Violence
Directions for Australia

NATIONAL COMMITTEE ON VIOLENCE

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National Committee on Violence

AUSTRALIAN INSTITUTE OF
CRIMINOLOGY

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Commissioner of the Tasmania Police, with over 30 years experience mainly
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Secretariat to the Committee (Staff of the Australian Institute of Criminology)

CONTENTS

List of Abbreviations

ABC	Australian Broadcasting Corporation
ACT	Australian Capital Territory
AIDS	Acquired Immune Deficiency Syndrome
CDEP	Community Development Employment Program
EEG	Electroencephalograph
ET	Massachusetts Employment and Training Choices Program
GABA	Gamma-aminobutyric acid
GP	General Practitioner
IQ	Intelligence quotient
JET	Jobs, Education and Training Program
LSD	Lysergic acid diethylamide
MHR	Member of the House of Representatives
MLA	Member of the Legislative Assembly
NAPCAN	National Association for the Prevention of Child Abuse and Neglect
NISPP	National Injury Surveillance and Prevention Project
NSSS	National Social Science Survey
NSW	New South Wales
NT	Northern Territory
PCP	Phencyclidine
Qld	Queensland
SA	South Australia
TAFE	College of Technical and Further Education
TAGS	Towards a Gentler Society
Tas.	Tasmania
Vic.	Victoria
VOCAL	Victims of Crime Assistance League
WA	Western Australia

Violence permeates all life — including the arts both visual and literary. To illustrate the pervasiveness of violence, this publication has used works from one of Australia's best-known painters and from two younger Australian poets.

In the nineteenth century Andrew Hislop Marcus Clarke, a Melbourne journalist, was so moved by the violence inflicted on convicts that he wrote *His Natural Life* (later renamed *For the Term of his Natural Life*). This powerful portrayal of Australia's convict times was later to influence Sir Sidney Nolan to create 31 colour drawings illustrating the text of Clarke's epic novel. Some of these drawings are reproduced in this Report. The subject matter was not new to Nolan, whose work — in particular his Ned Kelly series — has been influenced by Australia's history and literature.

Peter Kocan was born in Newcastle, NSW in 1947, and is a widely published poet and novelist.

Geoff Goodfellow is an Adelaide-based performance poet who confronts the darker side of Australian society by chronicling the lives of the victims and the losers. He conducts writing workshops in gaols, believing he can empower prisoners with language and teach them an alternative to violence.

Sir Sidney Nolan's series of 31 drawings *For The Term Of His Natural Life* are a personal response to Marcus Clarke's novel of convict life in early Australia. More than just illustrations of incidents in the novel, they are a poetic reflection on and evocation of Australia's tempestuous past. Typically Nolan gestures towards an aesthetic duality — abstract beauty paralleled by a fascination with the macabre. The images become metaphors for poetic concerns of love and destruction.
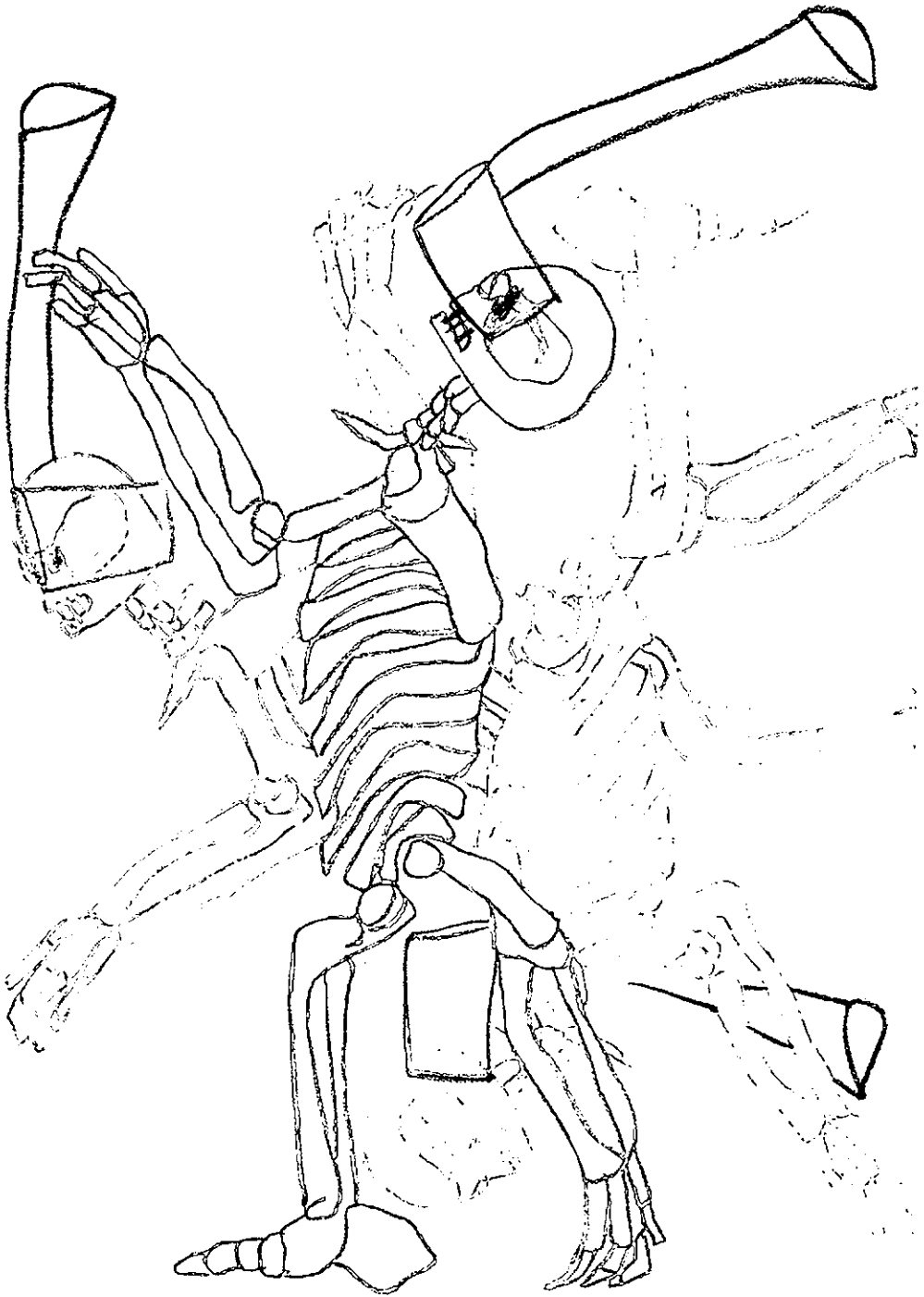
Sidney Nolan **Untitled** (Dance to Death) 28 August 1978
pastel on paper
from the series *For The Term Of His Natural Life* based on Marcus Clarke's novel.
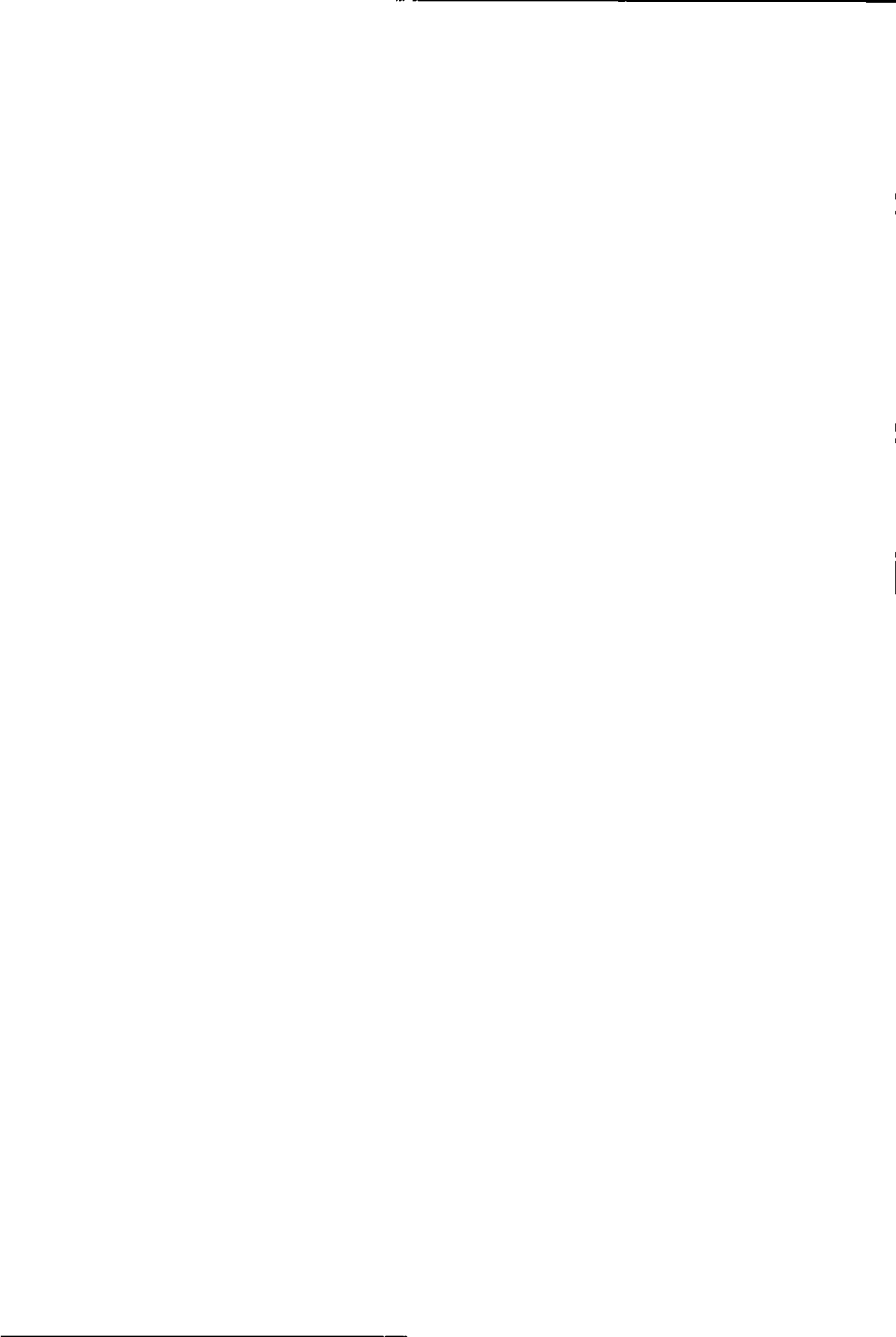
EXECUTIVE SUMMARY

The National Committee on Violence was established as the result of a joint agreement between the Prime Minister, the State Premiers and the Chief Minister of the Northern Territory at a meeting held in December 1987. The Committee's establishment was announced by the Federal Minister for Justice, Senator Michael Tate, in October 1988. The Committee's Terms of Reference required it to examine the following issues:

- the contemporary state of violent crime in Australia;
- related social, economic, psychological and environmental aspects;
- gender issues in violence;
- the impact of the mass media on the incidence of violence;
- the effects of drugs and alcohol on violent behaviour;
- attitudes to violence amongst children and adolescents;
- the vulnerability to violence of particular groups;
- the development of strategies to prevent violence;
- the need for support and assistance for victims of violence; and
- the need for special measures in the treatment of violent offenders.

The secretariat for the Committee was located within the Australian Institute of Criminology, the centre of Federal, State and Territorial cooperation in the area of criminological and criminal justice research.

In order to fulfil its extensive Terms of Reference, the Committee was allocated a budget jointly funded by the Federal, State and the Northern Territory Governments, totalling $183,000. With these funds alone, and with barely a year in which to report, it embarked on a series of community consultations throughout the country, from the State capitals to remote settlements of Central Australia. Written submissions were invited and specific information was solicited from a number of agencies.

The Committee also undertook an extensive publications program on various aspects of violence in Australia.

In its pamphlet series **Violence Today**, the following titles appeared:

No. 1. *Violence, Crime and Australian Society*
No. 2. *Domestic Violence*
No. 3. *Violence Against Children*
No. 4. *Violence in Sport*
No. 5. *Violence and Public Contact Workers*
No. 6. *Violence on Television*
No. 7. *Violence, Disputes and their Resolution*
No. 8. *Racist Violence*
No. 9. *Political Violence*

In its series of monographs, particular issues relating to violence were discussed in more extensive detail:

Monograph No. 1. *Violence in Australia*, which raises some key issues and summarises facts about violence in contemporary Australian society.

Monograph No. 2. *Victims of Violence*, which describes the vulnerability to violence of particular groups, and the need for support and assistance for victims.

Monograph No. 3. *Society's Response to the Violent Offender*, which discusses the need for special measures in the treatment of violent offenders, and reviews the basic issues which must be considered by authorities on behalf of society in response to an act of violence.

In addition, the Committee funded a four-day National Conference on Violence, attended by over 150 people, including nearly sixty speakers of national and international standing. This meeting provided an opportunity for detailed discussion of the subject of violence and associated topics, and gave the Committee timely access to current research on violence in Australia.

In giving detailed consideration to its Terms of Reference, the Committee decided that the issues to be addressed in its final report fell into three broad categories. First of all it would be necessary to identify as far as possible the state of violence in Australia, that is, to summarise all the available information on the subject and, from these disparate sources, make an assessment of the incidence and prevalence of violence in Australia. Secondly, the Committee decided to review available research, both Australian and overseas material, relating to the causes of violence. Thirdly, the Committee would make recommendations concerning the prevention and control of violence.

Part One of the Report, The State of Violence in Australia reveals that data on the incidence and prevalence of violence in Australia is far from adequate. This is most unfortunate, for at least four reasons. First, it makes the rational development of policies for the prevention and control of violence exceedingly difficult, if not impossible. Second, it fails to provide a basis for the most efficient and effective allocation of the limited and costly resources of the criminal justice system. Third, it denies individual citizens the requisite knowledge to engage in crime prevention activities, where appropriate. And finally, in light of the fact that the risk of becoming a victim of violence is not shared equally by all Australians, it fails to reassure those whose fear of violence may not be warranted.

Based on the fragmentary information available to it, the Committee made the following observations:

Australia is a less violent place today than it was during the period from its establishment as a penal colony until Federation. However, it is more violent than it was before the second World War.

The rate of homicide in Australia is relatively low by international standards, and has shown no significant change over the past twenty years.

The rates of various types of non-fatal violence, that is assault, sexual assault, and robbery, have increased sharply since the early 1970s.

The rate of non-fatal assault appears high by the standards of western industrial societies.

Rates of violent crime are not evenly distributed across Australia. For example, they tend to be higher in large cities than in country areas. They are also uneven across jurisdictions: the level of violence in the Northern Territory is substantially higher than elsewhere, while the rate of violent offending appears to be actually declining in Tasmania.

Violent offenders in Australia are overwhelmingly male, primarily between the ages of 18 and 30, and predominantly from blue-collar backgrounds.

Despite perceptions to the contrary, violent offending by juveniles is relatively uncommon. Gang violence is not a major problem in most jurisdictions.

Most homicides and assaults are committed by persons known to the victim. Random attacks by strangers, although deeply disturbing when they do occur, are relatively rare.

Infants up to one-year-old are the age group at greatest risk of homicide. The overwhelming majority of child victims are killed by their parents or other relatives.

Victims of violence most commonly tend to fall into two broad categories: men who become engaged in altercations with other men; and women and children who suffer at the hands of men with whom they have been living.

Men, especially those who are young, single and unemployed, are at far greater risk of becoming victims of all forms of violence than are women, except for the categories of sexual assault and domestic violence.

The majority of victims of violence, like perpetrators, come from relatively disadvantaged backgrounds. Homicide risk, in particular, varies inversely with occupational status.

Aboriginal Australians face a much greater risk of becoming the victims of violence than do members of the general Australian population possibly up to ten times greater in the case of homicide.

Violence motivated by prejudice on the basis of race, ethnicity, disability, religion or sexual preference exists in Australia but there is insufficient data to assess its prevalence accurately.

Political violence, whether in the form of terrorism, assassination, riots or civil disorder, is extremely rare in contemporary Australia.

Alcohol plays a major role in violence in Australia.

The public concern about violence on public transport is not supported by available official statistics, which indicate that reported assaults are relatively rare. However, unreported violence, harassment or threat may seriously influence passengers' perception of their safety.

A considerable number of violent crimes never come to police attention; foremost in this "dark figure" are the majority of sexual assaults and incidents of domestic violence.

Firearms are used in approximately 40 per cent of homicides but in a negligible proportion of non-fatal assaults (sexual or otherwise). They are used in a significant proportion of commercial robberies.

The costs of violence are enormous but largely unquantified. It has been estimated, for instance, that the average homicide costs the community about one million dollars, that the total costs of assault alone approach $300 million per year, that the cost of imprisoning violent offenders is $200 million annually and that Governments award in excess of $20 million per year as criminal injuries compensation.

Part Two of the Report, Explaining Violence, reviews available literature on causes of violence. Violent behaviour defies simplistic explanation, and generally results from a variety of factors interacting with one another. The following are the more significant factors which enhance the risk of violence. We list them in descending order of relative importance of each.

Child development and the influence of family

- Families constitute the training ground for aggression. It is within the family that aggresive behaviours are first learned; to the extent that families fail to instil non-violent values in their children, those children will be more likely to develop a repertoire of violent behaviours as they negotiate life in society at large.
- There are correlations between aggression in children and certain characteristics in their parents, notably maternal rejection and parental use of physical punishment and threat.
- Abusive parents themselves tend to have been abused or neglected as children, but only one-third to one-fifth of abused or neglected individuals will maltreat their own children.

Cultural factors

Norms of behaviour

- In general, the orientation of a culture, or the shared beliefs within a sub-culture help define the limits of tolerable behaviour. To the extent

that a society values violence, attaches prestige to violent conduct, or defines violence as normal or legitimate or functional behaviour, the values of individuals within that society will develop accordingly.

- The use of violence to achieve ends perceived as legitimate is a principle deeply embedded in Australian culture. Violence on the sporting field, in the home and in schools is tolerated by many Australians.

Economic inequality

- Violence is more common in those societies characterised by widespread poverty and inequality. Worldwide, those countries with high income inequality have the highest homicide rates.

- In Australia, both victims of violence and violent offenders are drawn from the most disadvantaged socioeconomic groups.

Cultural disintegration

- The loosening of social prohibitions against violence may flow from feelings of alienation on the part of marginal members of society. This is particularly the case with a number of Australia's youth and with a large segment of the Aboriginal population.

Setting

- The physical characteristics of a location and the kind of activity occurring there can communicate that violence is more or less acceptable. A dilapidated environment has the potential to invite violence; a clean, modern setting can inhibit aggressive behaviour.

Gender

- Attitudes of gender inequality are deeply embedded in Australian culture, and both rape and domestic assault can be viewed as violent expressions of this cultural norm.

Personality factors

- The best predictor of future aggression is past aggressive behaviour — aggresive children tend to grow into aggressive adults.

- Two personality traits often associated with violent behaviour are lack of empathy or regard for the feelings of others, and impulsiveness, or the inability to defer gratification.

- Hostile impulses in people with unusually strong internal controls — those referred to as the overcontrolled personality — can result in extreme violence.

Substance abuse

- The suggestion that "drugs cause violence" is an oversimplification. The effect of a drug on an individual's behaviour is the product of a range of drug and non-drug factors which include the pharmacological

properties of the substance in question, the individual's neurological foundation, personality and temperament, his or her expectations of the drug's effects, and the social setting in which the individual is located.

- Drug use and violent behaviour may result from a common cause — the inability to control one's impulses. Beyond this, drug use may compound the impairment of impulse control in an otherwise aggressive person.
- Alcohol — a close association exists between alcohol and violence, but the relationship is complex. It is probably less a result of alcohol's pharmacological properties, but rather more a product of co-existing psychological, social and cultural factors.
- Illicit drugs — except in the case of PCP (angel dust), and to a lesser extent amphetamines, violence is rarely associated with the pharmacological effects of illicit drugs. Of course, violence is frequently associated with the trafficking and distribution of these substances.

Biological factors

- Violent behaviour does not appear to be an inherited characteristic.
- Adverse peri-natal experiences may indirectly result in violent behaviour.
- Autonomic nervous system dysfunction may lead to psychopathic behaviour.
- Hormones, particularly testosterone, may play a part in violent behaviour.
- Men are at least ten times more likely than women to be charged wtih violent offences, which indicates a real sex-based difference in behaviour, whether due to actual gender or to behavioural expectations arising from gender.
- Violence tends to be perpetrated most commonly by those aged between 15 and 30.

Mental Illness

- Some forms of mental illness, notably paranoid schizophrenia, may occasionally result in violent acts, although prediction of violence in the mentally ill is regarded as extremely difficult.

Media influences

- Television viewing may be associated with subsequent aggression in some viewers. Research indicates that the relationship is bi-directional, that is violence viewing gives rise to aggression and aggression engenders violence viewing.
- Video and film viewing may have the same effects as television viewing.

Peers and schooling

- **The company of delinquent or agressive peers may influence individuals to become aggressive.**

Although our understanding of violence has improved substantially in recent years, knowledge remains incomplete. The following pages provide a brief and by no means exhaustive overview of the mosaic of this knowledge.

Essentially, it is the Committee's view that the experiences of childhood and the influence of the family are paramount in determining whether or not an individual becomes violent in his or her behaviour. We acknowledge that biological and personality factors may predispose individuals to violence, but strong evidence suggests that in almost every case a loving and secure environment can overcome such predispositions. Likewise, although alcohol, the media, peers and school may all exert their influence, what children observe and learn in their homes — what they come to recognise as norms of behaviour — will largely determine their reaction to these influences.

Of course, each child lives within a larger culture where factors such as economic and gender inequality may be realities they have to cope with on an individual basis as adults, and which may be sources of disillusion and frustration. Nevertheless, what is learned in the process of socialisation within the family can be both protection and a source of strength in coming to terms with or even altering these realities.

Strategies for the prevention of violence in Australia will be the subject of Part Three of this Report. Many of the initiatives which the Committee recommends lie in the area of assistance to families, where, we believe, the greatest difference can be made, by engendering non-violent values in children and by helping to ensure that they are brought up in an atmosphere free from violence. Many of the recommendations made in the final section of this Report therefore relate to measures such as education and support in parenting, which are designed to assist families. Other initiatives are linked to attitude changes, and involve the large issues of gender role, unemployment and value change.

The Committee recognises that any intervention focussed on children is self-evidently a long term proposition. At the same time it believes that there are many other initiatives which can be taken in the short term to reduce the level of violence in the community and which would not cost the earth, whilst making a significant practical impact. A number of recommendations have therefore been made in areas such as the control of alcohol, violence in the sporting arena, both by spectators and players, the control of firearms and the policies of police and others in the criminal justice system.

The Committee believes that a serious attempt to reduce the level of violence in our community requires attention to both long-term and short-term issues. The challenge is to find the most efficient and effective policies

which will bring about the control and prevention of violent behaviour, whatever its cause.

The Committee recognises that not all of the above risk factors are amenable to change through public policy. Nevertheless, available information on the incidence, prevalence and causes of violence provides a direction for Governments and for individual Australians to work to reduce violence in our society.

Policy Directions

- Adoption of a national strategy for the promotion of non-violent attitudes

  The degree to which many Australians condone violence is one of the fundamental impediments to achieving a non-violent society. The Committee considers that a strategy should be launched to promote non-violent attitudes, beginning with a national media campaign and incorporating the Committee's recommendations in relation to education and recognition of the needs of victims.

- The reduction of factors which aggravate the risk and extent of violence

  The Committee has identified several factors which, while not directly causing violence, aggravate its incidence and severity. In order to reduce violence, the committee has identified a number of measures aimed at mitigating the effects of such factors, including parenting education and family support, measures to reduce alcohol consumption, and policies to better regulate the ownership of firearms.

- Improvement in the availability of accurate information about the extent and nature of violence so as to provide a proper basis for decision - making, and for the reduction in fear of violence.

Information about violence is inadequate. This is a general problem but is most evident in relation to violence within the family. The Committee has made a number of recommendations aimed at increasing the availability of accurate information in order to inform policy making, to encourage those crime prevention measures which may be appropriate, and to reassure those members of the public whose fear may be unwarranted.

Not all of the Committee's recommendations are of equal import. As a matter of principle, the Committee felt that priority should be given to those programs which, in addition to their efficiency and effectiveness in the prevention and control of violence, will produce other economic and social benefits. Conversely, policies or programs to combat violence which would constrain freedom or curtail liberty should not do so gratuitously. They should be framed as narrowly as possible, and should be subject to strict scrutiny with regard to their anticipated effectiveness and efficiency.

The Committee is strongly of the view that programs and policies for the prevention and control of violence be subject to rigorous, independent evaluation. Provision for this evaluation should be incorporated in the design and budget of the program in question. Good intentions, warm feelings, and trendy ideas, laudable though they may be, are simply not a sufficient basis for the expenditure of public funds. Measures which are heralded as successful in one jurisdiction, whether in Australia or overseas, should not be blindly embraced without careful provision for their evaluation and their eventual dismantling in the event of unsatisfactory performance. Australia simply cannot afford to waste money on ineffective ventures.

Implementation

The Committee considers the implementation of its recommendations to be a matter of the utmost importance. It was decided that the best way to facilitate implementation was to structure the Report's conclusions and recommendations according to the areas of portfolio responsibility, that is, by type of government department. Because responsibility for the prevention and control of violence does not lie exclusively with Governments, the structure also includes relevant non-governmental organisations. In this way, the pathways to implementation and the most appropriate agencies to undertake such implementation are clearly marked.

