
- b) Do you have any suggestions regarding the training of police for domestic violence work in the country?

THE POLICE AND THE COMMUNITY

33. In your opinion, are the police generally involved in community activities outside their work?
- | | |
|-----------------|-----|
| Recreational | [] |
| Sport | [] |
| Church | [] |
| Clubs | [] |
| Other (specify) | [] |
34. In your opinion, do the police socialise mostly with other police or with people other than their colleagues?
- | | |
|------------------------------------|-----|
| Other police | [] |
| People other than their colleagues | [] |
35. How do you think the community view the police overall?
36. a) Are the police regarded as outsiders to the town?
- | | |
|-----|----|
| YES | NO |
|-----|----|
- b) Would this be seen by the community to be a good thing for policing generally?
- | | |
|-----|----|
| YES | NO |
|-----|----|
- c) What do you think are the reasons for this?

37. a) Would this be seen by the community to be a good thing for policing domestic violence?

YES NO

b) What do you think are the reasons for this?

DESCRIPTION OF THE TOWN

38. How would you describe this town?

Stable	<input type="checkbox"/>	Lots of changes	<input type="checkbox"/>
Homogenous		Diverse groups of	
groups of people	<input type="checkbox"/>	people	<input type="checkbox"/>
Peaceful	<input type="checkbox"/>	Experiences conflict	<input type="checkbox"/>
Other (specify)	<input type="checkbox"/>		

In your own words, describe this town.

INTERVIEW SCHEDULE FOR POLICE

EMPLOYMENT HISTORY

1. How long have you been in the police force?
2. What rank are you?
3. How long have you lived in this town for?
4. Have you worked in other country areas?

STAFF TRAINING

5. What sort of preparation have you had for this sort of work
a) formally and b) informally in both metropolitan and country jobs?

FORMALLY

INFORMALLY

Metrop.

Country

6. a) Do you think the training adequately prepared you to deal with domestic violence?

YES

NO

b) If no, what changes do you recommend?

7. How relevant has your training been to the country situation?

DEFINITION OF DOMESTIC VIOLENCE

8. Here state definition of domestic violence: the use of physical force between two adults of opposite sexes, married or in a defacto relationship either living together or apart at the time of the incident. Wife bashing and husband bashing are being considered. How does this fit with what you call domestic violence?

FAMILIARITY WITH DOMESTIC VIOLENCE

9. Have you had previous experience with domestic violence matters prior to coming to this town in -
a) metropolitan areas and b) country areas?

	YES	NO
Metrop.	[]	[]
Country	[]	[]

COMMUNITY'S ATTITUDE TOWARDS DOMESTIC VIOLENCE

10. What do you think might be this community's attitude towards domestic violence?

Private matter	[]
Public matter	[]
Acceptable to a degree	[]
Non-acceptable at all	[]
Normal Behaviour	[]
Criminal matter	[]
Victim-blaming	[]
Marriage problem	[]
Offender has the problem	[]
Other (specify)	[]

11. What do you think might be this community's attitude towards enforcing the law on domestic violence?

Arrest unnecessary	[]
Arrest necessary	[]
Mediator role	[]
Peace-keeping role	[]
Temporary separation	[]
Separation with conditions (ADVO, bail)	[]
Other (specify)	[]

12. At the time of the incident, are the couples usually

married and living together	[]
married and living apart	[]
defacto and living together	[]
defacto and living apart?	[]

INTERVENTION

13. a) How frequently does this police station receive domestic violence calls from within town? (Specify number)

b) What about for out of town? (Specify number)

	In town	Out of town
per week	[]	[]
per month	[]	[]
per 3 months	[]	[]
per 6 months	[]	[]
per year	[]	[]

14. a) How frequently would you personally receive domestic violence calls from within town? (Specify number)

b) What about from out of town?

	In town	Out of town
per week	[]	[]
per month	[]	[]
per 3 months	[]	[]
per 6 months	[]	[]
per year	[]	[]

c) How frequently would you receive domestic violence calls from both in and out of town whilst off duty ?

	In town	Out of town
per week	[]	[]
per month	[]	[]
per 3 months	[]	[]
per 6 months	[]	[]
per year	[]	[]

15. a) Who calls you usually?

b) Are they usually males or females?

	Male	Female
Participants	[]	[]
Neighbours	[]	[]
Relatives	[]	[]
Children	[]	[]
Friends	[]	[]
Others (specify)	[]	[]

16. a) Does the caller want you to do anything in particular?

b) What about in the case of off-duty calls?

17. On average, how long would it take to get to the home?

I would like to ask you a few questions about what you do when you get there.

18. a) Has it ever been difficult to enter the home either in town or out of town?

	YES	NO
In town	[]	[]
Out of town	[]	[]

b) Have you ever needed to get a warrant in either situation?

	YES	NO
In town	[]	[]
Out of town	[]	[]

c) How are warrants obtained?

19. What do you try to do in cases of domestic violence?

20. Does it always work?

21. When you intervene in a domestic situation is it important to keep the family together?

22. How does the victim usually react to your arrival?

23. Do you think the victim wants you to do anything in particular?

USE OF SERVICES

The next few questions relate to the use of services.