By presenting its conclusions and recommendations according to this framework of agency responsibility, the Committee in no way absolves individuals from their responsibilities for the prevention and control of violence. First and foremost, the Committee is strongly of the view that individual Australians are responsible for their own actions. Acts of criminal violence are, by definition, acts of choice. It is recognised that the cultures in which many Australians live and the pressures to which they are subjected may be conducive to violence; but no violent act is inevitable or foreordained. All Australians have a responsibility to act in a non-violent manner.

The Committee recognises that not all of its recommendations are amenable to implementation by a single responsible agency, and that many will require liaison and co-operation by two or more bodies. Effective and efficient prevention and control of violence requires careful co-ordination, lest limited resources be wasted through overlapping and duplicated efforts, and important needs remain unmet.

The Committee is acutely aware of the complexity of government organisation, both within and between levels of the Australian federal system. This recognition has conditioned the specificity of our recommendations. Where particular action lies squarely within the purview of a particular agency, such as the importance of improved police training relating to criminal assault in the home, we do not hesitate to fix responsibility. Beyond this, the Committee has been cautious about prescribing policies in intimate detail.

The Committee is of the view that in many critical areas the paramount responsibility for the welfare of Australians lies with the Federal Government. Some policies, for example, the control of firearms, require a national response in order to be effective. However, the Committee concedes that in other areas, what appears to operate effectively and efficiently in Queensland may not necessarily do so in Tasmania. One of the virtues of Australian federalism is that it lends itself to experimentation and modification to suit the needs and political culture of individual jurisdictions. We encourage rigorous, controlled evaluation of those programs which are introduced, the wide dissemination of the results of those evaluations, and the full implementation of effective programs.

The Committee considers that all Governments should designate an implementation body to oversee implementation of the recommendations made in this Report. The responsibilities of these bodies would include co-ordination of effort on the part of those agencies within their jurisdiction jointly involved in the implementation of a given recommendation.

Co-ordination between these bodies could be facilitated by an annual meeting convened in the first instance by the current Chair of the National Committee on Violence. A national secretariat should be situated at the Australian Institute of Criminology, which has served as the secretariat for this Committee, and which exists as a unique repository of expertise in the area. Such a body could also provide consultation and contract services relating to evaluation, which is essential to ensure efficiency and effectiveness in the prevention and control of violence, a theme which is highlighted throughout this Report.

The Committee acknowledges that some policies for violence reduction may entail significant financial or social cost. At the same time it believes that there are many initiatives which can be taken, particularly in the area of assistance to families, which would make a significant practical impact and which would be very cost-effective. Particular attention is also paid to the subject of gun control, given the importance of this topic in the establishment of the Committee, and a number of detailed recommendations are made on this subject.

General Recommendations

Recommendation 1. **The Federal, State and Territory Governments should each nominate a body to co-ordinate implementation of the recommendations of the Report. These bodies should report annually to the Prime Minister, Premier or Chief Minister.**

Recommendation 2. **The Chair of the National Committee on Violence should convene a meeting of representatives of the bodies nominated by Federal, State and Territory Governments twelve months from the date of issue of the Final Report and report on the outcome of this meeting to the**

Prime Minister. Thereafter, Federal, State and Territory representatives should meet annually to review progress on implementation of the Committee's recommendations, to identify areas where national activity needs to be pursued and to report to the Governments concerned.

Recommendation 3. A national secretariat should be established within the Australian Institute of Criminology to coordinate these activities.

Recommendation 4. Programs and policies for the prevention and control of violence should be subject to rigorous, independent evaluation and provision for such evaluation should be incorporated in the design and budget of the program in question.

Specific Agency Responsibilities

Health and Welfare

Recommendation 5. The Federal Government should undertake a national multi-media public awareness campaign conveying the message that violence is not acceptable. Campaigns directed at target audiences should be designed and pilot tested prior to full implementation.

Recommendation 6. The Federal Government should further increase the excise differential so that low alcohol beer is significantly cheaper to the consumer compared with high alcohol beer.

Recommendation 7. Health warnings should be required on all alcoholic beverage containers.

Recommendation 8. Electronic advertising of alcoholic beverages should be prohibited.

Recommendation 9. Education for parenthood, including what constitutes normal child behavioural development, should be incorporated in hospitals as part of classes associated with childbirth. The program should be continued in community health centres. Support services for all parents should be available after the birth of a child. Parents should be given detailed information about post-natal support services available to them locally.

Recommendation 10. All health authorities should co-operate in reviewing the available literature and devising a proposal for a pilot peri-natal screening and intervention program for child abuse risk. Such a pilot study should be structured so that it can be rigorously evaluated. If it is found to be successful, then such programs should be introduced in all maternity and general hospitals.

Recommendation 11. Effective parent management training programs should be initiated to control aggressive behaviour in children.

Recommendation 12. Where hospital policies and procedures for identifying and treating victims of violence do not exist they should be instituted. All

such policies and procedures for identifying and treating victims of violence, especially those involving the provision of emergency care, should be subject to periodic evaluation, based in part on consumer surveys and retrospective interviews of previous patients.

Recommendation 13. Governments should take steps to achieve better co-ordination and communication between organisations in public, private and non-profit sectors, which provide services to victims of violence.

Recommendation 14. Institutions which provide education and training for health and welfare professionals should offer training in the recognition, treatment (including counselling and support services) and management of victims of violence, especially domestic assault, sexual assault and child abuse. Issues relating to gender inequity, and its implications in relation to violence, should be included in this training. This should include provision for continuous in-service training.

Recommendation 15. All health service providers should develop specific procedures for the identification and treatment of victims of violence, especially domestic violence, sexual assault and child abuse.

Recommendation 16. Service provision to domestic violence and sexual assault victims should address the diversity of needs for people from non-English speaking backgrounds, Aboriginals and people with disabilities.

Recommendation 17. Funding by Federal, State and Territorial Governments for direct service providers and community education programs relating to domestic violence, sexual assault and child abuse should be increased.

Recommendation 18. The recent development of preventative programs, such as counselling for violent men, is commendable. These programs should be encouraged by Federal, State and Territory authorities, subject to systematic controlled evaluation.

Recommendation 19. Stress identification and management should become an integral part of health promotion programs.

Recommendation 20. The Federal Government should sign and ratify the United Nations Convention on the Rights of the Child as a signal of its commitment to the well-being of Australian children.

Recommendation 21. A national campaign for the prevention of child abuse should be conducted.

Recommendation 22. A national research centre on child abuse should be established by the Federal Government.

Recommendation 23. Governments should ensure that safeguards exist to protect institutionalised persons who have an intellectual disability from abuse by staff or fellow patients.

Recommendation 24. Governments should ensure that adequate support services are available for people with an intellectual disability who are living in the community, including those living in hostel and boarding house accommodation, and for their carers.

Recommendation 25. Governments should assess the impact of de-institutionalisation of the mentally ill and should improve community support where appropriate in order to reduce the risk of their becoming victims or perpetrators of violence.

Recommendation 26. Governments should provide effective, adequately resourced 24-hour mobile crisis intervention services and should introduce them as soon as possible where they do not already exist.

The Committee commends the recent review of Residents Rights in Nursing Homes and Hostels (Ronalds 1989) and endorses its direction as the most appropriate strategy for ensuring the security and well-being of aged persons resident in institutions.

Recommendation 27. Additional respite child care should be funded by the Federal Government and be made available to all low income families.

Recommendation 28. Each State and Territory should establish a 008 hotline for parents to call for support and advice in dealing with children.

Recommendation 29. Agencies dealing with child abuse should undertake systematic evaluations of their child abuse intervention programs.

Recommendation 30. The Federal Government should maintain its income support programs for the most disadvantaged members of Australian society.

Education

Recommendation 31. Education authorities should include conflict resolution strategies as an integral part of school and other education curricula, and should evaluate their effectiveness.

Recommendation 32. Teacher training institutions should incorporate materials relating to non-violent conflict resolution, including an analysis of the gender basis of patterns of violence and violent behaviour, in their curricula.

Recommendation 33. Corporal punishment in all schools, public and private, should be prohibited by law.

Recommendation 34. Educational authorities should develop constructive, non-violent means of social control to replace corporal punishment.

Recommendation 35. Programs should be introduced into school curricula for instruction in human relationships, including proper gender roles and parenting responsibilities and child development.

Recommendation 36. Education authorities should produce materials to assist parents in developing non-violent means of discipline.

Recommendation 37. Parent effectiveness programs should be developed in conjunction with organisations dealing with young children and their parents to promote non-aggressive strategies for both parents and children.

Recommendation 38. Training in the recognition of child abuse should be an integral part of the teacher training curriculum. To this end, education authorities should utilise the expertise of those who provide services to abused children and their families.

Recommendation 39. All school students should be provided with information about what constitutes abuse, the importance of telling someone when abuse occurs, and appropriate individuals in whom they might confide.

Recommendation 40. School students should have access to courses in self-protection which discuss issues of male and female socialisation and which are able to be used in conjunction with other school curricula.

Recommendation 41. Recognising that preschool children are cared for and educated in a variety of settings, such as child care, kindergartens, and pre-primary programs, these agencies should emphasise areas such as enrichment programs, non-violent conflict resolution and the identification and management of behaviourally disturbed children.

Recommendation 42. Governments should develop preschool enrichment programs. Controlled evaluation should be undertaken and should embrace subsequent school performance as well as the effect of such programs on later delinquent behaviour.

Employment and Training

Recommendation 43. The Committee commends the efforts made by the Federal Government in establishing training programs for young people. In addition to continuing support for programs of this type, the Federal Department of Employment, Education and Training should establish a pilot residential program similar to the United States Job Corps Scheme targeted at particularly disadvantaged young people, and should evaluate the outcome of the program.

The Committee commends the JET (Jobs, Education and Training) and Newstart employment initiatives.

Recommendation 44. Federal, State and Territory Governments should continue to develop and refine employment training programs, and increase their accessibility to young women as an important contribution to the reduction of violence against women.

Housing

Recommendation 45. Governments should take steps to ensure that no victim of criminal assault in the home is denied alternative shelter.

Recommendation 46. Victims of domestic violence should be given priority in the allocation of emergency and low-cost accommodation.

The National Committee on Violence commends the Human Rights and Equal Opportunity Commission report entitled "Our Homeless Children". The Committee's views are broadly consistent with the recommendations of this report.

Recommendation 47. The Committee commends the progress which has been made in the provision of housing for Aboriginal people, but recommends that to control violence and to restore pride, management and maintenance of housing should be made the responsibility of Aboriginal people. Adequate funding and resources should be provided.

Recommendation 48. Public housing authorities should include considerations relating to the reduction and prevention of violence in the design of public housing.

Public Transport

Recommendation 49. Transport authorities should exercise care in the design and maintenance of their facilities, with a view toward crime prevention. They should also include and publicise a clearly stated violence prevention strategy in their State and Territory transport plans.

Sport and Recreation

The Committee commends the efforts of the Australian Sport and Recreation Ministers' Council to establish a national community education program.

Recommendation 50. Sporting authorities should refer cases of criminal assault on the playing field to law enforcement agencies for prosecution.

Aboriginal Affairs

Recommendation 51. As violence in Aboriginal communities is closely linked to their demoralised state, loss of culture and other related problems, steps should be taken to restore the pride of all Australians in the extraordinary richness of Aboriginal social and cultural traditions. Specifically, educational authorities should include the study of Aboriginal history and culture in school curricula, to promote a greater appreciation and understanding of these traditions.

Recommendation 52. To help alleviate violence in Aboriginal communities, alcohol and substance abuse education and rehabilitation programs currently being undertaken should be evaluated and, where appropriate, be introduced in those additional communities requiring them. Such programs should be coordinated more effectively and given appropriate government

support. More emphasis needs to be given to such programs in urban areas and should include provision of better recreational facilities.

Recommendation 53. Imaginative programs such as the Community Development Employment Program should be expanded to other communities as appropriate.

The Committee commends the Federal Government's national Health Strategy for Aboriginals, particularly its violence prevention aspects, and supports its commitment to the collection of national uniform health statistics.

Criminal Law, Evidence and Procedure
FIREARMS CONTROL

Recommendation 54. All Governments should take appropriate action to minimise death and injury arising from the accidental or intentional use of firearms by:

Recommendation 54.1. The enactment of uniform legislation throughout Australia to regulate the acquisition and possession of firearms.

Recommendation 54.2. The introduction, through the Australian Police Ministers Council, of uniform guidelines for all Australian police forces in the enforcement of firearms legislation.

Recommendation 54.3. Development of a national gun control strategy aimed at

• reducing the number of firearms in Australian society

• preventing access to those weapons by individuals who are not fit and proper persons, such as those who have been convicted of violent crime or who have demonstrated a propensity for violence.

The Committee recommends the following specific strategies:

Recommendation 55. The Federal Government should undertake the following action:

Recommendation 55.1. Military weapons: sales of surplus military weapons should be prohibited to prevent their use in Australia. The importation of military-style weapons for use other than by law enforcement officers or defence force personnel should be prohibited. The Federal Government should provide a generic statement to specify what firearms are importable.

Recommendation 55.2. Mail order firearms: if the Federal Government has the constitutional power, the sale of mail order firearms should be prohibited. If it does not have such powers, and in the absence of uniform State and Territory licensing laws, the mail order sales of firearms should be restricted by using, for example, legislation relating to dangerous goods.

Recommendation 55.3. Rifle clubs established under the Defence Act should be brought under the ambit of State and Territory licensing and registration requirements.

Recommendation 56. The Federal Government should use its corporations power under the Constitution, as well as its powers to regulate trade and commerce, and imports, in furtherance of a national gun control strategy.

Recommendation 57. The State and Territory Governments should undertake the following action:

Recommendation 57.1. Prohibition of all automatic long arms and certain types of ammunition.

Recommendation 57.2. Restriction of semi-automatic long arms to individuals with a specific need.

Recommendation 57.3. Restriction of sales of ammunition by licensed gun shops only, to licensed individuals only, for personal use of a specific firearm.

Recommendation 57.4. Registration: all firearms should be registered in a computerised national firearms registry.

Recommendation 57.5. Licensing: ownership or possession of a firearm to be restricted to those possessing a valid licence. The prerequisites for obtaining a shooter's licence should be those in existing legislation, together with the following:

- must be over the age of 18 years
- limited to fit and proper persons with good reason
- a 28 day cooling-off period between application and grant of the licence, during which time appropriate checks can be made
- training, competence and safety consciousness must be demonstrated to the licensing authority
- hand gun licences should be restricted to authorised security personnel and members of pistol clubs, with weapons stored on the premises.

Recommendation 57.6. Security: mandatory measures to be introduced for the safe-keeping of all weapons in an inoperable condition in secure storage, both by individuals and businesses, with appropriate penalties for non-compliance.

Recommendation 57.7. Seizure: in the event of a licensed owner giving reason to believe that he/she is no longer a fit and proper person, for example by using the weapon in a threatening way, there should be provision for mandatory seizure of all firearms in his/her possession.

Recommendation 57.8. Restrictions on private sales: all sales of firearms, including second-hand sales, to be made through licensed gun dealers, and any change of registered owner should be notified through the proposed registration mechanisms referred to in (57.4) above.

Recommendation 57.9. Amnesties: a permanent amnesty for the surrender of unauthorised firearms should be implemented, with conditions similar to

those provided in the temporary amnesties which have been introduced from time to time in various jurisdictions.

Recommendation 58. The use of a firearm in the commission of a crime should be regarded as an aggravating circumstance by sentencing authorities.

ADDITIONAL ISSUES

Recommendation 59. The Committee strongly condemns the use of physical violence in disciplining children. The long-term aim should be to abolish such practices. In the interim, this objective is best achieved by education, as already referred to in the context of parent education.

Recommendation 60. Subject to the inclusion of appropriate safeguards against abuse by either the Crown or the defence, victim impact statements should be introduced in all jurisdictions. They should be closely monitored.

Recommendation 61. All Governments should formally embrace the principles of justice and fair treatment for victims as set out in the Declaration of the United Nations General Assembly.

Recommendation 62. The introduction of portability of restraint orders across jurisdictions should be treated as a priority by the Standing Committee of the Attorneys-General.

Recommendation 63. Uniform domestic violence legislation should be developed. Such legislation should include the following essential features:

Recommendation 63.1. powers for police to enter and remain on premises to deal with domestic violence incidents and breaches of restraint orders, and to arrange assistance for injured parties;

Recommendation 63.2. a broadened definition of spouse to include partners from de facto and past relationships as well as traditional Aboriginal relationships;

Recommendation 63.3. provision for applications for restraint orders by police officers as well as by the victim;

Recommendation 63.4. power for the court to make a restraint order removing or limiting the defendant's access to the family home, whether or not the defendant has a legal or equitable interest in the premises;

Recommendation 63.5. parties to the proceedings should be able to apply to the court for a variation or revocation of an order;

Recommendation 63.6. the admission of hearsay evidence at the discretion of judicial authority;

Recommendation 63.7. the issuing of restraint orders on the balance of probabilities;

Recommendation 63.8. breaches of orders to be regulatory offences;

Recommendation 63.9. the ability for police to apply for restraint orders over the phone outside normal court hours;

Recommendation 63.10. the protection of police officers from civil liabilities and costs in normal circumstances; and

Recommendation 63.11. the authority to take offenders into custody where there is a reasonable belief that unless the person is removed, the spouse or a child of the house is in danger of suffering personal injury.

Police

Recommendation 64. Domestic violence should be targeted for police skills training with police instructed how to recognise domestic violence as criminal behaviour, to detect behavioural warning signs and to take appropriate action.

Recommendation 65. Where there is sufficient evidence of criminal assault in the home, police should lay charges.

Recommendation 66. Police should have adequate powers to seize, and should in fact seize, any firearms or other weapons which may be present at the scene of an assault.

Recommendation 67. Police policy in relation to criminal assault in the home should be publicised widely, both within the force and to the public at large.

Recommendation 68. New police initiatives for the prevention and control of domestic violence should be subject to rigorous evaluation.

Recommendation 69. Police training should incorporate information on non-punitive options for dealing with youth to encourage sensitivity to the negative results of overpolicing.

Recommendation 70. All jurisdictions should adopt formal guidelines for the questioning of youth by police.

Recommendation 71. All police-community liaison programs should be evaluated.

Recommendation 72. In association with other agencies such as transport, public housing, and local government authorities, Australian police departments should develop fear reduction programs, targeting those groups in the community who express the highest levels of insecurity, and experimenting with alternative patrol techniques, public information campaigns, and other fear reduction strategies.

Recommendation 73. Fear reduction programs should be subject to rigorous independent evaluation to assess their efficiency and effectiveness.

Recommendation 74. Video recording of interviews by police should be introduced in all Australian jurisdictions.

Recommendation 75. Police training programs should include curricula on victim assistance as a routine component of all courses, from the initial recruit stage to specialist investigatory courses.

Recommendation 76. Formal mechanisms should be put in place to facilitate easy and effective referral by police of victims to appropriate support agencies.

Recommendation 77. Police training should continue to educate recruits about cultural conflicts, especially within Aboriginal society, and continue to increase the skills and scope of the police aide scheme.

Recommendation 78. Traditional Aboriginal input into police education should be increased so as to improve knowledge and understanding of the Aboriginal lifestyle.

Recommendation 79. Every effort should be made in every jurisdiction to encourage and support suitably qualified Aboriginals to become fully qualified police officers.

Recommendation 80. The Aboriginal police aide scheme, as it operates in the Northern Territory and South Australia, should be introduced in other parts of Australia where similar law enforcement circumstances exist.

Recommendation 81. Consideration should be given to the introduction of the warden scheme in Aboriginal communities, where appropriate. As well, ongoing evaluation of the Aboriginal Communities Act 1979 (WA) and similar legislation in the Northern Territory should be carried out to ensure the warden system operates effectively and is supported fully by Governments.

Recommendation 82. Police and others in the criminal justice system directly involved with victims of child abuse should receive training in normal child development, in issues relating to disabled children and in special forensic issues.

Recommendation 83. Urgent attention should be given to improving procedures in investigating allegations of the sexual abuse of children. This should entail closer liaison between police and other workers concerning interviews with the alleged victim, and the provision of training in interviewing techniques. Consideration should be given to the use of video recording techniques.

The Committee commends the South Australian insights regarding measures to reduce the risk of assaults against police, and is pleased to note that conflict resolution skills and tactics of protective behaviour are now accorded priority in the training of Australian police officers.

Recommendation 84. Counselling and psychological services should be available and accessible to all police officers.

Recommendation 85.
All Governments should recognise and support:

Recommendation 85.1. Uniform laws throughout Australia regarding the use of firearms and other lethal force by police. These laws should reflect the principle that lethal force should only be used as a last resort, involving self defence or the defence of others.

Recommendation 85.2. The provision of adequate resources (including funding) to ensure police receive adequate training in the use of firearms and non-lethal weapons. This training should also include non-violent restraint and conflict resolution strategies.

Recommendation 85.3. A requirement that wherever practical, a Coroner personally attends the scene of any fatality involving the use of lethal force by police.

Recommendation 85.4. The provision of funding for the development and deployment of non-lethal incapacitating weapons for use in appropriate situations, bearing in mind the desirability of eventually excluding the use of all weapons capable of causing death or serious injury to persons. The development and deployment of non-lethal weapons should be carefully evaluated, to ensure they minimise the risk of injury to bystanders, suspects, and police.

Recommendation 86. All police administrators should:

Recommendation 86.1. Adopt and implement rules and regulations strictly limiting the use of force and firearms. These should emphasise the principle that the use of force and firearms by law enforcement personnel should be proportionate to the legitimate objectives to be achieved, and commensurate with due respect for human rights. In addition, wherever the use of force or firearms is unavoidable, law enforcement personnel should in all cases minimise damage, respect and preserve human life and ensure that assistance and medical aid is rendered to any injured or affected persons at the earliest possible moment.

Recommendation 86.2. Develop and implement a code of conduct for law enforcement personnel which specifies that personnel may use force only when strictly necessary and to the extent required for the performance of their duty.

Recommendation 86.3. Keep the ethical issues associated with the use of force and firearms continuously under review.

Recommendation 86.4. Adopt a nationally agreed set of guidelines outlining standard operational procedures for police to be deployed in situations assessed as high risk.

Recommendation 86.5. Conduct research on the desirability of psychological screening and on-going assessment of members and prospective members of police special weapons and operational groups.

Recommendation 86.6. Develop national minimum standards relating to the validation and accreditation of firearms training and use of other weapons, including non-lethal weapons.

Recommendation 86.7. Ensure, following incidents where a person has died or been seriously injured through the use of force by police, that there is a thorough investigation of the incident by police independent of those involved in the incident.

Recommendation 86.8. Take appropriate action where arbitrary or abusive use of force or firearms by law enforcement personnel has occurred.

Recommendation 86.9. Ensure that all police involved in major critical incidents, which include the use of lethal force by police, or where the police have themselves been subjected to or engaged in a violent encounter, be subjected to critical incident stress debriefing.

Recommendation 87. In the event that police abuse their powers, issues relating to the liability of the Crown are complex. These issues should be reviewed by Federal, State and Territory Law Reform Commissions.

Courts

Recommendation 88. Where they have not already done so, State and Territory Governments should establish counselling and support services for victims and witnesses along the lines of those provided by the Victoria Court Information Network.

Recommendation 89. Jurisdictions should undertake pilot testing of their respective law reform proposals involving the testimony of child witnesses. These should include video-links, screens, and other modifications to the courtroom environment, to reduce the stress and trauma experienced by the child witness, and to enhance the accuracy and reliability of a child witness' testimony.

Recommendation 90. The Australian Institute of Judicial Administration should provide for the continuing education of judicial officers in matters relating to victims of violence generally, and victims of domestic violence, sexual assault and child abuse in particular.

Recommendation 91. Governments should provide alternative dispute settlement services as widely as possible.

Recommendation 92. All correctional agencies should continue to develop programs for the rehabilitation of offenders, and should subject these programs to rigorous evaluation. Those programs which show promise should be refined and introduced elsewhere; those which do not should be abandoned.

Recommendation 93. Correctional authorities should provide more support for ex-prisoners subsequent to their release from custody.

Miscellaneous Regulatory Authorities

CONSUMER AFFAIRS AGENCIES

Recommendation 94. The Committee applauds the steps taken by the Federal Minister for Consumer Affairs in banning "victim toys" under the Trade Practices Act, and by the Western Australian Minister for Consumer Affairs in following suit under State legislation. Other Australian States and Territories should follow their lead.

AUSTRALIAN BROADCASTING TRIBUNAL

Recommendation 95. The Australian Broadcasting Tribunal should consider requiring more detailed classification and program description to enable television viewers to exercise informed choice of programs, and to enable those responsible for children to exercise responsibility for children's viewing practices.

The Committee endorses Federal, State and Territory initiatives which protect children from consuming and participating in the production of erotic materials, violent or otherwise.

LIQUOR LICENSING AUTHORITIES

Recommendation 96. All liquor licensing authorities should act flexibly and in close consultation with Aboriginal communities, and should consider the potential social consequences of their decisions in order to minimise the adverse impact of alcohol.

Recommendation 97. Conformity with server intervention programs should be a condition of liquor licence renewal.

Recommendation 98. Liquor licensing authorities should promulgate guidelines for the recruitment, training and conduct of bouncers as an integral part of server intervention programs.

Recommendation 99. Liquor licences for sporting venues should include requirements for server intervention to discourage excessive consumption of alcoholic beverages.

Information and Research Agencies

Recommendation 100. The Australian Bureau of Statistics should conduct National Crime Surveys regularly on a biennial basis.

Recommendation 101. The Australian Bureau of Statistics should devote special efforts to identifying the incidence and prevalence of violence against specific minority groups in Australia.

Recommendation 102. The National Injury Surveillance and Prevention Project should be established on a permanent basis.

Recommendation 103. A national homicide monitoring system should be established within the Australian Institute of Criminology.

Recommendation 104. **Federal, State and Territory Governments should increase their contributions to the Criminology Research Council.**

Local Governments

Recommendation 105. **Local governments should consider the implications for public safety of those planning decisions with which they are involved. In particular, they should be mindful of the principles of crime prevention through environmental design.**

Recommendation 106. **Town planners should incorporate security measures in design and when considering planning proposals.**

Recommendation 107. **Federal, State and Territory Governments should assist councils in providing services to families under stress.**

Recommendation 108. **Local governments should develop programs which provide a variety of high standard alcohol-free recreation and entertainment activities, planned in consultation with the intended users, where young people can express themselves freely in a safe place, removed from those who are likely to be irritated by displays of exuberance and energy.**

Recommendation 109. **A national conference of local governments should be convened to enable local government officials from around Australia to share their insights on crime prevention.**

Private Enterprise

EMPLOYERS GENERALLY

Recommendation 110. **Employers should provide a range of counselling and support services to assist employees with personal problems. These should include stress management, drug and alcohol rehabilitation, and domestic violence counselling.**

Recommendation 111. **Governments should offer payroll tax reductions to employers who pay their employees by bank credits.**

MEDIA ORGANISATIONS

Recommendation 112. **The media generally, and the television industry in particular, should demonstrate a commitment to programming which promotes pro-social conduct and non-violent values.**

Recommendation 113. **Media organisations should develop a code of conduct aimed at reducing gratuitous intrusions upon victims' and alleged offenders' privacy and dignity; avoiding glorification of violence; and avoiding portrayals which may encourage the commission of similar offences.**

Recommendation 114. **Media coverage of sporting events should avoid the gratuitous re-play of violent incidents.**

Recommendation 115. **Media commentators on sporting events should avoid glorification of violence and should forcefully condemn violence when it occurs, and should shame the perpetrators of violence.**

Recommendation 116. **Media advertising of sporting events should avoid metaphors of violence and should emphasise themes of fair play.**

Recommendation 117. **State and Territory Governments should prepare codes of conduct for the operation of licensed premises, enforceable under fair trading legislation. These codes should be flexible enough to deal with circumstances applying to particular communities, including Aboriginal areas. They should also include segments on server intervention and bouncer employment.**

Recommendation 118. **Negligence in the recruitment, training, and supervision of security personnel which results in injury to the public should render the proprietor of licensed premises liable for civil damages.**

Recommendation 119. **Toy retailers should embrace a code of practice and display a sign indicating that the store does not sell toys relating to violence and war.**

Recommendation 120. **An independent body should be established in consultation with the toy industry, governmental consumer affairs agencies, and the consumer movement for the identification and promotion of pro-social toys. It should develop an endorsement scheme whereby such toys are clearly identifiable to prospective purchasers.**

Other Non-Government Organisations

Recommendation 121. **Religious organisations should continue to foster non-violent values by encouraging the peaceful resolution of conflict and by denouncing violence when and where it occurs.**

Recommendation 122. **Religious organisations should review training curricula for members to ensure that counselling which they may provide is consistent with current professional practice relating to child abuse and domestic violence.**

Recommendation 123. **Sporting organisations should assist in the prosecution of players who commit criminal assault on the playing field. This should include referring matters to the police for prosecution, and assisting the Crown in the collection of evidence.**

Recommendation 124. **Regardless of whether or not the criminal process may be invoked, sporting authorities should impose harsh penalties upon individual players for violent play.**

Recommendation 125. **Sporting organisations should disqualify players found guilty of misconduct from eligibility for awards for individual achievement.**

Recommendation 126. Sporting organisations should revise their rules to penalise clubs which do not control improper behaviour by players. Such penalties should include loss of premiership and match points.

Recommendation 127. Sporting organisations should increase penalties for foul play by penalising individuals more heavily than in the past.

Recommendation 128. Sporting organisations should ensure that the terms of playing contracts do not provide any buffer or indemnification against penalties for foul play.

Recommendation 129. Coaches and officials should reserve the most severe and public reprimands for players who engage in violence.

Recommendation 130. Younger players, and their parents, should be taught good sportsmanship. Provision should be made for penalties against the team when parents of young players engage in disrespectful conduct as spectators.

Recommendation 131. Sporting organisations should devote attention and resources to those aspects of stadium and facility design and maintenance, such as fixed seating and proper upkeep, which are likely to discourage violence by spectators.

Recommendation 132. Sporting organisations should discourage irresponsible consumption of alcoholic beverages by spectators, through such means as restriction on bringing alcohol into sporting venues, beverage pricing policies, and the use of light plastic or paper containers.

Professions

MEDICAL PROFESSION

Recommendation 133. Professional medical organisations and colleges should assist their members in the diagnosis and referral of victims of violence, especially victims of sexual assault, domestic violence and child abuse.

Recommendation 134. Medical education, undergraduate, postgraduate and continuing, should include components dealing with all aspects of violence. There should be special emphasis on the care of victims, the prevention of violent behaviour, and the treatment of violent persons.

Recommendation 135. The medical profession, its professional organisations and colleges, should pursue the problems of violence in the community as a major public health issue.

LEGAL PROFESSION

Recommendation 136. Members of the legal profession should, through in-service training or by means of continuing education, develop greater sensitivity to the needs of victims generally, and should routinely accord victims courtesy and respect.

> *Recommendation 137.* **Members of the architectural and planning professions should, through their initial professional training and in continuing education programs, develop greater awareness of the principles of crime prevention through environmental design.**

Other Groups

TRADE UNIONS

> *Recommendation 138.* **Where employers provide insufficient training and protection for their public contact workers, trade unions should call this to their attention.**

The Committee commends initiatives such as the Aunties and Uncles organisation in Sydney and Big Brothers and Big Sisters in Melbourne.

The Committee is confident that implementation of the above recommendations can make a difference, and would transform Australia into a less violent place than it is today.

At the same time, the Committee recognises that implementation of the above recommendations would entail greater expense than Governments may wish to incur.

Given the enormous financial burdens which current levels of violence impose on contemporary Australia, and which are canvassed in Part One of the Report, Australian Governments are faced with a stark choice — either to pay now, and make Australian society less violent; or to pay later, and suffer the costs amounting to hundreds of millions of dollars per year, and, in addition, cause Australians to endure the pronounced deterioration in the quality of life which the aftermath of violence imposes on our society.

Minority Recommendations
W.E. Lucas
P.E. Quinn
D. Chappell

1. We endorse the 1983 statement on boxing of the World Medical Association, in which it recommends that boxing be banned. We further endorse the Association's recommendations for action until the goal of banning is achieved.

2. We recommend that in view of the lapse of time since the statement of the World Medical Association the appropriate bodies, medical and sporting, review the situation in Australia regarding the control of boxing and its elimination as a sport.

Minority Recommendations
P.E. Quinn
The Impact of the Mass Media on the Incidence of Violence

1. That the Federal Government establish an office of Public Media Advocate to:

    (a) represent the views and aspirations of ordinary viewers, especially parents and children, in hearings before bodies such as the Australian Broadcasting Tribunal which have the responsibility of determining media standards; and

    (b) initiate prosecutions of particular breaches of standards.

2. That the Federal Government step up its surveillance and prosecution of the illegal importation of violent and pornographic film and video material.

3. That film and video classifications be changed to adopt more responsible attitudes, as an attempt to reflect more closely the widely held view of ordinary Australians that there is too much violence and pornography available on both television and videos.

4. That the prevailing standards which prohibit the showing of material unsuitable for children be changed so that:

    (a) they more closely reflect the wishes of parents;

    (b) they are varied during daylight saving;

    (c) they take into account the known viewing patterns of children of primary school age;

    (d) in cases of doubt, the paramount consideration be the welfare and interests of the child.

5. That the Federal and Australian Capital Territory authorities take the necessary steps to ensure that offensive video and film material is not freely available in the Australian Capital Territory.
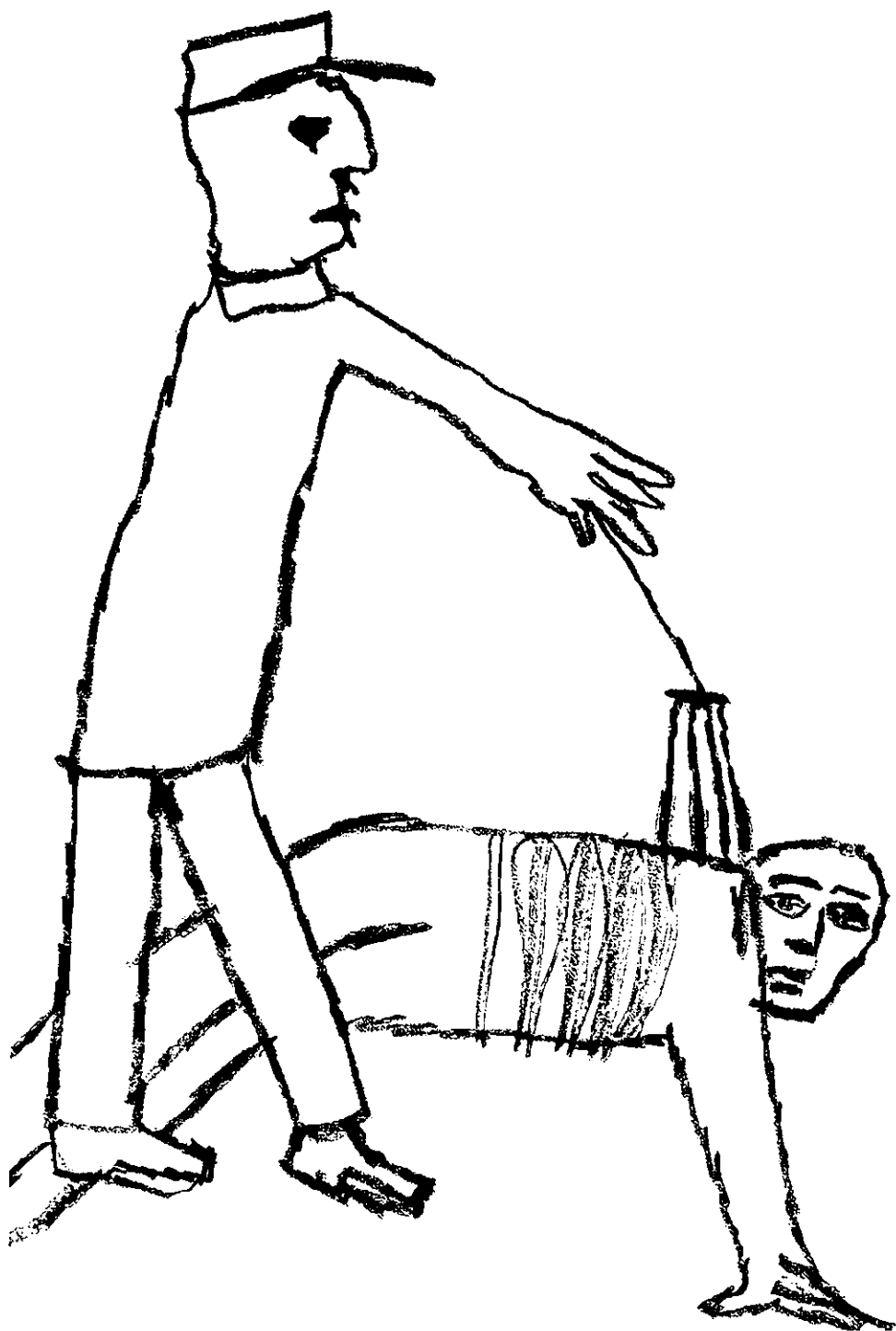
Sidney Nolan **Flogging** 21 August 1978
  pastel on paper
    from the series *For The Term Of His Natural Life* based on Marcus Clarke's novel.

PREFACE

The National Committee on Violence was established by joint agreement between the Prime Minister, the State Premiers and the Chief Minister of the Northern Territory at a meeting held in December, 1987. The purpose of the meeting was to discuss the issue of gun control following the tragic events in Melbourne's Hoddle and Queen Streets earlier that year, when sixteen people died and twenty-two were wounded in two mass firearms killings.

These incidents represented the extreme manifestation of a growing level of alarm both in government and in the community generally about the level of violence in Australian society. Surveys of public opinion have shown that fear of violent crime is a matter of major concern and the vast majority of people believe violent crime to be on the increase. In a country with a long liberal democratic tradition, increasingly people have expressed unease with what is perceived as the grave risk of random violence. They say they are fearful of using public places, that they are anxious about using public transport, that they no longer trust their neighbours and that as a consequence of such fears the quality of their lives has declined. Increasingly we are being made aware of the shadow of family violence which has for so long been ignored. As a community we have witnessed tragedies that were unthinkable a generation ago. In the life of the Committee, one of our most senior police officers was murdered in the driveway of his home; underworld killings have been reported; elderly people have been serially murdered on Sydney's North Shore; and several horrific killings of wives and children have taken place.

In this climate of profound anxiety about the state of violence in our community the Committee's establishment was announced by the Federal Minister for Justice, Senator Michael Tate, in October 1988. Although the initial concern of all Governments was the issue of gun control, it was apparent that any satisfactory response to views expressed by the community would involve a much broader approach. The range of issues which the Committee needed to address was set out in its Terms of Reference. Specifically, the Committee was asked to examine:

- the contemporary state of violent crime in Australia;
- related social, economic, psychological and environmental aspects;
- gender issues in violence;
- the impact of the mass media on the incidence of violence;
- the effects of drugs and alcohol on violent behaviour;
- attitudes to violence amongst children and adolescents;
- the vulnerability to violence of particular groups;
- the development of strategies to prevent violence;

- the need for support and assistance for victims of violence; and
- the need for special measures in the treatment of violent offenders.

In determining the composition of the Committee, it was agreed that expertise in various areas of the Terms of Reference would be the principal criterion for membership. Noted authorities in these areas were therefore appointed by the Federal Government. The Prime Minister also invited each jurisdiction (with the exception of the Australian Capital Territory, which had not then achieved self-government) to nominate a member of the Committee. Each did so, with the exception of Queensland. In addition, the Minister for Aboriginal Affairs, Mr Gerry Hand, agreed to fund an additional member of the Committee, Ms Sue Lundberg, given her expertise in the area of Aboriginal affairs. Despite the absence of a Queensland member, the Queensland Government has been most supportive of the Committee's task, and has contributed financially to its operation. Thus membership reflects the universal concern of all segments of the Australian people concerning the problem of violence.

It was further agreed that the secretariat for the Committee should be located within the Australian Institute of Criminology, as it was able to provide a range of services deriving from its position as the centre of Federal, State and Territorial cooperation in the area of criminological and criminal justice research. In addition, it possessed an interdisciplinary team of researchers with qualifications in law and social science with expertise in a number of areas which would be of direct relevance to the Committee in its task. Finally, the Institute also maintained the Barry Library, which houses Australia's foremost criminological collection. The library's own database provides online access to all Australian criminological holdings and to a range of other local and overseas information sources.

In order to fulfil its extensive Terms of Reference, the Committee was allocated a budget jointly funded by the Federal, State and the Northern Territory Governments, totalling $183,000. With these funds alone, and with barely a year in which to report, it embarked on a series of community consultations throughout the country, from the State capitals to remote settlements of Central Australia. Written submissions were invited and specific information was solicited from a number of agencies. Details of the public community forums held and submissions received are listed in the appendices to this Report. Extracts from submissions and presentations are included throughout the body of the Report.

In order to fulfil a perceived need to inform the public about particular areas of concern, the Committee also undertook an extensive publications program on various aspects of violence in the community.
In its pamphlet series **Violence Today**, the following titles appeared:

No. 1. *Violence, Crime and Australian Society*

No. 2. *Domestic Violence*

No. 3. *Violence Against Children*

No. 4. *Violence in Sport*

No. 5. *Violence and Public Contact Workers*

No. 6. *Violence on Television*

No. 7. *Violence, Disputes and their Resolution*

No. 8. *Racist Violence*

No. 9. *Political Violence in Australia*

In its series of monographs, particular issues relating to violence were discussed in more extensive detail:

Monograph No. 1. *Violence in Australia*, which raises some key issues and summarises facts about violence in contemporary Australian society.

Monograph No. 2. *Victims of Violence*, which describes the vulnerability to violence of particular groups, and the need for support and assistance for victims.

Monograph No. 3. *Society's Response to the Violent Offender*, which discusses the need for special measures in the treatment of violent offenders, and reviews the basic issues which must be considered by authorities on behalf of society in response to an act of violence.

In addition, the Committee funded a four-day National Conference on Violence, attended by over 150 people, including nearly sixty speakers of national and international standing. This meeting provided an opportunity for detailed discussion of the subject of violence and associated topics before a large and enthusiastic audience.

Despite a very limited budget, the Committee has completed the most comprehensive review of the subject of violence ever undertaken in Australia. This issue is also important internationally, and the Committee could only compare itself with parallel inquiries underway at the same time in the United States and the Federal Republic of Germany. Each of these inquiries has far more limited terms of reference, and has been given two years in which to complete its task. Each has been funded with between one and two million dollars. Nor do either of these investigations plan any form of community consultation; instead, their funds will be devoted principally to research into various aspects of violent behaviour — a luxury beyond the reach of this Committee. Indeed, representatives of these overseas inquiries who attended the Committee's National Conference on Violence expressed astonishment at what had been achieved on such a limited budget, and particularly congratulated the Committee on its decision to consult with the community at large.

When the Committee held its first meeting in November 1988, a matter of paramount concern was the interpretation of its Terms of Reference. In order to complete its task within a very limited time-frame, it was agreed

that it would be necessary to exclude some types of behaviour from the ambit of its inquiries. These included self-inflicted violence, motor vehicle deaths and negligence generally.

The Committee also gave consideration to the problem of defining violence. *The Macquarie Dictionary* defines violence as "any unjust or unwarranted exertion of force or power as against rights, laws, etc." The Committee decided that for its purposes the concept of violence should also include the threat as well as outright use of physical force. In addition, because psychological and emotional abuse can be used just as effectively as physical abuse, these too could also be considered as forms of violence. In the area of criminal violence, the Committee was aware that serious problems exist between jurisdictions in defining various offences. The operational definitions of the terms used in this Report are explained in detail in *The Size of the Crime Problem in Australia* by Satyanshu K. Mukherjee (1990, Australian Institute of Criminology, Canberra).

The Committee was conscious of other inquiries, in areas which touched on its area of responsibility. These included the Australian Broadcasting Tribunal's examination of the issue of violence on television; the Human Rights and Equal Opportunity Commission's inquiry into racist violence; the Joint Parliamentary Select Committee on Video Material; and the Royal Commission into Aboriginal Deaths in Custody. In addition, during 1989 the Social Development Committee of the Victorian Parliament concluded its inquiry into the precise issue of community violence. This Committee was initially chaired by Judith Dixon, a member of the National Committee on Violence. The Committee was mindful of the risk of overlap and duplication. It maintained close relations with current inquiries throughout its life and has readily exchanged information and ideas with them about areas of mutual interest.

In giving detailed consideration to its Terms of Reference, the Committee decided that the issues to be addressed fell into three broad categories. First of all it would be necessary to identify as far as possible the state of violence in Australia, that is, to summarise all the available information on the subject and, from these disparate sources, make an assessment of the incidence and prevalence of violence in Australia. Secondly, the Committee decided to review all available research, both Australian and overseas material, relating to the causes of violence. Thirdly, the Committee would make recommendations concerning the prevention and control of violence.

In turning its attention to the state of violence in Australia, which is the subject of Part One of this Report, the Committee observes that by international standards and indeed by its own historical benchmarks, contemporary Australia is a relatively tranquil place. In contrast to Latin America, where tens of thousands of men, women and children have died as a result of political violence in the present decade alone, Australia is free of

strife. No head of government has been assassinated, as has been the case during the 1980s in Sweden, the Arab Republic of Egypt, India, Pakistan and Lebanon. No Australian aircraft has been the target of a terrorist bomb. Gang wars are not fought with automatic weapons in the streets of Sydney or Melbourne as they are in Los Angeles or New York. The rate of homicide in the national capital of the United States is more than thirty times greater than that of Canberra.

The problems of homeless youth in Australia and their vulnerability to violence pales in comparison to that of Brazil, where 12 million children live on the streets, and where over 600 street children were reported murdered between January 1988 and June 1989. Assaults and intimidation of Australians at work is minimal, compared to the People's Republic of China where, according to the *People's Daily*, 13 tax collectors have been murdered and over 6,000 beaten up since 1985.

Whatever anti-social behaviour may be manifest among spectators at Australian sporting events, it is minor in comparison with that of the notorious British soccer hooligans. Whilst Korean students, with deadly aim, hurl rocks and petrol bombs at police, the aggressions of their Australian counterparts have been limited to occasional jeering and chanting over such issues as student fees.

In making these observations, the Committee by no means underestimates either the extent of violence or the fear of violence in Australia today. Nevertheless, it believes that it is essential for the material which follows in Part One of the Report to be viewed in the context of the international situation as well as Australia's own violent history, which is evoked so forcefully in Sir Sydney Nolan's drawings.

In Part Two of the Report the Committee reviews available literature on causes of violent behaviour. We observe that the reality of violence is complex in origin and often involves a variety of factors interacting with one another. We also note that certain traits, characteristics or other considerations may be associated with violence, but that these factors may be coincidental or only a symptom of underlying causes.

In this section of the Report a number of theories and facts concerning causes of violence are examined: these include biological predisposition; chemical facilitation by the use of alcohol, drugs and diet; personality factors; social-psychological explanations, including child development, the influence of the family, and the effects of the media, peers and schooling; and cultural factors, including the issues of economic and gender inequality.

The Committee concludes from this review that factors which contribute to violence in Australia are many and varied and that their influence occurs in interaction with numerous other forces. Nevertheless, it is the Committee's view that the experiences of childhood and the influence of the family are

paramount in determining whether or not an individual becomes violent in his or her behaviour.

Part Three of the Report is devoted to the conclusions and recommendations of the Committee concerning policies to bring about the control and prevention of violent behaviour. It also discusses strategies for the implementation of these recommendations.

The Committee acknowledges that some policies for violence reduction may entail significant financial or social cost. At the same time it believes that there are many initiatives which can be taken, particularly in the area of assistance to families, which would make a significant practical impact and which would be very cost-effective. Particular attention is also paid to the subject of gun control, given the importance of this topic in the establishment of the Committee, and a number of detailed recommendations are made on this subject.

In order to facilitate implementation, recommendations for action are structured according to areas of portfolio responsibility, that is, by type of government department. In addition, because responsibility does not lie exclusively with Governments, reference is made to non-government organisations. Finally, and most importantly, the Committee discusses the responsibility of individuals in the prevention and control of violence. The Committee makes a strong statement that it believes that individual Australians are responsible for their own actions, and that all Australians have a responsibility to act in a non-violent manner.

In this section of the Report the Committee also gives detailed consideration to actual implementation strategy. It considers it desirable that each Government should nominate a body to have overall responsibility for implementation in each jurisdiction. These bodies should report annually to the Prime Minister, Premier or Chief Minister. Coordination between these bodies would be facilitated by an annual meeting convened in the first instance by the Chair of the Committee, and a national secretariat should be situated within the Australian Institute of Criminology, which exists as a unique repository of expertise in the area.

In conclusion, the Committee acknowledges that violence in our society has its roots deep in human nature. To bring about a change in behaviour requires not only the political will to implement the recommendations we have made, but a real desire on the part of all Australians to change their attitudes to violence manifested close to home, as well as condemning violence which they know of only because of its particular horror and public character. This is a responsibility which we all share.