24. a) Which services are available to refer victims and offenders to?
b) Why do you refer them to each of these?
c) Do you use them sometimes, often or never?

24.

CLIENT

SERVICES

PURPOSES

S
O
N

VICTIMS

OFFENDERS

25. a) Do you refer the victim to the chamber magistrate sometimes, often or never?

S
O
N

- b) For what reasons?

26. a) Have you used the ADVO's?

YES NO

- b) How effective do you think they are?

- c) Do you think police deal with domestic violence that occurs in public places differently to the way they deal with domestic violence in the home?

YES NO

- d) In what way?

TIME SPENT ON DOMESTIC VIOLENCE WORK

I would like to now ask you three questions about the amount of time spent on domestic violence.

27. How much time on the average, would you spend at the house?

28. Do you think too much time is spent on these sort of cases?

WILLINGNESS TO GET INVOLVED IN DOMESTIC VIOLENCE WORK

29. How do you feel about getting involved in domestic violence work?

30. How dangerous for you is domestic violence work compared with your other duties?

31. How dangerous is domestic violence work for you in town, out of town and in metropolitan areas?

	In town	Out of town	Metrop.
Highly dangerous	[]	[]	[]
Dangerous	[]	[]	[]
Not at all	[]	[]	[]

32. How dangerous do you think it is for the participants?

	In town	Out of town	Metrop.
Highly dangerous	[]	[]	[]
Dangerous	[]	[]	[]
Not at all	[]	[]	[]

33. How dangerous do you think it is for others?

	In town	Out of town	Metrop.
Highly dangerous	[]	[]	[]
Dangerous	[]	[]	[]
Not at all	[]	[]	[]

34. Are your efforts appreciated by

Victims	[]
Public	[]
Colleagues	[]
Helping agencies	[]

COUNTRY/CITY POLICING OF DOMESTIC VIOLENCE

35. Do you see any differences between policing domestic violence in the country and policing it in the city?

YES NO

36. Which of the following play a role in the policing of domestic violence in metropolitan and country areas?

Offender	M	M	C	C
	Y	N	Y	N

- a) Relationship with offender socially
- b) Knowledge of offender
(criminally, personality wise, etc.)
- c) Status of offender (economically, socially, politically, professionally)
- d) Offender's use of weapons

Victim

- e) Relationship with victim socially
- f) Knowledge of victim
(criminally, personality wise, etc.)
- g) Status of victim (economically, socially, politically, professionally)
- h) Victim's use of weapons

Relationship

- i) Knowledge of the relationships
(steady, unstable, defacto etc.)
- j) Relationship with relatives, friends of either participant
- k) Knowledge of the caller

Police and the Community

- l) Community's attitude towards domestic violence
- m) Community's attitude towards law enforcement and non-law enforcement roles
- n) Community's attitude towards the police generally
- o) High visibility of police and their families in the community
- p) Pressure from colleagues

Intervention

- q) Demography affects law enforcement, for example, distance to travel
- r) No police back-up. Working in isolation
- s) Lack of support services
- t) Infrequency of court sittings
- u) Other (specify)

SUGGESTIONS FOR IMPROVEMENT OF POLICE SERVICES

37. Do you have any suggestions to improve the way domestic violence is policed in country areas?
38. Do you have any suggestions regarding the training of police for domestic violence work in the country?

NATURE OF DOMESTIC VIOLENCE

39. In your opinion what are the factors that contribute to domestic violence
a) generally and b) specifically in country areas?
- a) Generally
- b) Country areas

NATURE OF CONTINUED DOMESTIC VIOLENCE

40. Why do you think abused women often find it difficult to leave abusive situations in the country?
41. For what reasons do you think people in the country may decide not to involve the police?

COMMON BELIEFS ABOUT DOMESTIC VIOLENCE

42. Here are some of the things people say about domestic violence. I'd like your opinion on them.
- a) Women who stay in abusive relationships are masochistic.
- b) A woman's action such as nagging provokes her partner.

c) Violent men are psychopaths.

d) Alcohol causes domestic violence.

e) It's OK for a man to chastise his wife physically now and then.

PERSONAL DATA

43. Age []

44. Marital status

Married []
 Divorced []
 Separated []
 Defacto []
 Single []
 Widowed []

45. Children

YES NO

46. Number of years spent in the country altogether

[]

47. Where did you grow up?

Locally []
 Elsewhere (country) []
 Elsewhere (metrop.) []

48. a) Are you a member of any community organisations?

YES NO

b) If yes, specify.

49. a) Do you participate in community activities?

YES NO

b) If yes, specify.

50. Who do you tend to socialise with mostly

Other police []
 People other than your colleagues? []



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DESCRIPTION OF THE TOWN

51. How would you describe this town?

Stable	[]	Lots of changes	[]
Homogenous		Diverse groups of	
groups of people	[]	people	[]
Peaceful	[]	Experiences conflict	[]
Other (specify)	[]		

In your own words, describe this town.