Duncan Chappell
Chair
National Committee on Violence
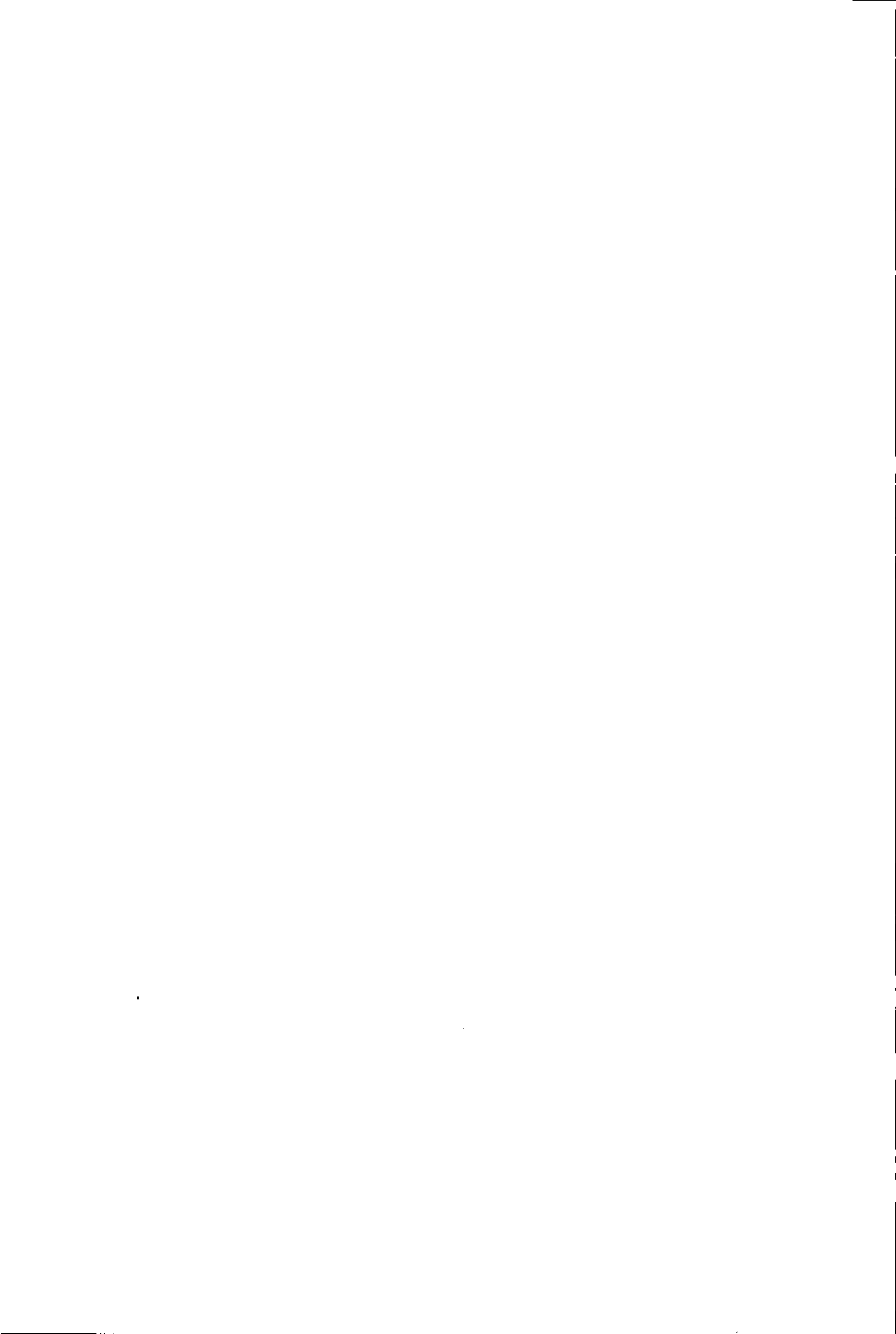
PART ONE: THE STATE OF VIOLENCE IN AUSTRALIA

At the Violence Forum

He kept repeating
   it's men's business
   it's men's business
   it's men's business
'til once again
i could hear the swish
of a frayed electric cord
cut the air
   & over it -
my mate's mother
on the boil again
& screaming
   you'll get this jug cord
her bosomed figure bouncing
across the short-cropped lawn

& he kept repeating
   it's men's business
   it's men's business
'til i could hear
that teacher's voice
telling me of her first job
& the indelible imprint
it left
   his mother had pressed
a steam iron to his cheek

& he kept repeating
   it's men's business
'til i saw flashbacks
from a video
shown that morning
   a woman butchered
by a man
her scars coming out
in waves

it's our business

Geoff Goodfellow

Three Policemen

In Mansfield is a fading monument
Erected by the State and by the town.
It was from here the three policemen went

To where the Kelly gang would shoot them down.
No poignant balladry arose for them.
They do not live in story or in song.
They don't provide a legendary theme.
Nor is there mythic' value very strong.

In this it isn't difficult to find
A haunting parallel with modern times
When victims barely linger in the mind
And murderers are feted for their crimes.

And yet that oversimplifies it all.
In these days we begin again to see
How people can be driven to the wall,
How law can be the arm of tyranny.

So leave aside the question of the good
Or evil they were made to suffer for.
It is enough to honour as we should
The valour proven in a doubtful war.

Peter Kocan

I INTRODUCTION

Any logical effort to design and to implement policy for the prevention and control of violence in a given State or Territory of Australia should be based on firm knowledge of the nature and level of violence, and of the manner in which that violence is distributed across Australian society.

The Committee was severely hampered in its work by a lack of information. Australian Governments remain woefully ignorant about the extent and distribution of violence. The Australian Bureau of Statistics (1989, p. 1) acknowledges that

> Australian national crime statistics lag far behind statistics available in other areas of social concern such as social security and education and compare unfavourably with other developed countries.

Whilst perfect knowledge on the extent of violence in Australia is unattainable, the degree of ignorance which does prevail is inexcusable. This ignorance can only detract from the efficiency and effectiveness of those policies which Governments see fit to introduce.

As Dr David Neal of the Victoria Law Reform Commission told the National Conference on Violence:

> Any large business which based its forward planning on the sorts of guesses commonly made by criminal justice policy makers, or made its production schedules, or assessed its productivity, or ran its public relations programs in the way that criminal justice policy makers and administrators are forced to do, would be in the hands of the receivers with its creditors and shareholders baying for blood (Neal 1989, p. 3).

The Committee's conclusions and recommendations relating to information about violence in Australia appear below in Part Three of this Report. With great difficulty, given the inadequacy of available information on the incidence and prevalence of violence in Australia, the Committee makes the following statements:

Australia is a less violent place today than it was during the period from its establishment as a penal colony until Federation. However, it is more violent than it was before the second World War.

The rate of homicide in Australia is relatively low by international standards, and has shown no significant change over the past twenty years.

The rates of various types of non-fatal violence, that is assault, sexual assault, and robbery, have increased sharply since the early 1970s.

The rate of non-fatal assault appears high by the standards of western industrial societies.

Rates of violent crime are not evenly distributed across Australia. For example, they tend to be higher in large cities than in country areas. They are also uneven across jurisdictions: the level of violence in the Northern

Territory is substantially higher than elsewhere, while the rate of violent offending appears to be actually declining in Tasmania.

Violent offenders in Australia are overwhelmingly male, primarily between the ages of 18 and 30, and predominantly from blue-collar backgrounds.

Despite perceptions to the contrary, violent offending by juveniles is relatively uncommon. Gang violence is not a major problem in most jurisdictions.

Most homicides and assaults are committed by persons known to the victim. Random attacks by strangers, although deeply disturbing when they do occur, are relatively rare.

Infants up to one-year-old are the age group at greatest risk of homicide. The overwhelming majority of child victims are killed by their parents or other relatives.

Victims of violence most commonly tend to fall into two broad categories: men who become engaged in altercations with other men; and women and children who suffer at the hands of men with whom they have been living.

Men, especially those who are young, single and unemployed, are at far greater risk of becoming victims of all forms of violence than are women, except for the categories of sexual assault and domestic violence.

The majority of victims of violence, like perpetrators, come from relatively disadvantaged backgrounds. Homicide risk, in particular, varies inversely with occupational status.

Aboriginal Australians face a much greater risk of becoming the victims of violence than do members of the general Australian population, possibly up to ten times greater in the case of homicide.

Violence motivated by prejudice on the basis of race, ethnicity, disability, religion or sexual preference exists in Australia but there is insufficient data to assess its prevalence accurately.

Political violence, whether in the form of terrorism, assassination, riots or civil disorder, is extremely rare in contemporary Australia.

Alcohol plays a major role in violence in Australia.

The public concern about violence on public transport is not supported by available official statistics, which indicate that reported assaults are relatively rare. However unreported violence, harrassment or threat may seriously influence passengers' perception of their safety.

A considerable number of violent crimes never come to police attention; foremost in this "dark figure" are the majority of sexual assaults and incidents of domestic violence.

Firearms are used in approximately 40 per cent of homicides but in a negligible proportion of non-fatal assaults (sexual or otherwise). They are used in a significant proportion of commercial robberies.

The costs of violence are enormous but largely unquantified. It has been estimated, for instance, that the average homicide costs the community about one million dollars, that the total costs of assault alone approach $300 million per year, that the cost of imprisoning violent offenders is $200 million annually and that Governments award in excess of $20 million per year as criminal injuries compensation.

This first part of the Committee's Final Report reviews available knowledge on the incidence and prevalence of violence in contemporary Australia, and on the risk of becoming a victim of violence. The primary focus will be on interpersonal violence, given that collective violence and political violence are exceedingly rare in Australia today. The discussion which follows is based primarily on official statistics and on published reports, supplemented by subjective assessments from submissions received by the Committee, and from other sources regarded as authoritative.

2 SOURCES OF INFORMATION ON VIOLENCE IN AUSTRALIA

Knowledge about the extent and distribution of violence in Australia is fragmentary and inadequate. Such knowledge is important not for its own sake, but to inform the rational allocation of scarce and costly criminal justice and social welfare resources in Australia, and to provide members of the public with an objective indication of their own security or vulnerability.

The two basic sources of information about the level and distribution of violence — periodic reports by the police departments of the various States and Territories, and the occasional surveys undertaken by the Australian Bureau of Statistics — each have major shortcomings.

Police statistics

Reports published by the various police departments tend to reflect the total number of incidents coming to their attention in each of a number of offence categories. Unfortunately, as has been noted in the Committee's earlier publication *Victims of Violence* (Grabosky 1989), some definitions and counting practices vary considerably from jurisdiction to jurisdiction, and thus preclude comparison. Within jurisdictions, changes in classification and counting practice have occurred over time as well. Nationally aggregated statistics of reported rape or serious assault thus provide an unclear picture of these offences coming to official attention, and comparisons over time are not possible. Police departments have also tended to differ with regard to their aggregations of homicide statistics; only recently has it become possible to distinguish Australia-wide between reported murder, attempted murder, manslaughter, and deaths resulting from criminally negligent operation of a motor vehicle.

Australian police agencies are not necessarily to blame for the inadequacies of their statistics. Traditionally, the police role has been confined to identifying offenders and to bringing them to justice. Police information storage and retrieval capabilities have focused on that specific role. Only very recently have some police agencies begun to approach crime from a broader perspective, and to analyse the causes and patterns of violence and the risk of becoming a victim, in a manner which they would previously have dismissed as "academic".

Perhaps the most significant problem with statistics of violent crime coming to the attention of police arises from the fact that they reflect only a proportion of all criminally violent activity. A considerable number of violent crimes never reach police attention, and thus never appear in police statistics. Foremost among these, in terms of seriousness and prevalence, are the majority of sexual assaults and incidents of domestic violence. Factors which underlie this so-called "dark figure" of unreported violence are numerous

and complex (Braithwaite & Biles 1980a; Australian Bureau of Statistics 1984). Suffice it to say that a large number of offences involving victims and offenders who are closely related, and most assaults of a relatively minor nature, go unreported.

Of those incidents which do reach the attention of police, not all are automatically recorded. In some instances, this may result from a lack of police resources and from what police regard as competing demands of a more serious nature. In others, it may result from a degree of uncertainty regarding the identity and the relative culpability of victim and offender. Still others may reflect the police officer's professional judgment that the interests of parties might best be served by mediation or by some other form of diversion from the criminal justice system (Australian Bureau of Statistics 1989, p. 28).

Another problem in relation to statistics published by police is that they do not reflect the characteristics of victims — the distribution of criminal victimisation across physical, demographic, and social space. This provides particular difficulty, in that the likelihood of becoming the victim of a violent crime appears to be borne disproportionately by persons drawn from specific social backgrounds, whilst individuals from other social groups remain relatively secure. The existence of this differential burden is not revealed in the gross aggregate totals published by police departments. These published statistics thus fail to reassure those citizens whose fears tend to be unwarranted, and understate the dangers faced by the most vulnerable members of Australian society (Braithwaite, Biles & Whitrod 1982).

Nor do they reflect the context of many violent acts. Even special efforts by the Committee to obtain information from State and Territory police agencies on the relative proportion of violent crimes committed in the home, on public transport, at sporting events, and in the streets, were not always successful. Police authorities were simply not in a position to disaggregate the general statistics which they do compile. Such information on patterns of offending as does exist, is limited to one-off, ad hoc studies of particular jurisdictions. Despite considerable public interest about the relationship between drug use and violence, information which might bear upon the existence or the extent of such a problem is not available.

Yet another shortcoming of published police statistics is their inadequate coverage of the criminal use of firearms. The Committee was able to obtain some information on firearm offences from some police agencies. But an overall national assessment was not achievable. It has been well documented that in purely instrumental terms, firearms are far more dangerous to potential victims than are other weapons (New South Wales Bureau of Crime Statistics and Research 1973). Police statistics which fail to document illicit firearm use prevent governments from monitoring systematically the effects of current firearms policies. Firearms regulation is a particularly

contentious issue in Australia today, and rational public discussion is hampered by a lack of adequate statistical data.

Despite significant improvements over the past decade in the compilation and promulgation of crime statistics, such statistics as are routinely published today have been of limited use to policy makers. The above problems in relation to official published statistics on the incidence of violent crime, combined with a substantial delay in their aggregation and eventual publication, render them an incomplete source of information on violence in Australia.

Recognising the shortcomings inherent in available statistics of reported crime, a National Uniform Crime Statistics Committee was established by the Australian Police Ministers' Council in 1987. The Committee, chaired by a representative of the Australian Bureau of Statistics, gave rise to the creation of a National Crime Statistics Unit within the Australian Bureau of Statistics. This unit, jointly funded by all Governments, should improve the timeliness, the accuracy and the comparability of Australian statistics of reported crime when it becomes operational in July 1990.

Victim surveys

Some of the shortcomings of police-generated statistics have been satisfactorily met by sample surveys. The first Australian surveys of crime victims were conducted in the early 1970s by Wilson and Brown (1973) and by Congalton and Najman (1974). In 1975 the Australian Bureau of Statistics conducted the first nationwide study of crime victims, based on a stratified multi-stage area sample of 18,694 respondents throughout Australia, but excluding the Northern Territory and remote country areas.

The findings, published in 1979, made a significant contribution to knowledge about the extent and distribution of victimisation in Australia (Australian Bureau of Statistics 1979). Significantly, they confirmed the existence of the aforementioned "dark figure" of unreported crime. Approximately 60 per cent of all criminal incidents identified in the survey were not reported to police, although the reportability rate varied widely according to offence. Whilst over 90 per cent of motor vehicle thefts were reported, less than a third of all rapes were brought to the attention of police.

Reasons given for not reporting an offence to police tended to differ by gender. Male victims of assault were more likely to have regarded the incident as too trivial or to have expressed a preference to handle the matter themselves. Female victims tended to define the incident as a private and not a criminal matter, or said that they were too confused or upset to notify the police. A number of others expressed the view that the police "would not bother" if notified (Braithwaite & Biles 1980e).

Results of the 1975 survey were analysed in considerable detail by researchers at the Australian Institute of Criminology (Biles & Braithwaite 1979; Biles, Braithwaite & Braithwaite 1979; Braithwaite & Biles 1979, 1980a, 1980b, 1980c, 1980d, 1980e, 1984; Braithwaite, Biles & Whitrod 1982). Their publications have significantly enhanced the understanding of violence and its victims in Australia.

Despite their contribution to our knowledge about the distribution and processes of violence, crime victim surveys, at least as they have been conducted to date, are not without shortcomings. The changing social values regarding the acceptability of some forms of violent behaviour, and the intimate nature of some offences — particularly sexual assault, domestic violence, and child abuse — renders them less amenable to measurement by victim survey. In addition, the memory of survey respondents is often fallible, thus posing substantial methodological problems (Skogan 1983). These may be compounded by the psychological processes of repression and denial, which often characterise response to trauma.

The infrequency with which national victim surveys are conducted is also a source of significant problems. A second survey of over 35,000 respondents was conducted by the Australian Bureau of Statistics in 1983. Results provided considerable insight on the question of chronic vulnerability. Approximately 40 per cent of victims of assault, robbery, or sexual assault reported having been the victim of the same offence at least twice in the preceding 12 months (Australian Bureau of Statistics 1984, p. 1). This reinforces findings from the 1975 survey revealing differential vulnerability across Australian society. Further analysis of these data on recurrent victims could shed additional insight on the epidemiology of violence in Australia. Unfortunately, restrictions on access to the survey data have prevented subsequent analyses.

In January 1989, the Australian Institute of Criminology sponsored a telephone survey of 2012 Australians aged 16 and over. The survey, conducted by Roy Morgan Research, was part of a 14 nation comparative survey project co-directed by the Netherlands Ministry of Justice and the British Home Office. It was found that approximately 5 per cent of those surveyed had been a victim of crime in the preceding twelve months. Preliminary findings suggest that rates of assault in Australia are high by the standards of western industrialised countries (van Dijk et al. 1989).

The extent to which violent crime goes unreported was again apparent in the survey findings. A majority (52.6 per cent) of robbery victims did not report the incident to the police. Nearly two-thirds (63.8 per cent) of the victims of actual or threatened assault did not bring the incident to police attention. It should be noted that the survey's definition of assault was sufficiently broad that it embraced a range of relatively minor acts, including touching of an offensive nature.

In 1988, the Standing Committee of Attorneys-General made a commitment to pilot a crime supplement to the National Social Science Survey (NSSS). Directed by sociologists at the Research School of Social Sciences at the Australian National University, the NSSS is an ongoing program of general social surveys of the Australian public. The pilot supplement, currently underway, is expected to provide important information regarding citizens' fear of crime, and their knowledge, attitudes and practice regarding crime prevention. It is intended that the pilot will serve as the basis for the development of a comprehensive crime survey program in Australia.

The Australian Bureau of Statistics has yet to commit itself to an ongoing program of regular and comparable crime surveys. In part, this is a function of their cost; a single national survey on a scale necessary to identify a sufficient number of victims of violence to permit generalisations about the distribution of risk would cost well in excess of one million dollars. The lack of an ongoing survey program not only precludes analysis of trends, it also inhibits the refinement and development of survey technology.

Not least important of the different kinds of information which can be provided by victim surveys is better data on the costs of violence in Australia. At present, we know very little about the financial impact of violence whether upon individual victims or upon taxpayers generally. The pages below review that fragmentary information which does exist on this matter, and the costs in question may be very great indeed.

Whilst differences in survey design and sample preclude systematic comparison of Australian victim survey findings with those from overseas, some general impressions of similarity and difference may be discerned. In England, Wales, Scotland, Canada, the United States and Australia alike, young, single, unemployed males appear to run greater risks of becoming the victims of assault and robbery. The likelihood of a crime of violence coming to the attention of police is less than that of a household burglary, which in turn is less likely to be reported than a motor vehicle theft (Braithwaite & Biles 1980b; Australian Bureau of Statistics 1984; Hough & Mayhew 1983; Chambers & Tombs 1984; Solicitor-General Canada 1983; United States Department of Justice 1984).

Injury surveillance data

Yet another perspective on the incidence and prevalence of assault may be obtained from the systematic monitoring of those individuals who seek medical treatment for injuries intentionally inflicted by other persons. One such monitoring program is the National Injury Surveillance and Prevention Project (NISPP), a joint initiative of the Australian Institute of Health and the Child Accident Prevention Foundation of Australia. Established on a pilot basis in 1986, NISPP collects data on all injuries treated in accident and emergency departments of selected hospitals

around Australia. It is estimated that some 2.5 per cent of all injuries so recorded were purposefully inflicted by other persons.

A number of factors preclude definitive generalisations from NISPP data. To date, the project has operated on a pilot basis, with coverage limited to a select number of hospitals, which may not necessarily be representative of hospitals throughout Australia. An unknown number of injury victims, because of choice or circumstance, may have their injuries treated by general practitioners or by providers of emergency medical service outside hospitals. To the extent that these victims differ in some characteristic from those who seek treatment at hospital, NISPP data may yield biased estimates.

Moreover, of those patients who do present to the NISPP system, not all are inclined to participate in the survey; at one stage the response rate for adults was 60 per cent. Not all participants are willing to disclose the cause of their injury, and accuracy in diagnosis and coding may be less than perfect.

Nevertheless, it is interesting to note the preliminary information so far collected by NISPP (*see* Table 1). In a survey specially commissioned by the Committee, a selection of 2515 cases from NISPP files of injuries intentionally inflicted by other persons revealed that

- Most patients treated were young males who had sustained their injuries in public places.
- Females, who comprised 20 per cent of victims overall, were more likely to have sustained their injuries in their own home or in another

TABLE 1
National Injury Surveillance and Prevention Project
Injuries Resulting from Intended Violence Between Persons, Selected Cases 1986–89

Total cases selected	2515	
Per cent Male		79.8%
Injuries sustained in own home or another residence	968	(38.5% of 2515)
Injuries sustained on streets or public transport	478	(19% of 2515)
Injuries sustained in sport or recreation area	321	(13% of 2515)
Injuries sustained in pubs, cinemas or entertainment areas	591	(23.5% of 2515)

Source: National Injury Surveillance and Prevention Project.

residence. Two-thirds of all female patients were injured in a residential setting. Conversely, of those patients whose injuries were sustained in their own homes, one-third were female.

In addition to the NISPP program, special studies of persons who have received intentional injuries are conducted from time to time. A recently completed research project based on injury surveillance data has been conducted by Marjorie Cuthbert and colleagues at St Vincent's private hospital in Sydney for the National Committee on Violence, with the support of the Criminology Research Council.

The study surveyed cases of apparent assault presenting at the Accident and Emergency Centre of the hospital between 25 December 1988 and 30 June 1989. Given its proximity to a major centre of Sydney nightlife, King's Cross, it may not be appropriate to generalise from these cases to all of Australia. Findings are nevertheless instructive:

- The overwhelming majority (85 per cent) of victims were male.
- 52 per cent of victims were aged in their twenties.
- 54 per cent were under the influence of alcohol at the time they presented.
- Despite the seriousness of their injuries (a quarter of victims required admission to hospital) 57 per cent had not reported the assault to the police, although 6 per cent said that they would report the assault later.
- Male victims were more likely to have experienced an attack involving two or more assailants, and not to have known the attacker. The assault was most likely to have occurred in the street or in or around licensed premises, and not to have been reported to police.
- By contrast, female victims were less likely to have been under the influence of alcohol and were more likely to have been the victim of an assault at home by an individual known to them (Cuthbert 1989).

Despite the obvious imperfections of injury surveillance data, they have the potential to provide important insights on the incidence and prevalence of violence in Australia. This would be particularly the case in the event that injury surveillance systems be expanded to include different patterns of health service use, such as general practitioners and other clinics.

As noted above, not all incidents defined by police as serious assaults receive medical attention. Conversely, not all intentional injuries which receive medical attention are reported to police. An informal comparison conducted for the Committee by NISPP cases from the Northern Territory with statistics on reported serious assault provided by the Northern Territory Police revealed few if any cases in common. Indeed, the overlap between systems of health and law enforcement enumeration may be small indeed. Thus, official police statistics and injury surveillance data are complementary.

As both systems develop, they should permit more informed evaluation of prevention and intervention strategies.

Injury surveillance data should also permit some insight into the health service costs of violence in Australia.

Vital Statistics

An important source of information on homicide are vital statistics reported by health authorities, and records maintained by Coroner's Offices in each State and Territory. These include all deaths which appear to have been unexpected, unnatural or violent, or to have resulted directly or indirectly from accident or injury. Polk and Ranson (1989) used information from the homicide files of the Office of the Coroner of the State of Victoria in preparing their paper presented to the National Conference on Violence. They comment that "the *Victorian Coroners Act* of 1985 . . . has transformed the coronial system in that State to a high level investigative agency which exercises its powers with regard to analysis of reportable deaths in very considerable depth".

Information in health and coronial records thus complements information on homicide contained in police records. Such data nevertheless still have some shortcomings, in that a small number of homicides may fail to be detected or may be incorrectly identified.

Police Commissioners' Assessments

The Committee sought assessments from all Police Commissioners on a variety of matters, including overall trends in violence and specific issues ranging from weapon use in violent crime to the prevalence of drug-related violence. Responses were diverse, to say the least, in terms of the level of detail provided and of the perceived seriousness of violence overall and in its various manifestations. No doubt the Commissioners' assessments reveal real differences in the nature and level of violence across Australian States and Territories. The assessments have been analysed cautiously, however, as they tend to reflect police enforcement policies and record-keeping priorities in addition to citizen behaviour. Again, because of the lack of uniformity in definition and classification, it would be potentially misleading to attempt quantitative comparisons across jurisdictions.

While most Commissioners stated that there had been an overall increase in reported violence, Tasmania's Commissioner reported that violent crime has actually decreased generally in that State. The New South Wales Police reported that "community apprehension and misconceptions are amplified by the disproportionate media coverage given to the homicides occurring in association with the commission of other serious crimes such as robbery, sexual assault or drug dealing". By contrast, the Victoria Police reported

The residents of Victoria do not need statistical evidence to convince them that violence is on the increase in their State. In the weeks immediately preceding the compilation of this report, there have been a series of murders and serious assaults in the streets of Melbourne. These have received wide media coverage and have led to public outcry and demands for action. People in Victoria, and in particular Melbourne, no longer feel that it is safe to walk the streets alone, to travel on public transport, to attend sporting events, to visit our parks or beaches or to pursue numerous other activities which not so many years ago could be pursued without fear of abuse or attack.

3 COSTS OF VIOLENCE IN AUSTRALIA

An estimation of the costs of violence in Australia is a task which could not be systematically addressed given the limited life of and resources available to the Committee. Understandably, it is a task whose difficulty was compounded by the limited nature of that information which is available on the incidence and prevalence of violence.

The following fragments of data give some notion of costs:

- Neal (1989) estimated the average cost of an Australian homicide at $1 million. This estimate took into consideration the income foregone by the victim, the trial and imprisonment of the offender, the income foregone by the imprisoned offender, and the cost to the state of supporting the surviving dependents of both victim and offender.

- The National Injury Surveillance and Prevention Project (NISPP), which has already been referred to, estimated the cost of all injuries in Australia at 11 billion dollars per year. If, as has been estimated, 2.6 per cent of all injuries are intentionally inflicted by a person other than the victim, the total costs of assault would be $286 million per year.

- In the Committee's publication *Society's Response to the Violent Offender* (Grabosky & Lucas 1989), it was estimated that the cost of imprisoning offenders convicted of violent crime approaches $200 million per year.

- The cost of refuge accommodation for victims of domestic violence was put at $27.6 million for the year 1986-87 (Mugford 1989, **Violence Today,** No. 2).

- It was estimated that in Queensland, cases of serious domestic assault entailed total costs of $108 million per year (Queensland Domestic Violence Task Force 1988).

- State and Territory Governments award in excess of $20 million per year as criminal injuries compensation to victims of violence. More than $2 million was paid to the victims and families affected by the two mass shootings which occurred in 1987 in Melbourne.

In addition to the above estimates, there remain certain considerations relating to the fear of violence, and other quality of life issues which defy quantification. The Committee notes with frustration that a social problem of such intense public concern, which entails costs to the Australian public of many hundreds of millions of dollars each year, has been accorded such limited research that only a fragmentary picture of the state of violence in Australia can be presented here.

Sidney Nolan **Untitled** (Sarah) 28 August 1978
  pastel on paper
    from the series *For The Term Of His Natural Life* based on Marcus Clarke's novel.

4 PATTERNS AND TRENDS IN AUSTRALIAN VIOLENCE

Homicide

Homicide is defined here as unlawfully and intentionally causing the death of another person. Because of the severity of the offence and the fact that it is of concern to a number of different agencies (police, coronial authorities and health) a great deal of information is available on homicide and its victims. It is some consolation to know that the recorded incidence of homicide in Australia today is relatively low by contemporary world standards, and in historical terms as well (Grabosky 1983; Mukherjee 1981; Mukherjee & Dagger forthcoming). An earlier publication of the National Committee on Violence reaffirms these findings (Chappell 1989, **Violence Today** No. 1).

There have been significant changes in homicide rates over the course of Australian history. Based on the best available evidence (nineteenth century statistics were by no means comprehensive) one may conclude that the rate of homicide in the colonial period was much higher than the homicide rates which prevail today. To be sure, this was especially the case during the convict era; homicide rates began a long-term decline which continued throughout the nineteenth and early twentieth centuries and lasted until the second World War. With the end of the war, homicide rates increased, fluctuating around an upward trend, and continued to do so until the late 1960s. Since then, they have remained relatively stable, remaining at the level of those which prevailed at the turn of the century (*see* Figure 1).

Figure 1
Number of Homicides per 100,000 Population
1915 to 1987
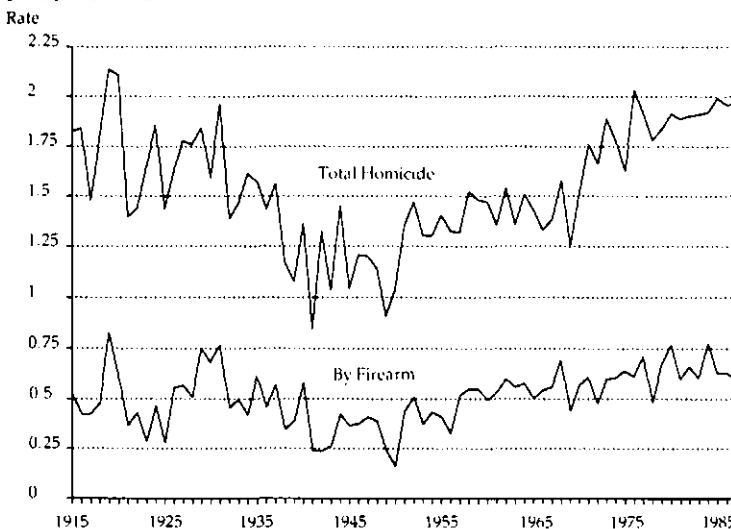
Source: S.K. Mukherjee, et al. 1989, *Source Book of Australian Criminal and Social Statistics 1804–1988:* Australian Institute of Criminology.

Figure 2
Reported Homicide Rate per 100,000 Population, 1972 to 1987
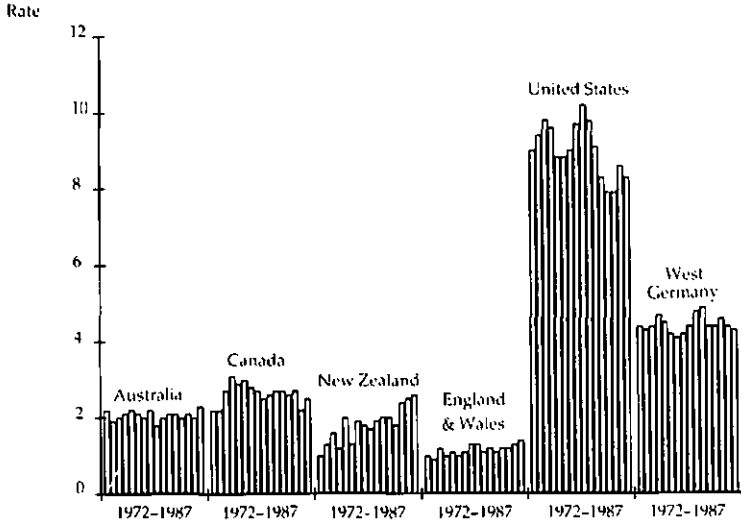
Source: Mukherjee, S.K. (Forthcoming) 2nd ed. *The Size of the Crime Problem in Australia*. Australian Institute of Criminology

Figure 3
Deaths by Homicide — Selected Nations
Rate Per 100,000 Population
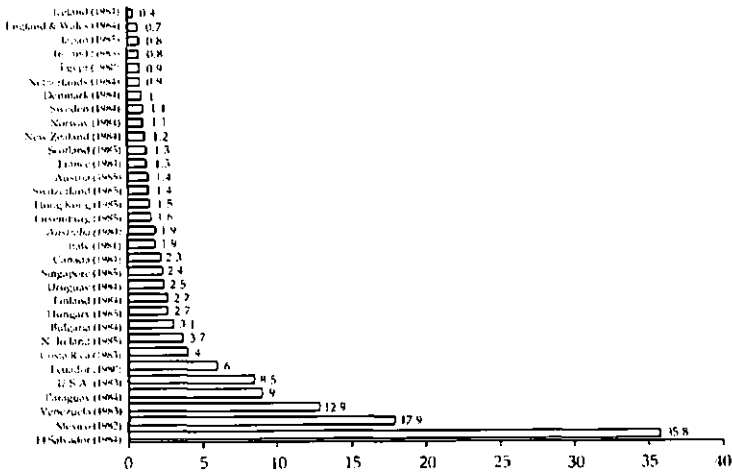
Source: World Health Organisation, *World Health Statistics Annual*. 1984–87.

Australia's record of homicide, in terms both of overall levels and of recent trends, compares favourably with those of other Western industrial societies, and is quite low compared to homicide rates in some of the world's poorer nations (*see* Figures 2 and 3).

Rates of homicide are not uniform across Australia. As Figure 4 illustrates, the homicide rate for the Northern Territory has been consistently more than five times greater than the comparable rates for the other States and Territories. This may be explained in part by the unique demographic composition of the Territory. These include the relative youth of the population, the high proportion of males, many of them transient, and the high Aboriginal population.

Because of the seriousness of the circumstances, information about homicide tends to be more comprehensive than does data relating to other types of violent crime in Australia. A variety of studies suggest that the risk of becoming the victim of homicide is very unevenly distributed across the Australian population.

Najman's study of the 517 death certificates relating to homicides recorded throughout Australia in 1965–67 revealed that the risk of homicide victimisation varied inversely with occupational status. Those from the most prestigious occupations had the lowest homicide death rates. The risk of becoming the victim of homicide is considerably greater within the lowest occupational categories (Najman 1980, pp. 275–6).

Other studies have shown that men are at a much greater risk of suffering a violent death, from whatever cause, than are women. Men are half again as likely to become victims of homicide (Bonney 1987, p. 7). One should note, however, that women are much more likely to be the victims rather than the perpetrators of violence. Data from three States reveal that slightly more than one-third of homicide victims are female; it has been estimated that females commit fewer than 15 per cent of recorded homicides (South Australia 1981, p. 51; Bonney 1987, p. 9; Kapardis & Cole 1988; Polk & Ranson 1989). Table 2 illustrates gender-based differences in rates of death by homicide and other selected causes. Table 3 illustrates age specific death rates by cause.

No striking variations appear to characterise age-based homicide mortality rates. Infants are at slightly greater risk, no doubt due to their fragility, their dependency, and the stress and frustration which may accompany their upbringing. Preadolescents face the lowest risk. Age-based rates increase until middle age, and then gradually decline (*see* Table 4).

In general, police statistics relating to homicide are regarded as more accurate than those which pertain to non-fatal incidents. The most significant analysis of homicide in Australia to date was conducted by Wallace (1986) with the support of the Criminology Research Council. This

TABLE 2
Australia: Deaths from selected causes
(Rate per 100,000 population, 1987)

	Male	Female
Homicide	2.4	1.6
Accidental Falls	5.3	6.9
Suicide	22.2	5.8
Motor Vehicle Accidents	24.9	9.7
Neoplasms	202.8	152.2
Heart Disease	264.1	224.3
Cerebrovascular Disease	63.4	92.5

Source: Australian Bureau of Statistics, *Causes of Death*, Australia, 1987.

TABLE 3
Australia: Age Specific Death Rates by Cause
(Rate per 100,000 age specific population, 1987)

Cause of Death	Age							
	0–1	1–14	15–24	25–44	45–54	55–64	65–74	75+
Motor Vehicle Accidents	6.0	6.2	36.6	15.7	12.4	12.7	17.6	28.7
Accidental Falls	0.5	0.2	0.6	0.9	1.3	4.1	12.2	99.7
Suicides and Self-Inflicted Injuries	0.0	0.4	15.4	17.8	18.6	18.8	17.8	20.3
Neoplasms	6.5	3.9	5.1	26.8	147.8	401.9	796.6	1397.1
Heart Disease	3.0	0.5	1.7	12.8	101.1	323.7	926.6	3131.6
Cerebrovascular Disease	0.5	0.0	0.4	3.1	18.9	59.2	219.8	970.4
Homicide	4.2	0.6	2.7	2.8	2.0	1.6	1.3	1.3

Sources: Australian Bureau of Statistics, *Causes of Death*, Australia, 1987.
Australian Bureau of Statistics, *Causes of Death*, Australia, 1987,
(Tables on Microfiche)

TABLE 4
Australia: Age-Specific and Gender-Specific Mortality for Homicide 1987

Gender	Age									Total
	0–4	5–14	15–24	25–34	35–44	45–54	55–64	65–74	75+	
Male	1.8	0.3	2.4	3.8	3.5	2.4	2.1	1.6	2.5	2.4
Female	1.2	0.6	2.9	2.3	1.5	1.6	1.1	1.0	1.0	1.6

Source: Australian Bureau of Statistics, *Causes of Death*, Australia, 1987.

study analysed all homicides coming to the attention of the New South Wales Police between 1968 and 1981. The study was updated by Bonney (1987) to include homicides coming to police attention through 1986.

Whilst nearly one-third of all Australian homicides occurring during the period took place in New South Wales and were thus embraced by the Wallace and Bonney studies, they are not necessarily representative of homicides Australia-wide. A different homicide profile would appear to obtain in northern and western Australia, where Australians of Aboriginal descent comprise a greater proportion of the general population.

Among the most important findings from the Wallace-Bonney studies was the fact that most homicides were committed by family members (43 per cent) and friends or acquaintances (20 per cent) of the victim. Only a minority (18 per cent) involved attacks by strangers. Approximately one homicide in every nine was followed by the suicide or the attempted suicide of the alleged offender. Homicide rarely resulted from random attacks by deranged, pathological individuals. Indeed, the incidence of mental illness in homicide offenders was no greater than in the general population.

Females, who comprised slightly more than one-third (36 per cent) of victims, made up only 15 per cent of suspects. Approximately 56 per cent of all homicides were male-on-male, and 30 per cent male-on-female. Eleven per cent involved female assailants and male victims; in only 3 per cent were both victim and offender female.

Homicide rates were not significantly greater in urban areas than in rural areas, although the proportion of homicides involving family members was higher in the country, and the rate of stranger homicides was higher in urban areas.

Aboriginal victims and suspects were overrepresented compared to census enumeration of their proportionate numbers in the general population.

Approximately ten per cent of homicide victims were children under ten years of age. The overwhelming majority (96 per cent) of child victims were killed by parents or by other relatives. Infants (up to one-year-old) were at greatest risk.

Of those homicides which occurred outside the family, more than three out of four resulted from interpersonal disputes around hotels and clubs, or between neighbours, or between lovers and rivals. Only a small minority occurred in the course of other crimes such as sexual assault, robbery, or the attempt to resist arrest.

A survey of homicides coming to police attention in South Australia over a three-year period revealed patterns generally similar to those evident in New South Wales. The proportion of stranger homicides in South Australia, 9 per cent of all recorded incidents, was half the proportion noted in New South Wales. The South Australian study reported 25 per cent of victims killed by spouses, 15 per cent by other kin, 13 per cent by lovers or close friends, and 28 per cent by acquaintances (South Australia 1981).

A survey of homicide incidents coming to police attention in Victoria during the period January 1984-June 1988 was undertaken by Kapardis and Cole (1988). Among other findings, they report that 15 per cent of all homicides were followed by the suicide of the offender. This percentage was slightly higher than the 11 per cent noted for New South Wales.

Polk and Ranson (1989) studied the files of the Victorian State Coroner relating to 117 homicides occurring in that State during the years 1985-86. Over half of these, a total of sixty cases, were what could be described as "intimate" homicides, that is between lovers, relatives, or former friends. A further 25 cases (approximately 20 per cent of the total) were described as "confrontational" homicides, usually arising from a dispute between males in or around drinking places. An additional 21 cases were described as "homicides occurring in the course of another crime" such as armed robbery. In five of these cases, the homicide victim was the alleged perpetrator of the original crime in question.

The authors identified a dominant theme of masculinity in many of the homicides they analysed:

> The vast majority of homicides which take place within the framework of relationships which are of a sexually intimate character appear to result of possessiveness, often jealous possessiveness on the part of males. The confrontational homicides are exclusively male, and imply the existence of a set of norms regarding "honour" or "face" which are acted upon in such a way as to lead down an interactional path to homicide (Polk & Ranson 1989, p. 54).

Another theme which the authors identified was the disproportionate vulnerability of what they describe as "marginal" members of society, that is

the undereducated and unemployed, whose lifestyles place them at greater risk of becoming victims, and offenders.

> When large proportions of persons are relegated to positions of permanent marginality, as a significant number of young people in contemporary society are . . ., some of these are likely to drift into the highly risky activity that carries them into homicide. Often this is not because they wish the homicide to happen, but they drift into the high risk behaviour that flows on outward into lethal violence (Polk & Ranson 1989, p. 54).

Serious assault

Serious assault is defined here as the unlawful and intentional infliction of bodily injury, and includes such offences as grievous bodily harm, malicious wounding, assault occasioning actual bodily harm and aggravated assault.

Statistics relating to non-fatal crimes of violence reflect quite a different picture from the stable rates of homicide in recent years, however. Steep increases in rates of reported serious assault, lesser assault, sexual assault, and robbery have occurred throughout the 1980s. Because of the aforementioned lack of equivalence in definition and counting practices, the Committee saw fit not to attempt any interstate comparisons.

As Figure 5 shows, the most dramatic increase in the reported incidence of serious violent crime in Australia in recent years has occurred in the category of reported serious assault. Whilst the Committee is convinced that increases in reported rates of non-fatal assault do in fact reflect a real and substantial increase in violence, the magnitude of this increase is by no means certain. It seems quite likely that in addition to an actual increase in serious assault, these statistics reflect a number of other factors, including changing social attitudes as to what is acceptable social behaviour, an increase in the inclination of victims to report an assault, a broadening of the definition by police of what constitutes "serious" assault, and more rigorous recordkeeping by Australian police authorities.

Robb (1988) and his colleagues analysed serious assaults recorded by police in New South Wales. Both the incidence and the rate of reported assault in that jurisdiction trebled in the decade after 1978. The authors concluded that there has been a real increase in the rate of non-fatal serious assaults since the late 1970s, to a degree which cannot be explained away by changes in the inclination of victims to report an incident to the police.

The New South Wales survey was based on police records of aggravated assaults, that is, reported incidents resulting in a record of some bodily harm to the victim. The periods covered in the study were the years 1982 and 1986–87. A random sample of 1060 incident reports provided the basis for the analysis.

Figure 4
Reported Homicide rate per 100,000 population
1981–82 to 1987–88
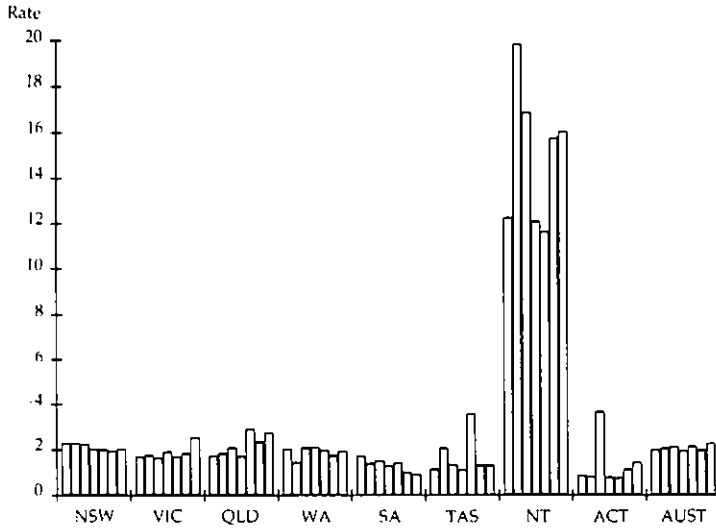
Source: Mukherjee, S.K. (Forthcoming), 2nd ed. *The Size of the Crime Problem in Australia*.
Australian Institute of Criminology.

Figure 5
Australia — Reported Violent Crime Rate Per 100,000
Population 1973–74 to 1987–88
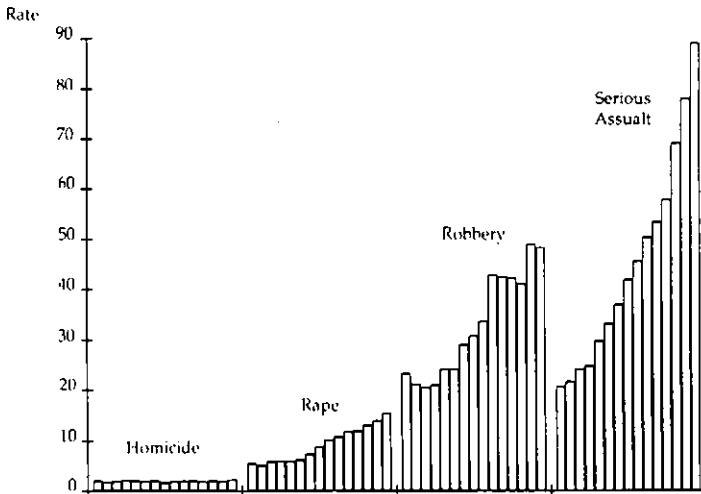
Source: Mukherjee, S.K. (Forthcoming) 2nd ed. *The Size of the Crime Problem in Australia*. The
Australian Institute of Criminology.

Figure 6
Reported Robbery Rate Per 100,000 Population
1972 to 1987
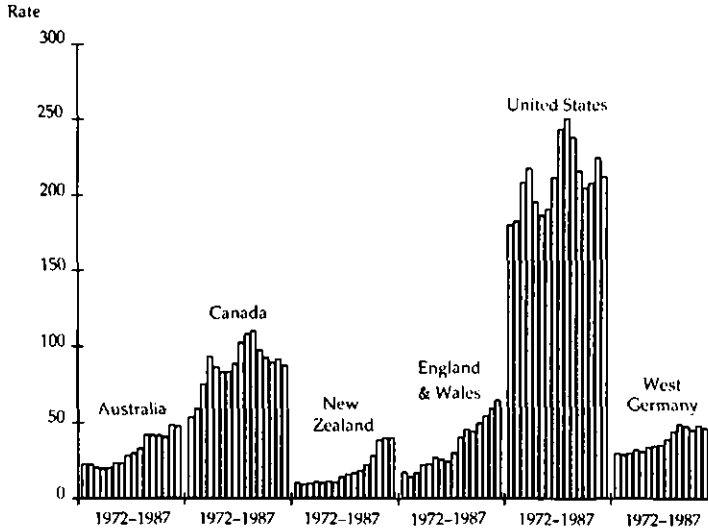
A number of consistent patterns were apparent across the two periods under review:

- Reported incidents occurred most commonly on weekends, between 10 p.m. and 2 a.m. on Fridays and Saturdays.
- The location of reported incidents varied little between the two years selected for analysis: 27 per cent of incidents occurred in the victim's home, and a further 27 per cent took place in the street. Just under 20 per cent occurred in the vicinity of licensed premises, and 8 per cent occurred in open places, parks or bushland.
- Nearly half (48 per cent) of the incidents arose from various altercations, and a further 20 per cent entailed domestic assaults.
- Slightly over one-third of all reported attacks involved the use of weapons, and weapon use in serious assault declined during the period under review. Most of the weapons in question consisted of sticks, clubs, or other instruments opportunistically at hand. The use of knives or firearms was rare, and decreased significantly between 1982 and 1987. In the latter year, only 9 per cent of the incidents involved the use of a knife, and 3.5 per cent the use of a gun.

25

- There was some evidence of an increase in the number and proportion of incidents arising from gang disputes; in 1986–87, 11 per cent of the reported incidents were of this nature.
- Most (67 per cent) of the assaults in question involved male victims and offenders. Overall, at least 90 per cent of suspects and 75 per cent of victims were males.
- The most common age group of both victims and suspects was 20–29 years.

A more recent study of serious assault, based on incidents reported to the Victoria Police, was published in 1989 (Ministry for Police and Emergency Services 1989). Because of differences in definition and recording practices, the Victorian findings are not necessarily comparable to those of New South Wales. Indeed, the Victorian report itself advises that it includes cases which would not have been defined as serious assault had they occurred in New South Wales.

This study was limited to reported assaults on civilians in which some physical injury was recorded; it excluded assaults on police officers. The study was based on a total of 1600 incidents occurring during five selected months, March and September 1987 and 1988, and March, 1989. The periods were selected to encompass the two years (1987–88 and 1988–89) which saw increases of 19 per cent and 21 per cent respectively in the incidence of serious assault.

As with the New South Wales data, a number of consistent patterns emerged:
- One-third of Victorian cases occurred in residential settings; just under 20 per cent took place in or around licensed premises; 27 per cent took place on the street or other public places; and 5.3 per cent occurred on public transport or at such facilities as stations or bus stops.
- Just over 30 per cent of Victorian assaults involved the use of a weapon. Only 7 per cent involved knives, and 2 per cent firearms. The proportion of assaults involving guns and knives declined over the periods sampled.
- Weekend evenings were the most common time of occurrence. Almost half of all incidents occurred on Saturdays and Sundays, with the highest proportion of incidents taking place between 10 and 11 p.m.
- Only 15 per cent of the cases involved violence between known intimates (family/partner). Over half involved persons not known to the victim.
- 75 per cent of the victims, and at least 83 per cent of suspects, were male. The proportion of male suspects was probably greater, as in a number of cases the suspect's gender was not recorded.
- Most suspects were aged in their twenties, with the mean age for suspects being 27 years.

TABLE 5
Victoria: Reported Serious Assaults on Civilians 1987–89
Type of Incident

	1987 %	*1989* %	
Domestic Violence	18.8	23.1	
Pub/Club Violence	17.5	27.7	
Other Altercations	15.2	14.0	
Street Attacks/Youth Gangs	16.6	9.1	
Other	31.8	26.0	
Total	99.9	99.9	(rounded)

Source: Victoria, 1989 p.22

The authors' categorisation of incident type and year of occurrence is as shown in Table 5.

A significant increase in the proportion of incidents occurring in or around licensed premises was observed from 1987 to 1989. A decrease was observed in the proportion of incidents relating to public transport.

The authors of the report commented that the increase in the proportion of incidents occurring in or around licensed premises appears attributable to "incidents that could be described as lying at the lesser end of the serious assault continuum" (that is, involving less severe injuries). The largest increase was not apparent until one year after the proclamation of the *Liquor Control Act*, which relaxed restrictions on the sale and consumption of alcoholic beverages. Overall, about 21 per cent of the incidents occurring in and around licensed premises involved bouncers, mainly as alleged perpetrators of the assault.

The authors further commented that the increased prevalence of reported domestic violence incidents may reflect changes in legislation to deal with family violence, and increased police familiarity with powers to intervene in cases of criminal assault in the home.

Informative though they are, analyses such as the above present only an incomplete perspective on serious assault. They shed no light on assaults (serious or minor) which do not reach the attention of the police. They appear vulnerable to changes over time and to differences between jurisdictions in the definition of what, precisely, constitutes serious assault.

Domestic violence in particular tends not to be accorded full coverage. Traditionally, both victims and police were disinclined to invoke the criminal

process in cases of criminal assault in the home. Only the more extreme incidents of violence between intimates were likely to be reported to police and defined as crimes. Findings such as those emerging from the New South Wales and Victoria surveys should thus be interpreted with caution. They are likely to be more indicative of violence in public places than in domestic settings.

Robbery

As Figure 6 indicates, Australia's experience with the rate of reported robbery compares favourably with that of other Western nations.

The offence of robbery entails the theft of money or property from a person, accompanied by the threat or use of force. As Figure 6 indicates, Australia's experience with the rate of reported robbery compares favourably with that of other Western nations. A number of jurisdictions have undertaken analyses of reported robberies. The most detailed of these studies was published by the New South Wales Bureau of Crime Statistics and Research (1987). This study, based on a sample of robbery incidents coming to the attention of the New South Wales Police during 1983, concluded that the incidence and rate of robbery increased in all jurisdictions, except Tasmania, during the 1980s, and that the increase in New South Wales was particularly pronounced.

The study drew a broad distinction between two types of robbery: commercial and personal.

Robberies of commercial enterprises:

(a) involve greater amounts of money and/or more valuable property;
(b) require some degree of planning, however rudimentary, on the part of the offenders;
(c) require offenders to negotiate particular physical and spatial conditions;
(d) entail specialist attention to security measures aimed at frustrating or deterring robberies. (New South Wales Bureau of Crime Statistics and Research 1987, p. 5.)

By contrast, the personal robberies in the sample tended to:

(a) involve much smaller amounts of money:
(b) result in more injuries to victims, and in injuries of a more serious nature;
(c) involve less use of firearms;
(d) generally bear the hallmarks of less planned and more impulsive offending. (New South Wales Bureau of Crime Statistics and Research 1987, p. 5.)

The most common targets for commercial robbery identified in the New South Wales study were banks and related financial institutions, and petrol stations. Banks provide lucrative targets, while petrol stations tend to be

accessible and open late at night. Firearms were used in 47 per cent of the commercial robberies under review.

Personal robberies (which include bag snatching), on the other hand, tend to occur on the street or in parks, most commonly at night. Only 5 per cent of personal robberies were committed with a firearm. Approximately two-thirds of victims were male, with persons in the 25–44 age group at greatest risk. The incidence of personal robbery was disproportionately concentrated amongst persons of lower occupational status, although to a lesser extent than was reflected in the 1983 victims survey undertaken by the Australian Bureau of Statistics. It was suggested that this inconsistency may reflect a greater propensity on the part of persons with relatively high incomes to report incidents to police.

Those robbery offenders who were identified were overwhelmingly male. Most were unemployed, with limited formal education, and had substantial prior criminal records involving other crimes against property. It was estimated from police records that approximately half of the incidents in question were drug related. Far fewer perpetrators of personal robberies (9 per cent) than of commercial robberies (68 per cent) were found to be illicit drug users. On the other hand 40 per cent of alleged perpetrators of personal robberies were found to be alcohol affected, compared to only 3 per cent of commercial robbers. These findings are consistent with those of the study of convicted armed robbers conducted by the Australian Institute of Criminology on behalf of the Australian Bankers Association, which are discussed in more detail in Part Two of this Report.

Sexual Assault

The definition of rape differs from jurisdiction to jurisdiction in Australia, and has been amended significantly in a number of jurisdictions during the past two decades. In general, it has come to include various forms of sexual activity without the consent of one party.

In New South Wales, for example, the *Crimes (Sexual Assault) Amendment Act 1981*, abolished the common law offences of rape and attempted rape, and replaced them with three categories of sexual assault of differing seriousness, depending on the degree of bodily harm inflicted. The amended Act expanded the definition of sexual intercourse to include the penetration of the vagina or anus of any person by any part of another person's body. Foreign objects inserted into the anus or vagina, except for proper medical purposes, are also defined as sexual intercourse under the Act, as would the introduction of any part of the penis into another person's mouth.

Despite the seriousness of the offence, few systematic studies of sexual assault have been conducted in Australia. This may in part be explained by the notorious difficulty of measuring the incidence and prevalence of sexual assault, whether by means of victim surveys or through records of cases

coming to the attention of police. Because of the nature of the offence, many victims are reluctant to disclose the fact that they have been assaulted. The "dark figure" of sexual assault is thus substantial and our knowledge of both its victims and its perpetrators is fragmentary.

One study of sexual assault which provides some evidence on these matters was conducted by the New South Wales Bureau of Crime Statistics and Research as part of its task in monitoring reforms to the law of sexual assault which were introduced in that State in 1981 (Bonney 1985).

The New South Wales study analysed cases of reported sexual assault giving rise to committal hearings during two periods: the first, 14 January 1979–13 July 1980, and the second, 14 July 1981–13 January 1983. The study excludes incidents not brought to the attention of police or incidents which were reported to police but which, for whatever reason, did not lead to committal proceedings against a suspect.

The following points emerged from the data:

- Only 25 per cent of the incidents under study involved an alleged assault by a person totally unknown to the complainant at the time. In nearly half the cases, the relationship between the complainant and the defendant was classified as "family", friends/acquaintances, or neighbours.
- Only 20 per cent of the incidents in question involved the use of a weapon. The most common weapon employed was a knife; firearms were used in only 2 per cent of the incidents.
- Serious physical injury tended not to characterise the incidents under analysis. About half of the complainants suffered negligible injury or none at all. One-third recorded only bruises, scratches or abrasions requiring medical attention. Only 2 per cent required hospitalisation for the injuries sustained. No data on psychological injury was recorded for purposes of the study. As the Committee's publication *Victims of Violence* (Grabosky 1989) noted, the psychological consequences for the victim of sexual assault can be severe.
- There was a general similarity in the social background of complainants and defendants in the cases. "Cases which come before courts generally, but not exclusively, involve both an accuser and an accused who are poor, semi or unskilled blue collar workers, of whom many are unemployed" (Bonney 1985, p. 26).
- The typical complainant was a female aged between 18 and 30; after the 1981 amendments which redefined sexual assault to include offences committed against men, 7.5 per cent of complainants were male. The study did not seek to determine whether this difference reflected the actual victimisation of males relative to females, or whether there existed a gender-based difference in willingness to report sexual assault.

- The typical defendant was a male between the ages of 18 and 30, an unskilled or semi-skilled labourer. Nearly half were unemployed at the time of the incident in question. It was determined that in at least 70 per cent of the incidents, the defendant had consumed alcohol in the six hours preceding the alleged offence.

The South Australian Office of Crime Statistics (1983) published an analysis of 450 alleged sexual assault offenders apprehended by the South Australian police during 1980 and 1981. The charges in question arose from a wide range of alleged offences, from relatively minor acts of indecency to brutal rapes. Because the South Australian study was limited to offences coming to police attention and resulting in the apprehension of a suspect, the summarised findings cannot be generalised to all sexual assaults. In addition, because the study embraced a wider range of offences than those included in the New South Wales study, the two are not comparable.

The following points emerged from these data:
- The overwhelming majority of the South Australian offenders were male, and tended to come from relatively disadvantaged backgrounds: 40 per cent were identified as unemployed or pensioners and 24 per cent as labourers; only 5 per cent were identified as professional.
- 42 per cent of the alleged assailants were unknown to the complainant; 27 per cent were described as acquaintances and 31 per cent were described as relatives, close friends or neighbours.
- Only 7 per cent of the alleged offences involved the use of a weapon.

The Committee heard from a number of organisations providing support and counselling for victims of sexual assault. Jo Spangaro from the Sexual Assault Education Unit in New South Wales, told the Committee's Sydney community forum that sexual assault has "one of the lowest reporting rates of any crime . . . [and] . . . one of the lowest conviction rates among crimes tried". The submission from the Sexual Assault Referral Centre at Queen Elizabeth Hospital in Adelaide stated that the crime of sexual assault continues unabated and "it is our clear impression that most violent sexual assaults occasioning severe physical injury occur in the context of marital or de facto relationships in which violence of all sorts has been a common feature. Such sexual assaults are least likely to be proceeded with through the courts by the victim". This finding confirms those of Sallmann & Chappell (1982) in their study of marital rape.

Sidney Nolan **Untitled** (Convict and "cat" with Mrs. Fraser) 24 August 1978
"All that the vilest and most bestial of human creatures could invent and practise was invented and practised there without shame."
   pastel on paper

5 RISK OF VIOLENCE IN AUSTRALIA

The first task requested of the Committee in its Terms of Reference was to undertake an assessment of the contemporary state of violence in Australia. The fragmentary information presented above, taken in conjunction with information contained in submissions to the Committee and presented at community forums, is all the material at our disposal in making such an assessment.

Despite the very serious shortcomings of these data, some sort of a picture does emerge, as through a glass, darkly. A number of points can be made with some degree of certainty about the state of violence, not because of any single study revealing incontrovertible evidence, but rather through the accretion of evidence built up over several years and in several localities. These points were summarised at the beginning of this section of the Report. In particular, the information at our disposal permits a number of generalisations about the risk of becoming the perpetrator, or the victim, of violence in Australia and the characteristics of each. The factors determining this risk can be separated into demographic characteristics, the features of particularly vulnerable groups and factors we have broadly characterised as situational.

Demographic factors

Sex

One of the most striking aspects of violence in Australia is that the vast majority of those who commit acts of violence are males. Over 80 per cent of all homicide offenders, and well in excess of 90 per cent of those charged with serious assault, robbery, and sexual assault, are men.

With the important exceptions of sexual assault and domestic violence, men are also more likely to become the victims of violence. Males comprise approximately two-thirds of Australian homicide victims, and 75 per cent of victims of serious assault recorded by police. Injury surveillance studies report that men comprise approximately 80 per cent of assault victims treated in public hospitals, although the under-enumeration of female assault victims remains a possibility. Men also appear significantly more likely to be the victims of personal robbery.

By contrast, victims of sexual assault and domestic violence are overwhelmingly female. The subject of sexual assault has been discussed above. The issue of the extent of domestic violence was canvassed in the Committee's second publication in the **Violence Today** series, *Domestic Violence*. This paper cautioned that it is difficult to estimate the extent of domestic violence because of the lack of suitable data, but that broad estimates suggest that "the behaviour is widespread, almost to the point of being a normal, expected behaviour pattern in many homes" (Mugford

1989). It noted that in 1986-87, 25 per cent of all offences against the person reported to police occurred in a private dwelling. Another indication of the prevalence of domestic violence is the fact that the Public Policy Research Centre survey of community attitudes in 1987 found that 46 per cent of respondents reported knowing someone involved in domestic violence.

The gender dimension of the problem can be illustrated by looking at the most extreme end of the spectrum — when domestic violence has culminated in the death of the victim. Alison Wallace's study on homicide revealed that 47 per cent of all female homicide victims were killed by their spouse, compared to 10 per cent of male victims (Wallace 1986). Dr Judyth Watson, Chair of the Domestic Violence Co-ordinating Committee in Western Australia, informed the Perth community forum that looking at the 19 spouse murders in 1986-87 in Perth, there was no difference between the women who murdered their spouses and those who were murdered — in both cases there had been a long history of violence perpetrated against the women.

The level of community concern about domestic violence is indicated by the fact that domestic violence was the most common subject of submissions made to the Committee by organisations. The general features of domestic violence noted in these submissions were its private nature, that it is under-reported, that it occurs in all socio-economic groups and that there is still a high level of tacit community acceptance of at least some forms of domestic violence. For example, Ms Cathy-Ann Grew from the Domestic Violence Advocacy Service of New South Wales told the Committee that domestic violence is widely under-reported:

> Many women are hesitant to report the violence because they are ashamed of what is happening and are also afraid that a report to the authorities may result in swift and perhaps fatal retaliation. Our experience supports Office of the Status of Women Research which indicates that many women do not tell anyone about the violence until they perceive that they are in a crisis situation.

Geographical Variation

Aside from the relatively high rates of homicide which prevail in the Northern Territory, rates of violent crime tend to be greater in urban areas. This is especially the case with robbery, which is facilitated by the anonymity and greater opportunity which are characteristic of large cities. A greater proportion of rural violence occurs between acquaintances and intimates. In general, residents of large cities are significantly more vulnerable than are people living in country areas. Findings from the 1989 Australian crime survey and the apparently low rates of violence in Tasmania provide further support for this generalisation. (It should be noted that the size of the survey was too small to permit analysis of violence in Aboriginal communities.)

Risk is also significantly higher for persons in rental accommodation than for persons who own their own homes. This is consistent with findings from the 1975 survey which suggested that persons living in neighbourhoods with high residential mobility were at greater risk.

Socioeconomic status

As has already been noted, both the victims of violence and violent offenders in general appear to be drawn disproportionately from relatively disadvantaged backgrounds. The Wallace (1986) and Bonney (1987) studies of homicide in New South Wales reported that 22 per cent of homicide victims in that State were unemployed. Najman's review of death certificates revealed an overrepresentation of victims from the lowest occupational prestige categories. The Victoria Law Reform Commission advised that persons outside the paid workforce were significantly more likely to have been the victims of both fatal and non-fatal domestic assault in that State. The New South Wales surveys of sexual assault and robbery also reported that victims tended to come from blue-collar backgrounds.

Surveys of violent offenders reflect, if anything, an even greater blue-collar presence: 41 per cent of homicide suspects in New South Wales were identified as unemployed. Percentages tend to be higher for robbery and assault suspects. The analysis of Victorian coronial records by Polk and Ranson (1989) revealed a noticeable presence of offenders whose existence was described as "marginal".

Age

Aside from infants, whose dependence and defencelessness render them vulnerable to injury from abuse, most victims of violence are young adults. The 1989 Australian crime survey, based on interviews with respondents sixteen years of age and older, reinforced some of the findings coming from earlier Australian surveys. The risk of becoming the victim of violent crime (including sexual assault and threatened or attempted assault) decreases significantly after about the age of forty (Inter/View 1989). The New South Wales homicide studies also reported that risk of homicide victimisation for both men and women declined with age. Notwithstanding the recent spate of serial murders in Sydney, elderly Australians, who tend to express considerable fear of becoming the victim of violence, tend to be least at risk.

The Committee heard from a number of organisations dealing with young people, who expressed concern for the welfare of young people generally, and specifically for those young people who are in some sense "on the margin" of society. Ms Pamela Young, the Director of Community Services at Wesley Central Mission in Victoria, expressed concern about the vulnerability of young women who have an established pattern of running away (often caused by violence at home) and who are immensely vulnerable to violence while "on the run". She noted that often these young women

come from families where violence is normal and that breaking this cycle of violence can be very difficult.

Information provided to the Committee by Dr Christine Alder and Mr Danny Sandor, who have been carrying out research on homeless youth in Melbourne, suggests that young people on the streets are very vulnerable and furthermore, that they are very unlikely to report violence to authorities. A very high proportion of their subjects said that they had been physically hurt or sexually assaulted since leaving home, but very few of the incidents had been reported to police. Indeed, a number of the subjects stated that police themselves had been involved in the physical assaults.

These findings are consistent with information given by the Reverend George Davies from the Perth Inner City Youth Service, an organisation which works with young people who spend a large proportion of their time on the streets. Reverend Davies told the Perth community forum that such young people have significant contact with violence as a result of their lifestyle.

As noted above, the typical violent offender tends to be in his twenties. Violent offending by juveniles in Australia is relatively uncommon. The vast majority of Australian juvenile offenders are charged with crimes against property, rather than crimes against the person.

Some of the most profound differences in assessments by Australian police commissioners were in the perceived level of violence by youth. The Northern Territory Police Department reported that violent behaviour against the person by youth is "non-existent". On the other hand, in Tasmania, a jurisdiction reporting a very low level of violence, it was observed that a significant proportion of that State's few violent offenders were youth.

Aboriginality

Accumulating evidence suggests that Aboriginal Australians constitute a much greater proportion of homicide victims than might have been expected from their numbers. Indeed, their homicide rates appear to be as much as ten times that borne by the general population.

A study of homicide victims by the South Australian Office of Crime Statistics sought to identify the racial background of victims of homicide over a three-year period. Ten per cent of the victims were identified as Aboriginal, and 40 per cent as white (data were not available for a full 50 per cent of cases). This means that Aboriginals, who constitute approximately one per cent of South Australia's population comprised at least ten per cent of that State's homicide victims (South Australia 1981, p. 6).

In New South Wales as well, Aboriginals have been shown to be at vastly greater risk of homicide — at least seven times greater according to Bonney (1987, p. 14).

The Northern Territory Police advised the Committee that in 1987 Aboriginal females were victims of 79 per cent of total deaths "involving chargeable offences". The relatively high rates of homicide in the Northern Territory, noted above, reflect the fact that Aboriginals comprise 25 per cent of the Territory's population.

Evidence on the exceptional vulnerability of Aboriginal people in Queensland may be drawn from Wilson's study of living conditions on Queensland Aboriginal reserves. The homicide rate for the 17 communities under review was 39.6 per 100,000, more than ten times the Australian national homicide rate (Wilson 1982, p. 4).

A great deal of non-fatal violence also occurs in Aboriginal communities, much of which does not come to the official attention of police. David Bradbury's gripping documentary film, *State of Shock* (1989), which was screened at the National Conference on Violence, depicted the endemic violence in one Queensland Aboriginal community. The prevalence of violence amongst Aboriginal Australians defies precise enumeration, because to an even greater extent than is the case with the general population, the degree of unreported violence in Aboriginal communities is substantial. Nevertheless, according to the Northern Territory police, violence against Aboriginal women in particular was identified as a "common and serious" problem in the Territory.

Of course, violence does not occur in all Aboriginal communities, nor to the same extent in those communities which do experience violence. However, the Committee heard evidence in its consultations in the Northern Territory which demonstrated that many communities are extremely concerned about violence. The prevalence of violence against women was a matter of particular concern to participants at the community forum held at the Tangentyere Council in Alice Springs, who informed the Committee that such violence is in many instances associated with alcohol. Ms Esme Tyson, from the Women's Community House in Alice Springs, told the Committee that in the twelve months to March 1987, 75 per cent of the women seeking help from her organisation were Aboriginal, and that of those, over 60 per cent had experienced alcohol related violence. Those members of the Committee who visited a number of communities in northern and central Australia also heard a great deal on this subject.

At the community forum held in Brisbane, the Committee was addressed by Ms Judy Atkinson, Director of the Office of Aboriginal Women in Queensland, She reported that domestic violence affects 90 per cent of Aboriginal families living in trust areas of Queensland, and that more women have died as a result of violent assault in one Queensland community alone than all the custodial deaths occurring in that State currently under review by the Royal Commission into Aboriginal Deaths in Custody.

The anecdotes which Ms Atkinson related are horrific:

> young boys in one community are said to be selling their younger sisters to older boys to pay gambling debts or to buy cans of beer. Young girls from eight years upwards are being sexually misused by adult men (white and black) in return for beer.

> Not only are young men raping older women but old men are abusing young girls. In some cases this abuse is so serious as to require surgical treatment. (Atkinson, 1989)

The Committee notes that the Aboriginal Issues Units, established in five locations around Australia by the Royal Commission into Aboriginal Deaths in Custody, are acting as conduits for Aboriginal communities who wish to express their views to the Royal Commission, and are involved in the collection of information of this kind.

It is perhaps instructive to view this level of violence in the context of the living conditions of many Aboriginals living outside metropolitan areas. The following passage describes an ordinary day for a Pitjatjantjara woman in Central Australia, but elements of her experience are common to many Aboriginals:

> It is late summer and the temperature is 40 degrees. You are walking home from the community store carrying the food you will eat for dinner, one pack of meat, a packet of sugar, a bag of flour and 4 cool drinks for your kids . . . You pass a community meeting and recognise frequent visitors to the community — DAA, ADC, (and) AHB advisers and the community council arguing about housing money and what types of houses to build . . . Two of the kids are playing in a pool of smelly water near the back of the house and the other two are playing with the dogs under a yard tap which is constantly dripping. Two older relatives are starting a fire for dinner in the shelter of a bed frame covered with an old tarp. You remember the clinic sister's advice . . . to wash your two year old child in the evening so you go into the house and to the bathroom. There is a bad smell and it is very hot the minute you enter the house. The bathroom floor is covered in water and the toilet appears to be blocked . . . You go into the next room . . . The sun is streaming in making the room extremely hot and you discover that water seeping from the bathroom has soaked all your bedding . . . Dinner finished, you set a small fire in the yard and make camp for the night — you have just experienced another average Pitjantjatjara day. (Nganampa Health Council Inc., South Australian Health Commission and Aboriginal Health Organisation of SA 1987.)

Vulnerable groups

Violence against racial minorities

To a greater extent than with other forms of violence, the incidence and prevalence of racially motivated violence in Australia is difficult to discern. The motives which underlie an act of violence are not always apparent. Even when they are, and boldly so, a victim may be reluctant to report an incident to the police.

The Human Rights and Equal Opportunity Commission was approached by a number of community organisations concerned about what they perceived to be an increase in the number of racist attacks occurring throughout Australia. A number of incidents were brought to their attention, some involving physical assault, others involving vandalism and other behaviours apparently intended to intimidate members of racial and ethnic minority groups. The Commission commenced a national inquiry into racist violence early in 1989.

In addition, the Human Rights Commission cooperated with the Committee in organising and funding the National Conference on Violence. It also contributed a paper on racist violence in the Committee's pamphlet series, **Violence Today**.

It was apparent that most of whatever racially motivated violence does occur, fails to reach the attention of Australian police agencies. General assessments on violence which the Committee sought and obtained from the Police Commissioners of the States and Territories of Australia did not identify racially motivated violence as a problem.

The Human Rights Commission suggests that many persons from minority backgrounds lack a degree of trust in police and are thus reluctant to come forward with complaints or information. The Commission also refers to the victim's language difficulties, lack of confidence generally, lack of knowledge of how to respond, or to feelings of not wanting to "rock the boat".

The Human Rights Commission also identifies a number of attacks on individuals or organisations who advocate the implementation of non-racist policies:

> A wide variety of people who have publicly stated their support for multiculturalism or non-discriminatory immigration policies, or who have condemned racist policies or organisations, have been attacked. Included in this group are: politicians, journalists, ministers of religion, overseas aid organisations, government employees, community workers, and individuals who have expressed their beliefs in writing or by way of a sticker on their car.

> The attacks are generally aimed at intimidating the victims and at stopping them from expressing their point of view. Unfortunately, in some cases this aim is achieved and the victim's freedom of speech is inhibited (Nugent et al. 1989 **Violence Today**, No. 8)

By contrast, Police Commissioners did not perceive racially motivated violence to be a pressing problem. This may in part reflect their data collection policies, as well as other considerations noted above. The New South Wales Police maintained that "it is against anti-discrimination principles to collect statistical material relevant to particular groups of people" and that "it is Police Department policy not to maintain any statistical information on racial origin or appearance of offenders".

This dearth of reference to racially motivated violence certainly appears to reflect less than complete trust in the police on the part of certain ethnic and racial minority groups. This view was supported by the New South Wales Police who reported that ethnic minorities have varying degrees of confidence in the police. They further reported that "the majority of racially motivated violence appears to be confined to school gangs" primarily in the Cabramatta area of Sydney.

Other police departments which saw fit to comment on the issue painted a more reassuring picture. In the Northern Territory, Australia's most racially diverse jurisdiction, racially motivated violence was reported to be "extremely rare".

It is important to note, however, that in some States, particularly Western Australia, the activities of racist groups have been the subject of specific police concern and activity. Members of the Australia Nationalist Movement have recently been arrested in Perth in connection with a series of arson attacks on Asian restaurants and break-ins associated with political and para-military activity. In addition, both the Western Australian and New South Wales Governments have introduced legislation to prohibit publication of material likely to incite racial hatred.

Many of these issues have been addressed in greater detail in the publication, *Racist Violence* (Nugent, et al. 1989, **Violence Today** No. 8).

Violence against police

The tragic death during 1989 of Assistant Commissioner Winchester of the Australian Federal Police, the bombing of the Russell Street Police Headquarters and the murders of two young police constables in Melbourne in 1988 particularly impressed upon us the vulnerability to violence of Australia's police men and women. Unfortunately, overall levels of violence against Australian police officers are difficult to determine. Statistical information is fragmentary, not current, and not always comparable across jurisdictions.

In the decade 1979-88, a total of thirteen Australian police officers were murdered, including one death resulting from the bombing of the Russell Street Police Headquarters in Melbourne. Australian police officers face a homicide risk less than that experienced by their counterparts in the United States and Canada, but greater than that of England/Wales and New Zealand. However, according to Swanton and Walker (1989), an Australian police officer's risk of becoming the victim of homicide is less than that of losing his or her life in a non-duty related accident.

Non-fatal assaults are a different matter. As Swanton and Walker note "There was a time when assaults were considered so integral to street policing that pertinent statistics were not maintained". Today, increasing

concern for the health and safety of Australian police is reflected in decreasing tolerance for assault against them.

Raw statistics relating to assaults against police are imperfect. Individual police officers differ in the degree of battery (or threat) they will tolerate before formally reporting an assault. One police department advised the Committee that charges of assault against police are often preferred as "back-up" charges, to complement charges arising from another offence. Published statistics tend not to reflect the degree of injury (if any) sustained.

The Tasmania Police advised that between 1983-84 and 1987-88 the number of assaults on police requiring time off or medical treatment rose from 53 to 58, but the total number of assaults against police declined. It nevertheless appears to the Committee that elsewhere in Australia, violence against police has increased in recent years. The Victoria Police, in their submission to the Committee, distinguished between "serious" and "other" assaults against police. According to figures they have supplied, recorded serious assaults increased from a total of 61 in 1980 to 182 in 1988; since 1982, four police have been shot dead by offenders and 23 others wounded.

The Western Australian Commissioner of Police advised the Committee that "the seriousness of some assaults against the person and the increasing assaults committed on police reinforced the assessment that persons of a criminal or violent persuasion are showing less respect toward their victim and the law generally".

By contrast, a study recently undertaken by the South Australian Police indicates that "the actual threat to police officer safety is relative low." (Wright 1989). The study identifies the characteristics of recent assault incidents, of the police assaulted and of the police assailants, and concludes that the most appropriate way of dealing with the problem is to improve police training in human relations and crisis intervention skills.

The Committee is well aware that police are not the only public contact workers who are vulnerable to violence. It heard reports and received submissions telling of the serious risk faced by taxi drivers, bus drivers, hospital staff and ambulance workers, amongst others. This subject is addressed in detail in the Committee's **Violence Today** publication, *Violence and Public Contact Workers* (Swanton 1989).

Violence against children

Abuse of children has been recognised only relatively recently as a serious social problem. Infants up to twelve months are the age group at greatest risk of violent death, as has been discussed above.

Child abuse may take many forms and the dynamics of each form may differ substantially from the others. However, it always refers to the physical or psychological damage caused to children by the abusive behaviour of those in

a position of authority or trust. It includes physical or emotional maltreatment or neglect and sexual abuse.

Mandatory reporting of child abuse in most States of Australia, and a growing willingness in the community to acknowledge the incidence of violence against children have resulted in alarming figures. For instance, the New South Wales Department of Family and Community Services believes that, based on the data it has collected, one in eleven of the children born in New South Wales in 1987 will be reported and confirmed as abused children before they reach the age of sixteen.

The Committee is particularly concerned about the level of child abuse in the community, and has given this subject detailed attention in its **Violence Today** publication, *Violence Against Children* (Dwyer & Strang 1989, **Violence Today**, No. 3).

Violence against homosexuals and lesbians

The Committee heard from Mr David Buchanan, who spoke at the Sydney community forum on behalf of the Gay and Lesbian Rights Lobby and discussed the issue of violence against homosexuals and lesbians in the context of bias-related street violence.

"Bias related violence" describes violence which is due to a perception of the victim held by the aggressor which may be due to race, ethnicity, gender or, in this instance, sexual preference. Mr Buchanan noted that there is a dearth of research on this issue, but that such violence is often seen as acceptable because many people see homosexual men and lesbians as inferior.

Concern in Sydney about violence against homosexuals and lesbians has risen during the 1980s and as a result, a study was carried out by the New South Wales Gay and Lesbian Rights Lobby (1989) aimed at monitoring the level and type of violence. The project gives an indication of the frequency and severity of violence faced by homosexual and lesbians — violence perceived by the victims (and in a large majority of cases stated by the perpetrator) to have been motivated by the aggressor's attitude toward homosexuality. The project was conducted between December 1988 and May 1989 and involved victims reporting incidents of sexuality related violence to a counselling service who then compiled data on the incident. There were 67 respondents to the project, 61 of whom were male. Most attacks occurred at weekends between 9 p.m. and 3 a.m., in the street or in a public place such as a park. Mr Buchanan noted that the police were called in 47 per cent of cases and among those who contacted the police, the response was regarded as satisfactory in a majority of cases. Mr Buchanan noted that there had been a degree of liaison between homosexual/lesbian rights organisations and the police in New South Wales which had led to a discernible improvement in response by police.

Violence against the intellectually disabled

A similar problem with statistical evidence exists in relation to other groups which may be particularly vulnerable to street violence, including the intellectually disabled.

The Intellectual Disability Rights Service pointed out to the Committee that separate victimisation rates of people with intellectual disabilities are not maintained. However, they suggest that, given that victimisation rates for the unemployed, the unmarried and those in rental accommodation are significantly higher than those of the general population, and that people with intellectual disabilities who live in the community usually fall into one or more of these categories, it can be assumed that, given their additional disadvantages, they suffer higher victimisation rates than the rest of the community.

Prison violence

Although only 6 per cent of offenders in Australia are convicted of crimes of violence, and less than half the prison population at any given time have been convicted of such offences, the Committee heard submissions concerning the atmosphere of violence which pervades many institutions, and the brutalising effects of prison life. The 1989 ABC documentary, *Out of Sight, Out of Mind* and the publicity given to Jamie Parlic, who received horrific injuries at the hands of a fellow prisoner whilst serving a brief period in a Sydney prison for faulting in payment of a fine, have given ordinary Australians a glimpse of the brutality of prison life. These issues have also been addressed in the Committee's monograph *Society's Response to the Violent Offender* (Grabosky & Lucas 1989).

Measuring the levels of violence in prisons is problematic, and the fragments of evidence available may present a distorted picture of the reality. For example, crimes of violence committed by prisoners upon each other may be dealt with formally and reported publicly. Many are not. Assaults by prison officers upon prisoners may not be dealt with in the same way and opportunities may exist to deny that such assaults have taken place, even when procedures are in place which allow prisoners to express their grievances. However, Dr Tony Vinson commented to the Committee at the National Conference on Violence that he believes such assaults are uncommon nowadays, at least within the New South Wales prison system.

Nevertheless, the periodic manifestations of unrest within prisons indicates a simmering potential for violence. The following incidents illustrate this:

* 1982, Goulburn Training Centre, New South Wales - numerous fires and serious damage to the building.
* 1983, Yatala Prison, South Australia — C Division set on fire; three prison officers taken hostage; 17 prisoners and four prison officers injured.

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- 1983, Brisbane Prison, Queensland — 129 cells destroyed during major disturbance.
- 1987, Jika Jika Prison, Victoria — five prisoners died in a fire lit during a protest.
- 1987, Brisbane Prison, Queensland — 200 cells destroyed, one prisoner shot, one prison officer wounded.
- 1988, Fremantle Prison, Western Australia — Five prison officers held hostage. Serious fire damage to one division.

(Source: Australian Law Reform Commission 1988.)

The Committee wishes to refer to a very moving submission it received from Mrs Jennifer Searcy, whose son died in custody in exceptionally harrowing circumstances, as a result of which she initiated the Campaign for Prevention of Custodial Death. Mrs Searcy has documented a number of cases of institutional violence in prisons and police lock-ups, mainly in Western Australia, and describes several deaths which, in her view, indicate brutality and medical neglect.

Situational factors

Street violence

In general, police assessments solicited by the Committee failed to distinguish between predatory attacks by strangers and assaults by acquaintances, or incidents otherwise arising in the course of altercation between victim and offender. However, the Victoria Police noted with regard to street violence, that "reports of this kind have reached epidemic proportions in recent times". This assessment was not accompanied by quantitative documentation.

New South Wales surveys, on the other hand, reported that only 18 per cent of homicides and 25 per cent of sexual assaults were committed by strangers. As we have already noted, most offenders are known to their victims.

Persons unknown to the victim are, however, responsible for a significantly greater proportion of robberies. The 1975 survey conducted by the Australian Bureau of Statistics found that 84 per cent of robberies in the survey were committed by persons unknown to the victim (by contrast, nearly half of all non-sexual assaults and more than half of all rapes were committed by acquaintances or close friends).

It appears from submissions made to the Committee that there are certain groups of people who are more vulnerable to predatory attacks in the street by strangers than is the general population, although statistical evidence is suggestive rather than conclusive. These include some of the vulnerable groups referred to above. Despite public concern expressed about street violence, the Committee received very few submissions on this issue.

Violence on public transport systems

Violence on or around public transport facilities, most notoriously railway stations and trains, is an issue which has become the focus of public concern and debate, particularly in Sydney and Melbourne. Many people, especially women, will not ride on trains after dark. Mr Simon Foster, the Project Manager Passenger Security, Cityrail, New South Wales, informed the Committee that the New South Wales Women's Co-ordination Unit had advised him that 83 per cent of women felt vulnerable on trains. This is in spite of the fact that the number of assaults on trains reported to the police in 1987-88 totalled 218, when the number of rail tickets sold each year in the Sydney metropolitan area exceeds 240 million.

The Committee wrote to public transport authorities in all States and Territories requesting information about the extent of the problem of violence in public transport systems. As might be expected, the available data varied in detail and as is the case in other areas, available statistical data does not necessarily reflect accurately the extent of the problem. In New South Wales only 1 per cent of all assaults coming to police attention in 1987–88 were reported as having been committed on trains, and a further 3 per cent at or near railway stations. While these figures suggest that the problem is smaller than might be imagined, the difficulty is that, as noted previously, many assaults are never reported to police. In addition, these figures do not give any indication of the level of harassment not amounting to physical violence or the extent to which people had witnessed violence or threats, both matters which influence passengers' perception of their safety. It is also evident to the Committee that the risk of harassment or outright assault is far from uniform throughout the rail network, and at certain times and on certain routes the risk is much greater.

In a study of perceptions of safety on the Sydney train system, Mr Bruno Parolin from the School of Geography at the University of New South Wales found that 16.6 per cent of 740 respondents to a questionnaire reported having been victimised on a train, and 57 per cent indicated that they had at some stage witnessed "undesirable" behaviour on trains (Parolin 1987). The response rate to the survey was only 27 per cent, and while one would expect a bias in response towards those who had been victimised, as a victimised person would be more likely to feel sufficiently strongly to complete a survey, nevertheless these figures suggest that official police statistics may understate the problem.

Gang violence

Gang violence, a problem which has reached dramatic proportions in the United States in recent years, appears much less of an issue in Australia. Only 8 per cent of the serious assaults analysed in the New South Wales survey were attributed to gangs. In Queensland, the Acting Commissioner

of Police advised that it is "not perceived to present a major policing problem". In the Northern Territory, it was described as "rare". In South Australia, there was a reported decline in violent behaviour by "outlaw motorcycle gangs" which "do not present the problem of violent behaviour formerly experienced". The Committee heard little about gang violence from members of the community.

Nevertheless, serious gang violence has occurred in Australia. The most notorious incident was the shoot-out between two rival motor-cycle gangs, the Bandidos and the Comancheros, in the carpark of the Viking Tavern at Milperra, a suburb of Sydney, in 1984. Seven people were killed, including a fourteen-year-old girl. One of the Comancheros stated in a television interview that the dispute was "just a conflict of ideas . . . ideas on how a club should be run" (Harvey & Simpson 1989). Recent incidents in Perth in which a bikie gang leader was shot and a number of associated bombings took place also give rise to concern about the potential for street violence between rival groups (*Canberra Times* 28 November 1989).

The existence of gangs formed by young people from specific ethnic groups periodically excites comment in the media, but there has been little research specifically dealing with the extent to which such gangs are involved in violence. Police in two States, South Australia and New South Wales, reported the presence of gang violence within their respective Vietnamese communities. The South Australian police stated that "Vietnamese communities have produced gangs which prey on their own people". The New South Wales Police reported that this was a major problem in the Cabramatta area, but that it was the work of a small hard-core criminal element, and by no means representative of the Vietnamese community as a whole. Most of the violence in question is intra-racial. Indeed, a recent study of youth crime in the Vietnamese community in Sydney found that they had a significantly lower crime rate than their non-Vietnamese counterparts (Easteal 1989).

Alcohol related violence

It is self-evident that a strong association exists between alcohol and violent behaviour, although the exact nature of the relationship is not clear, and is discussed in some detail in Part Two of this report. Nevertheless, research studies indicate that alcohol plays a major role in violence in Australia.

In the study undertaken by the New South Wales Bureau of Crime Statistics and Research (Wallace 1986), it was found that over one-third of homicide suspects were known to have consumed alcohol prior to the killing, in many cases to excess. In the case of homicides involving Aboriginals, this figure rose to 60 per cent. In over a quarter of cases, mainly those involving families and friends, and also those homicides where the victim had apparently been the initial aggressor, both the offender and the victim had

been drinking. Wallace reports in general that alcohol was more likely to be present in homicides involving male offenders and male victims and female offenders and male victims, and in incidents where victims and offenders were related or known to each other.

The evidence regarding alcohol in the commission of other offences is very fragmentary. As has already been mentioned, the Victoria Police in their study (Victoria 1989) found a significant increase in the proportion of incidents occurring in or around licensed premises since 1987, especially after the proclamation of the *Liquor Control Act*, which relaxed restrictions on the sale and consumption of alcohol. Evidence regarding the involvement of alcohol in serious assault, robbery and sexual assault has already been referred to (Chapter 4). The close association between alcohol and violence in Aboriginal communities in particular is also addressed separately (Chapter 5 in this Part of the Report and in Part Three).

Drug related violence

The perceived relationship between illicit drugs and violence is indirect. In commenting on the distinction between the pharmacological effects of these substances and violence arising from the drug trade, the Victoria Police reported that "there is little evidence to suggest that the use of illicit drugs has any relationship to the use of violence, and in fact many drugs such as heroin are said to have the opposite effect".

The drug-violence link is generally seen as a product of the economics of supply and demand for illicit substances. This can entail either violent disputes arising from competition between rival drug dealers for markets, or the use of violence by drug users incidental to robbery for the purpose of obtaining the resources necessary to purchase expensive illicit substances. According to the Victoria Police, "it is generally accepted that a very high percentage of certain types of crimes revolve around the drug trade". This subject is dealt with in greater detail in Part Two of this Report.

The Queensland Police reported that currently 70 per cent of robberies are drug related, and that this proportion has been consistent since 1984. The New South Wales Police reported that 80 per cent of all armed robberies are now drug related. However, patterns of drug-related violence are by no means uniform throughout Australia. In the Northern Territory, it was described as "imperceptible" (this, of course refers to illicit drugs: alcohol is another matter). Perhaps the most encouraging report was that of Tasmania: "the degree of drug related crime is something this State can be proud of. There is no problem of heroin addiction in Tasmania such as that experienced on the mainland", and in fact since 1975 there have been only two drug-related robberies in that State.

Violence in sport

Sport is a basic feature of Australian culture; millions of Australians regularly both observe and participate in sport of all kinds. However, it is not without its shortcomings, and whilst sporting violence may not be as frequent or as severe as in various overseas locations, it remains grounds for concern.

The Committee does not regard the existing level of sporting violence as a trivial issue: sporting heroes are widely emulated and have a particular influence on children; unruly crowds can create a most unpleasant atmosphere and effectively discourage families from attending sporting events. On the very day of the Committee's community forum in Melbourne, the front page story in *The Age* referred to a serious incident which occurred behind play and which resulted in injury to two Victorian Football League players (*The Age* 17 July 1989).

Despite the importance of sport in this country, no Australian State or Territory maintains any statistics regarding the incidence of criminal violence by participants or spectators at sporting events. The Committee was advised by persons knowledgeable in the area that violence in Australian sport has decreased in recent years. Any appearance of increase was attributed to the decreased tolerance of sporting violence by the Australian public, and by technological innovation which facilitates video replay (and repeated broadcast) of aggressive acts committed on the playing field.

Nevertheless, as a result of expressed community and police concern about violence in sport, both on and off the field, the Sport and Recreation Ministers' Council established a task force in 1985 to make recommendations on the factors affecting the incidence of sporting violence, and has subsequently adopted a number of suggested strategies. The then Minister for Sport and Recreation in Tasmania, Mr John Bennett, responded to the Committee's request for information by stating that "the current general view of State and Territory Departments responsible for sport is that there is no indication of any increase of violence in sport but that Governments should continue to encourage and support initiatives by sporting organisations in this area". (Mr Bennett claims personal expertise in this area by referring to injuries he sustained in the course of his football career, which included nose broken twenty-two times, shoulders dislocated eleven times and the loss of nineteen teeth).

At the National Conference on Violence (October 1989), the Committee heard a most interesting presentation by Dr Art Veno, concerning the Australian Motor Cycle Grand Prix held earlier that year at Phillip Island. This event had previously been held at Bathurst, but had been cancelled by the Bathurst City Council due to what was described as chronic institutionalised violence by spectators. Dr Veno was employed as a

consultant to the Victoria Police to develop and implement a policing plan aimed at preventing violence from occurring at the new venue. The strategy adopted aimed to reduce frustration, boredom, crowd rowdiness and excessive alcohol consumption, and to increase both the bikers' role in the policing of the event and police tolerance of bikers' activities.

By all measures, Dr Veno's violence prevention strategy was remarkably effective. He postulates that once frustration is minimised and responsibility for good behaviour has been internalised by the crowd, violence will be avoided. This strategy has wide application for all kinds of events attended by large numbers of spectators.

The special case of boxing is dealt with in Part Three of this Report.

Violence in schools

From time to time, material in the Australian media tends to suggest that violence in the school setting is a serious and growing problem. The experience and opinions of participants at an Australian Institute of Criminology seminar on the subject of crime at school (Challinger 1987) did not support this point of view. They agreed that there are disciplinary problems within many schools and that there are offences of various kinds and degrees of seriousness committed in and around schools, but that they are not necessarily cause for alarm or for vigorous reaction.

Although the Committee approached educational authorities in each State and Territory requesting information on the incidence of behavioural problems in their systems, it received detailed submissions only from the ACT Schools Authority and from the Northern Territory Education Department. The pictures emerging from these two submissions indicate the difficulties in generalising about the situation in schools Australia-wide.

In the Australian Capital Territory in 1987, for instance, there were a total of 21 reportable incidents of violence, 9 involving students with students and 12 involving students and teachers, in a system containing 45,000 students. However, Ms Anne Murray of the Schools Authority comments that "Despite the extremely small proportion of students in government schools who manifest socially unacceptable behaviour, the level of public criticism is unacceptably high and often exacerbated by biased media reporting".

The Secretary of the Northern Territory Education Department, Mr Geoff Spring, informed the Committee that it was his impression that the level of violence in urban schools had increased over the last ten years: in 1986 for instance, in a system containing approximately 29,000 students, a total of 88 students had been reported for involvement in violent incidents at school, 29 of them directing their violence at teachers. Mr Spring also commented that "there is clear evidence of a degree of racial discord within Territory schools which on occasion leads to violence. Darwin in particular has a great many

children from vastly different cultural backgrounds. This in itself can lead to racial tension and violence".

The Tasmania Police advised that violence in that State's education system was "by and large not considered excessive". Most of the incidents involved conflict between students, and were resolved by school authorities. "Only on the rarest of occasions do the police become involved". The majority of student assaults occurred in high schools, and though no statistics were available "it was stated that the lower socio-economic group areas did have a higher level".

Collective violence and civil disorders

Riots and other forms of violent crowd behaviour have never been a prominent characteristic of Australian political life. During the years since the second World War, Australia has been among the most quiescent societies in the world. Political protest reached its height during the Vietnam War, perhaps the most divisive period in the past three decades. As Grant Wardlaw notes

> Acts of terrorism in Australia have been isolated, few in number and limited in scope. Major incidents of public disorder requiring deployment of significant proportions of police forces or the use of violent measures to control crowds have been similarly limited (Wardlaw 1986, p. 150).

Dr Wardlaw has addressed these issues in greater detail in the Committee's publication **Violence Today** — *Political Violence*.

The special case of Queensland deserves mention, however, where because of Government policy restricting political protest, a number of violent demonstrations have taken place in the past twenty years.

A review of incidents of collective disorder reported in the Melbourne *Age* revealed infrequent incidents, generally of a festive or celebratory nature, to be the most common form of the behaviour in question (Holton 1988). Occasional confrontations between police and Aboriginal communities, spectators at motorcycle races, trade unionists and supporters, peace activists and environmentalists, usually only entail symbolic protest. Nevertheless, some recent incidents, notably the bombing of the Hilton Hotel in Sydney during a meeting of Commonwealth Heads of Government in 1978, the shooting of a demonstrator within the Yugoslav Consulate grounds in Sydney in 1988, demonstrations against American bases at Nurrungar in South Australia and current protests by environmentalists in the South East forests of New South Wales, all indicate the potential for violence.

Contemporary political protest tends to be non-violent in nature, and official reaction to such activity tends, in most Australian States and Territories, to be tolerant, restrained and responsible. Political protest, violent or otherwise, appears less common today than in the past (Douglas 1989).

Weapon use

Approximately 40 per cent of Australian homicides are committed with firearms. This percentage does not appear to have varied significantly over the past half-century. The use of firearms in non-fatal assaults, including sexual assaults, is infrequent. Firearms are employed, however, in a significant proportion of commercial robberies. The types of firearms most commonly employed are rifles and shotguns. Handguns are rarely used.

In their submissions to the Committee, Australian Police Commissioners varied substantially in their perceptions of armed violence. The Committee was advised that in the year 1988, there were no armed robberies at all in Tasmania. In Queensland, weapon use in violent crime was "not perceived to present a major policing problem". The Northern Territory reported no observable trend. New South Wales reported a decrease in the proportion of armed robberies committed with a firearm. By contrast, the incidence of firearm robbery had doubled in South Australia over the past five years.

Concern about weapons was expressed in a number of submissions to the Committee. The Tasmanian Coalition For Gun Control informed the Committee that Tasmania has one of the highest rates of gun death in Australia and the highest rate of suicide by guns. Cathy-Ann Grew of the Domestic Violence Advocacy Service of New South Wales told the Committee that a 1987 study showed that 6.4 per cent of their clients had been threatened with a firearm. Ms Grew commented that firearms posed a particular problem for rural women: " . . . one client reported that her husband slept with a gun under his pillow, others find that isolation combined with the presence of a firearm is very intimidating".

The Committee views the increase in armed robbery, the use of firearms in acts of family violence, particularly in rural areas, as well as tragedies such as the Hoddle Street and Queen Street killings with the gravest concern and considers that weapon use in violent crime is a major issue. Detailed consideration of the subject of gun control is addressed in Part Three of this Report.

6 CONCLUSION

This overview of the state of violence in Australia today shows, if nothing else, that the risk of becoming a victim, or a perpetrator, of violence is by no means evenly distributed across the population. Statistics indicate that the age group at greatest risk are children under twelve months of age, while those who frequently feel most vulnerable are in fact at least risk (*see* Table 3). Nevertheless, the Committee does not underestimate the problem of fear of violence, which afflicts many people in Australia and seriously affects the quality of their lives. Frequently part of the explanation for this lies in near-hysterical headlines in Australian newspapers, as indicated in the Committee's publication, **Violence Today** - *Violence in Australia:*

"The Violent Society. Public Fears Deepen as the Law Seems to Lose its Grip" (*The Bulletin*, 25 August-1 September, 1987).

"Beware of Dangerous Australia, Japanese Tourists Warned" (*Sydney Morning Herald*, 14 June, 1988).

"Rape and Drugs — Madness Stalks the Manicured Streets of the Capital" (*The Sun Herald*, 10 April 1988).

This subject is addressed in detail in Grabosky and Wilson's publication, *Journalism and Justice: How Crime is Reported* (1989).

At the same time, the Committee recognises that individual events have a profound impact on perceptions, and readily comprehends the extreme anxiety caused, for example, by the recent serial killings of elderly people in Sydney. No amount of statistical information will reassure those who identify with these victims.

Nevertheless, the Committee needs to stress that as threatening as the spectre of interpersonal violence may appear, Australians face much greater risks from other sources. For every homicide in Australia, there are seven suicides and nearly nine road traffic fatalities. Despite the fact that statistics on death and injuries resulting from accidents in the workplace are even less informative than crime statistics, one may conclude that more Australians perish in industrial accidents than from intentional attacks, and the number of injuries sustained in the workplace dwarfs those occasioned by assault. Preliminary estimates from the National Injury Surveillance and Prevention Project suggest that of all injuries presenting to the accident and emergency sections of Australian hospitals, only 2.6 per cent were intentionally inflicted by other persons.

The varieties of violence which exist in contemporary Australia do not lend themselves to simple explanation. There are many factors which may enhance, or reduce, the risk that a given individual may become the perpetrator, or the victim, of violence. The influence of any given factor will also vary from time to time. With a view towards identifying those factors which may be amenable to modification by policies for the prevention and control of violence, we now turn to the task of explaining violence.

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PART TWO: EXPLAINING VIOLENCE

The Gap

They've caught the killer of the little girl.
We glimpse the slumping figure of the man
And hear the demonstrators as they hurl
Their hatred at the window of the van.

And who'd condemn the fury of the pack?
The little girl was innocent and sweet.
Nothing that happens now can bring her back.
Nor any reparation be complete.

And yet there is some factor not allowed
Its proper place in this, not catered for
In all the shrill emotion of the crowd
And clumsy apparatus of the law.

I mean the aching *mystery* of it,
The part that we can barely even name,
The extra piece that never seems to fit
Yet features in the puzzle just the same.

We have the stark essentials of the case,
But these add up to nothing clearer than
The shocked incomprehension in the face
And half-collapsing posture of the man.

Some basic error hideously grew
Out of a moment that had seemed a blank.
This crime was not a thing he "meant" to do
The way one calculates to rob a bank.

Just reckoning the horror and the pain,
With all the consequences that would be,
Against the little that he had to gain
Shows up the staggering disparity --

The gap in which our logics disappear
In darker night and deeper undergrowth
From which a quiet listener could hear
The crying of the child and killer both.

Peter Kocan

Poem for Annie

In a space of twenty year
she's had three husbands
   three names
& three children to remember
two of them

& it's only in the past
five years
   they've worked out
who they are
but she knows about work --
   she's spent a lifetime
doing it
   typing endless words
(including these)
   or using others to answer
phones
   always too busy to check
the pedigrees
of those she stayed with
   & they've all turned out
mongrels
   that couldn't/wouldn't
work

they beat her badly in each deal
   in the middle of the night
& she looked on while friends
got diamond rings
   & learned to hide when she got
black ones

& then she met Brian
   poor
     poor
       mis-understood Brian
who needed a mother
   not a wife
but they never married
   she just lived with him --
'til he jammed a glass
into her face
   smashed two teeth
& slashed her lower lip

but she's laid charges now --
    & that's a first
but only because he showed
no remorse
    was what she told me

& when her second son informed
her that he'd found him
    & smashed him in the face
with his motor-bike helmet
'til he cried NO MORE
    she cried

you'll never beat violence
with violence

& it isn't just her hair that's
fair

but mum
    i warned him when he blackened y' eye six months ago
    i told him i wasn't a kid
to tell a lie

her stitches came out yesterday
    & make-up will hide that
slightly visible scar

the deeper one she's been working on
with sedatives

& the crowns go on
in two weeks time
    so i can't call her fang

& i can only hope that then
    she'll never be crowned
again.

Geoff Goodfellow

7 INTRODUCTION

Violence is deeply ingrained in the behavioural repertoire of humankind. Originally serving as adaptive behaviour, necessary for the survival of the species, aggression is part of the human genetic heritage (Zahn-Wexler et al. 1986).

Violence does not occur randomly across the human species, nor does it occur evenly throughout Australian society. As we noted in Part One of the Report, some nations are much more violent than is Australia, others less so. Within Australia, some places are much more violent than others. Some individuals are more likely to commit acts of violence than others, and the risk of becoming a victim of violence is not shared equally by all Australians.

Whilst it is tempting to advance simplistic explanations for violent behaviour, the reality of violence is complex. The fact that certain traits, characteristics or other factors may be associated with violence does not necessarily imply causation. They may be entirely coincidental, or alternatively, symptoms of underlying causes. They may be amplified or muted through interaction with other factors. They may vary in their relative influence on a given individual as he or she proceeds through the life cycle. And their influence may be contingent upon the existence of additional circumstances or conditions.

It is tempting (or convenient) for many to regard violence as arising from a single cause and consequently to perceive a reduction in violence as certain to arise from a single solution. For example, there are those who think that the removal of televised violence represents the answer to violent behaviour. There are others who perceive more rigorous controls on firearms as the way to eliminate violence.

The most vocal commentators on violence often reflect ideological predispositions or institutional interests. As convenient and as reassuring as it may be to crusade on behalf of a panacea, a proper understanding of violence (and ultimately, of the means for its control) requires an understanding of the variety and complexity of contributing factors.

So those who seek to understand violence should beware of superficial explanations: Australia was a much more violent society in the 19th century, before the advent of television or videos. Most children who grow up in broken homes do not commit violent crimes. Thousands of Australians abuse licit or illicit drugs, but otherwise lead law-abiding lives.

Of course, violence takes many forms. An argument between a married couple which escalates into violence is far removed from a random sniper attack. A pub brawl entails circumstances far different from a predatory rape. Any individual act of violence will have a complex explanation.

Bearing in mind that the risk of violence depends on the interaction of a number of possible factors, we have identified what we regard as the most

significant of these. We list them in descending order of relative importance of each:

Child development and the influence of family

- Families constitute the training ground for aggression. It is within the family that aggresive behaviours are first learned; to the extent that families fail to instil non-violent values in their children, those children will be more likely to develop a repertoire of violent behaviours as they negotiate life in society at large.
- There are correlations between aggression in children and certain characteristics in their parents, notably maternal rejection and parental use of physical punishment and threat.
- Abusive parents themselves tend to have been abused or neglected as children, but only one-third to one-fifth of abused or neglected individuals will maltreat their own children.

Cultural factors

Norms of behaviour

- In general, the orientation of a culture, or the shared beliefs within a sub-culture help define the limits of tolerable behaviour. To the extent that a society values violence, attaches prestige to violent conduct, or defines violence as normal or legitimate or functional behaviour, the values of individuals within that society will develop accordingly.
- The use of violence to achieve ends perceived as legitimate is a principle deeply embedded in Australian culture. Violence on the sporting field, in the home and in schools is tolerated by many Australians.

Economic inequality

- Violence is more common in those societies characterised by widespread poverty and inequality. Worldwide, those countries with high income inequality have the highest homicide rates.
- In Australia, both victims of violence and violent offenders are drawn from the most disadvantaged socioeconomic groups.

Cultural disintegration

- The loosening of social prohibitions against violence may flow from feelings of alienation on the part of marginal members of society. This is particularly the case with a number of Australia's youth and with a large segment of the Aboriginal population.

Setting

- The physical characteristics of a location and the kind of activity occurring there can communicate that violence is more or less acceptable. A dilapidated environment has the potential to invite violence; a clean, modern setting can inhibit aggressive behaviour.

Gender

- Attitudes of gender inequality are deeply embedded in Australian culture, and both rape and domestic assault can be viewed as violent expressions of this cultural norm.

Personality factors

- The best predictor of future aggression is past aggressive behaviour — aggresive children tend to grow into aggressive adults.

- Two personality traits often associated with violent behaviour are lack of empathy or regard for the feelings of others, and impulsiveness, or the inability to defer gratification.

- Hostile impulses in people with unusually strong internal controls — those referred to as the overcontrolled personality — can result in extreme violence.

Substance abuse

- The suggestion that "drugs cause violence" is an oversimplification. The effect of a drug on an individual's behaviour is the product of a range of drug and non-drug factors which include the pharmacological properties of the substance in question, the individual's neurological foundation, personality and temperament, his or her expectations of the drug's effects, and the social setting in which the individual is located.

- Drug use and violent behaviour may result from a common cause — the inability to control one's impulses. Beyond this, drug use may compound the impairment of impulse control in an otherwise aggressive person.

- Alcohol — a close association exists between alcohol and violence, but the relationship is complex. It is probably less a result of alcohol's pharmacological properties, but rather more a product of co-existing psychological, social and cultural factors.

- Illicit drugs — except in the case of PCP (angel dust), and to a lesser extent amphetamines, violence is rarely associated with the pharmacological effects of illicit drugs. Of course, violence is frequently associated with the trafficking and distribution of these substances.

Biological factors

- Violent behaviour does not appear to be an inherited characteristic.

- Adverse peri-natal experiences may indirectly result in violent behaviour.

- Autonomic nervous system dysfunction may lead to psychopathic behaviour.

- Hormones, particularly testosterone, may play a part in violent behaviour.

- Men are at least ten times more likely than women to be charged wtih violent offences, which indicates a real sex-based difference in behaviour, whether due to actual gender or to behavioural expectations arising from gender.
- Violence tends to be perpetrated most commonly by those aged between 15 and 30.

Mental Illness

- Some forms of mental illness, notably paranoid schizophrenia, may occasionally result in violent acts, although prediction of violence in the mentally ill is regarded as extremely difficult.

Media influences

- Television viewing may be associated with subsequent aggression in some viewers. Research indicates that the relationship is bi-directional, that is violence viewing gives rise to aggression and aggression engenders violence viewing.
- Video and film viewing may have the same effects as television viewing.

Peers and schooling

- The company of delinquent or agressive peers may influence individuals to become aggressive.

Although our understanding of violence has improved substantially in recent years, knowledge remains incomplete. The following pages provide a brief and by no means exhaustive overview of the mosaic of this knowledge.

8 BIOLOGICAL FACTORS

In recent years, it has become apparent that biological and physiological factors are associated with violent behaviour. Some of these factors may be genetically transmitted from parent to child, others may result from peri-natal events, others still may occur randomly, and some may result from illness or injury over the course of one's life. It should be noted at the outset that violence is not a biological inevitability. Rather, human aggression and its expression through violence result from the complex interaction of physiological and social influences.

Congenital factors: inherited characteristics and peri-natal experiences

Aggressive parents tend to have aggressive children. The relative contributions of environment and heredity to this commonly observed parent-child similarity has been the subject of considerable debate.

Mednick (1988) has investigated whether violent behaviour is an inherited characteristic, and concluded, through a series of studies which compared the criminal histories of adopted children with those of their natural and adoptive parents, that no such relationship exists. This does not, however, preclude the possibility that certain inherited physiological properties are related to violence.

He has, for example, found a correlation between minor physical abnormalities (whether inheritable, arising from peri-natal trauma, or randomly occurring) and later violent offending, though only for those children raised in unstable, non-intact families. It thus appears that a stable family environment can compensate for the biological vulnerability represented by these minor physical abnormalities.

Mednick speculates that much violence, in the street as well as in the home, may be caused by less than optimal brain functioning. Aggressive behaviour in boys has frequently been reported as a very stable characteristic from an early age. Brain damage and consequent weakening of cortical control can occur very early in life. Peri-natal difficulties, whether naturally occurring or caused by illness, injury, or lifestyle, can be an important source of such damage. Again, this vulnerability can be amplified by unfavourable family circumstances or mitigated by supportive, nurturant parenting.

Mednick observes that this explanation is supported by repeated reports of a high incidence of brain damage in violent offenders (Nachson & Denno 1987). An increased incidence of epilepsy has been observed among prison inmates and juvenile delinquents (Gunn & Fenton 1969; 1971; Lewis 1976). It has also been suggested that impairment of frontal and temporal brain regions is associated with problems of self-control and with difficulties in comprehending the effects of one's actions (Pincus & Tucker 1978).

Mark and Ervin (1970) have observed that "an appreciable percentage of the relatively few individuals guilty of repeated personal violence are to be found in the 5-10 per cent of the population whose brains do not function in a perfectly normal way". They report that temporal lobe epilepsy was ten times more frequent in a population of 400 adult violent prisoners than would be expected in the general population. This has been supported by Monroe's finding (1978) that central nervous system dysfunction correlates with recurrent aggressive behaviour.

Abnormal patterns of electrical activity in the brain, as measured by EEG (electroencephalograph) readings, are believed to be linked to violence in some individuals. Mednick et al. (1982) have reviewed a number of studies, and conclude that between 25 per cent and 50 per cent of violent offenders manifest EEG abnormalities.

Certain locations in the brain are associated with aggressive behaviour, and with impulse control. Imbalances in the chemistry of the brain have also been associated with violent behaviour. Serotonin and gamma-aminobutyric acid (GABA) are referred to as inhibitory neurotransmitters; low levels of these and related substances have been observed in highly aggressive patients and inmates (Lidberg et al. 1985).

Different neurological patterns underlie different forms of violence. The neurological basis of repetitive sexual aggression differs from that which underlies the actions of the professional "hit man". These in turn differ from those of the pub brawler.

Although it appears that a disproportionate number of violent offenders may suffer some sort of brain dysfunction, Nachson and Denno caution that such an association is likely to be indirect rather than direct: for example, brain dysfunction may adversely affect a person's intelligence, learning ability, impulse control, one's perception of the world, or ability to cope with frustrating events. It seems probable that the association between neurological dysfunction and aggressive behaviour is mediated by psychological processes and environmental factors. These provide the link between neurological and social explanations.

Autonomic nervous system responses

Mednick et al. (1982) have observed that some violent offenders, particularly those who appear remorseless or otherwise lacking in emotional responsiveness, manifest different physiological reactions to threatening situations than do "normal" individuals. Specifically, some violent offenders register lower pulse rates, blood pressure readings, and measures of galvanic skin response in response to impending threat.

Indeed, there are those individuals who actively seek risky situations for the sheer excitement of it. When such thrill seeking reaches a point which could be described as psychopathic recklessness, then an explanation for such

behaviour may be found in the theory that such individuals are in fact searching for external stimulation to compensate for their low level of internal arousal. It seems that psychopaths suffer from "stimulation hunger", perhaps because of a physiological deficiency in the nervous system.

People classified as psychopathic on personality inventories have been found to pass lie detection tests, for example, because their autonomic nervous system is not aroused by experiencing the test. Likewise, the kind of EEG abnormalities found in these subjects is consistent with their being less alarmed than a non-psychopath by the procedures involved in conducting the test — indeed, despite electrodes dangling from their heads, they may fall asleep altogether (Wilson & Herrnstein 1985). Such findings have important implications for the criminal justice system in dealing with psychopathic offenders, as they are unlikely to respond to the deterrent aspect of sentencing if the threat of punishment holds no fears.

To be sure, there are many individuals with low arousal levels who are not violent criminals. A wide range of socially acceptable vocations or pastimes are available to them. A variety of other factors determine who becomes a bank robber, who becomes a war hero, and who becomes a Grand Prix racing car driver.

Hormonal responses

It has been suggested by some researchers that a positive relationship exists between levels of plasma testosterone (a male hormone, or androgen), and aggressive and antisocial behaviour in the human male (Olweus 1988a, Burrowes et al. 1988). Olweus found that behaviour involving a response to provocation and threat had the clearest correlation with testosterone levels, and that unprovoked physical or verbal aggression also showed positive but weaker correlations. The underlying assumption here, based on experimental studies with animals, is that testosterone somehow acts as to cause aggressive behaviour. However, Olweus concedes that testosterone is only one out of many possible causal factors operating in his study.

Denno (1988), in a detailed review of the literature concerning hormonal influences, states that prisoners with histories of more violent crimes in adolescence have been found to have significantly higher levels of testosterone than prisoners without violent histories; that the most violent rapists in a prison population were found to have significantly higher levels than other subjects, including others convicted of rape; and research on teenage boys has shown a substantial correlation between testosterone level and self-reports of both verbal and physical aggression.

However, it appears that the evidence regarding the influence of testosterone in violent crime is not conclusive, possibly because of factors such as differences in the types of hormone measure used, the influence of

the prison environment and the types of offenders examined. In addition, it is interesting to note that aggression may be linked to sex hormones generally, rather than only to androgens, as indicated by Michael's finding (1968) that oestrogens (female sex hormones) as well as androgens can trigger aggression in monkeys.

Sex

In Australia, men are at least ten times more likely than women to be charged with violent offences. While this might represent a certain degree of selectivity in the operation of the criminal justice system, it strains credulity to suggest that this differential does not represent real sex-based differences in violent behaviour, especially when it is characteristic of Western societies generally, and is probably a universal phenomenon; Maccoby and Jacklin (1974) observe that males are more aggressive than females in all societies from which reliable information is available, and that in general, sex differences in temperament and aggressive behaviour appear too early in life to be solely attributable to socialisation.

Eagly and Steffen (1986) found that the tendency for men to behave more aggressively than women was more pronounced for aggression that produces pain or physical injury than for aggression that produces psychological or social harm. Eagly and Steffen believe that sex differences in aggression are a function of perceived consequences of aggression that are learned as aspects of gender roles and other social roles.

These findings are supported by a study of 11 and 12-year-old children by Lagerspetz et al. (1988) who found that the social life of girls in this age group was more ruthless and aggressive than had been suggested by previous research. This was because in this study the researchers were looking for indirect social aggression rather than outright violent behaviour, and it was found in abundance. The researchers speculate that girls of this age are "practising" for the social life of adults, which is also potentially quite ruthless and cruel, while boys are still using more childish, hence directly violent, coping strategies.

Intelligence

Researchers have found that the average IQ of offender populations is about 10 points below that of the general population, and that the difference between the two groups is particularly apparent on verbal as opposed to performance scores (Glueck & Glueck 1950; Prentice & Kelly 1963). Furthermore, offences such as assault, homicide and rape are associated with lower IQs than the average within the offender population (Caplan & Gligor 1964).

Of course, IQ levels of offender populations in prisons may not accurately reflect the criminal population as a whole, if one assumes that a degree of intelligence is required for a criminal not to get caught. In any event, violent crimes have a much higher likelihood of arrest than property offences, and it

seems likely that perpetrators of "risky" crimes, on the basis of arrest probabilities, consequently have lower IQ scores than perpetrators of "safer" crimes. Hence violent offenders may be disproportionately represented in prison.

Crimes of violence are usually crimes with an immediate payoff, in contrast to crimes requiring planning and preparation and possibly a deferred payoff. Impulsiveness itself is a negative correlate of intelligence and there is evidence to suggest that low IQ scores are in fact associated with impulsive crimes (Heilbrun 1979).

Camp (1977) has found that a deficiency of "internal speech", or the inability to use language constructively in problem solving is a predisposing factor towards aggressive behaviour in children, even after IQ is held constant. This indicates that aggression may be related more to personality than to intelligence, and the same might be said for impulsiveness as well.

Age

Whilst aggressiveness is a trait which can endure over the course of one's life, violence tends to be the province of the young. With some exceptions, most acts of criminal violence are perpetrated by persons, indeed by males, between the ages of 15 and 30. Although this may to some extent reflect the influence of culture and socialisation, it no doubt indicates a biological basis as well.

Diet

In recent years there has been a good deal of interest in the concept of a direct link between diet and behaviour, including violent behaviour. Generally, it has been postulated that certain substances increase arousal beyond the individual's capacity of control. Plesman (1985), for example, has suggested that hypoglycaemia (a sudden drop in blood sugar) can result in a number of physical symptoms, including irritability and uncontrollable violence, and that this condition can be brought about by over-consumption of junk foods containing simple sugars.

This theory is not universally accepted, however. For instance, Ferguson (1987) states that behaviour in children has been observed to remain the same whether the food they eat contains sugar or sugar substitute. Indeed, he states that research indicated that sugar can induce drowsiness rather than increased activity.

Individual trace elements seem to have a definite influence on behaviour, however. Zinc, for instance, may be a natural tranquilliser, while a zinc deficiency can result in excessive absorption of cadmium, lead and copper, all of which can lead to behavioural problems (Schauss 1981). Quirk (1987) states that calcium deficiency has been implicated in a number of conditions where stress reactions have been excessive.

It would appear that much more research in this area is needed before any useful conclusions can be drawn. In fact, the American Dietetic Association has been so concerned at the volume of unscientific research and anecdotal material on the subject of diet and criminal behaviour which has been published that in 1984 it produced a position paper stating, amongst other things, the following points:

- Valid evidence is lacking to support the claim that diet is an important determinant in the development of violence and criminal behaviour.
- Valid evidence is lacking to support the hypothesis that reactive hypoglycaemia is a common cause of violent behaviour.
- Inappropriate dietary treatment based on unfounded beliefs about the relationships between diet and criminal behaviour can have harmful effects (because) . . . it can detract from efforts towards identification of effective treatment and prevention of the true causes of aberrant behaviour [and] it can lead to the dangerous belief that diet, rather than the individual has control over and responsibility for his/her behaviour (ADA Reports 1985).
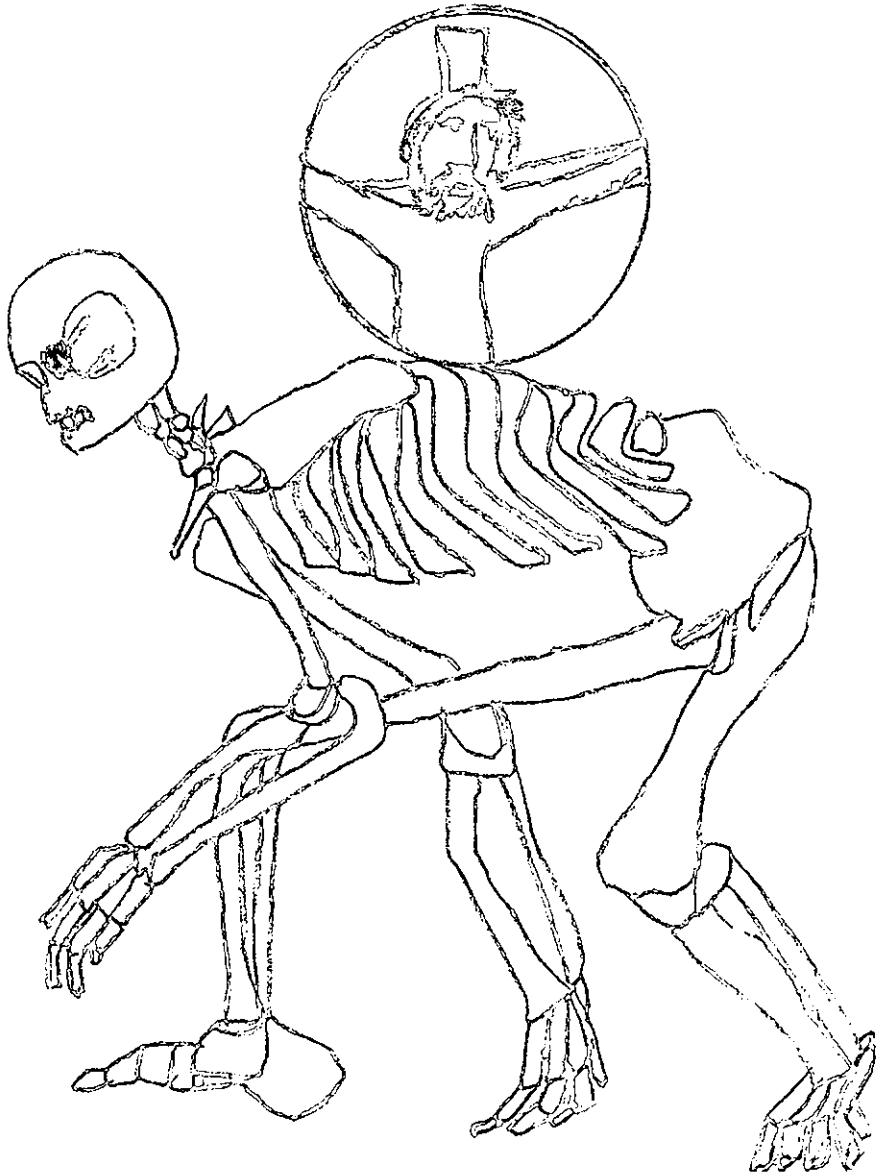
Sidney Nolan **Untitled** (Convict skeleton with crucifix) 28 August 1978
pastel on paper
from the series *For The Term Of His Natural Life* based on Marcus Clarke's novel.

9 PERSONALITY FACTORS

An individual's personality is a fairly enduring characteristic. The taciturn child is unlikely to become an excitable adult. So it is that the best predictor of future aggression is past aggressive behaviour. Longitudinal studies have observed that aggressive preschoolers tend to grow into aggressive adolescents, who in turn are more likely to become aggressive adults. While situational factors are not entirely unimportant in explaining aggressive behaviour, there are enduring consistencies in the motivation of many aggressive people, and in the ways in which they react to the events of everyday life (Olweus 1988b).

Among the personality traits which may be associated with violence are risk-taking, thrill seeking, or sensation seeking. (Klausner 1968; Solomon 1970). As noted above, these may be related to certain physiological states such as low responsivity to stimulation. People may seek to engage in predatory attacks, or may seek out conflict situations which are likely to escalate into violence, simply for the excitement and the sensation of the experience. Others seek more socially acceptable sources of stimulation such as hang gliding or mountain climbing.

Physiological arousal may be a necessary condition for aggressive behaviour, but it is by no means sufficient. Studies which demonstrate the aggression-facilitating effects of exposure to highly arousing erotica conclude that such effects are contingent upon provocation and annoyance (Malamuth & Donnerstein 1984). Thus a person's violent behaviour can best be explained by a basic aggressive disposition, together with a state of physiological arousal and provoking circumstances.

Aggression has long been regarded as resulting from frustration. But once again, the link between frustration and aggression is by no means simple. Many people experience deprivation, injustice, personal affront, insult, or humiliation without responding violently. Some may direct their aggression inwardly, through suicide, self-mutilation, or other forms of self-destructive behaviour. Other victims of humiliation who possess social skills or financial means may seek out alternative sources of fulfilment in work, family, or recreation. Those victims of humiliation who lack the knowledge or means of escape may be tempted to strike out against the actual or perceived source of the humiliation, or against some other accessible scapegoat.

Persons who regard themselves as powerless, or who are otherwise lacking in characteristics usually associated with influence, such as intelligence, charm, wealth, status, or attractiveness, may resort to coercive means of influencing others.

Insecure individuals, those with low self-esteem, are more likely to perceive hostility in others and to respond to provocation (Dodge 1986). Persons with rigid belief systems, who are intolerant of ambiguity in general, and of

criticism or insult in particular, are more likely to respond aggressively to a perceived slight.

The vast majority of assaults in Australia are inflicted by persons with whom the victim is at the very least, acquainted. Most violent crime arises from the escalation of interpersonal disputes. Much is, from the perspective of the perpetrator, moralistic — perceived as undertaken in a just cause.

Toch (1984) distinguishes between two ways in which an adverse self-image may be related to aggressive behaviour. On the one hand is the "self-image promoter" — the person who seeks to challenge or provoke others to fight. Such a person devotes considerable effort to manufacturing the impression that he is formidable. This person's self-definition emphasises toughness and status. On the other hand is the "self-image defender" — he who engages in conflict primarily in response to slights (or to perceived slights) of others.

Two personality traits often associated with violent behaviour are lack of empathy or regard for the feelings of others, and impulsiveness, or the inability to defer gratification. Olweus (1988) suggests that lack of empathy and negligible feelings of guilt are more significant correlates of aggressive behaviour than feelings of anxiety and insecurity.

As noted above, these personality traits can have a physiological or neurological basis. They can be muted or amplified by family, peer group, or cultural influences. That some individuals are cold and aloof and others more warm and caring is obvious. The extent to which a person lacks the capacity for interpersonal warmth or remains aloof to the suffering of others tends to be related to aggressive behaviour. Persons more capable of identification with others are less likely to inflict harm.

People vary in their inclination to consider the future consequences of their actions. There are those who act on the spur of the moment, and others who carefully calculate alternative courses of action. People also differ in their ability to exercise self-control, and resist temptation.

Individuals vary in terms of strength of conscience. Whilst there are those whose sense of rectitude prevents them from transgressions as minor as crossing against a red light, there are others who feel less constrained by the laws and mores of society. Others still are simply not troubled by them at all.

The term which is conventionally applied to persons with a diminished capacity for guilt and remorse, who lack emotional identification with others, and who are driven by impulse and the need for immediate gratification, is "sociopathic personality". Suffice it to say that to the extent that one reflects these properties, one's propensity for violence increases.

An individual's personality traits ultimately represent his or her characteristic values, which in turn govern behaviour generally, though it has been difficult in the past to determine whether these traits influence criminal behaviour specifically. However, Gough's California Personality

Inventory has been found to discriminate remarkably accurately between populations of offenders and non-offenders on a scale measuring social adjustment. Gough (1948) found that offenders tend to display attitudes characterised as antisocial, psychopathic or sociopathic, which he describes as:

> overvaluation of immediate goals as opposed to remote or deferred ones, unconcern over the rights and privileges of others . . . impulsive behaviour . . . apparent lack of anxiety and distress over social maladjustment . . . a tendency to project blame onto others . . . almost complete lack of dependability of and willingness to assume responsibility . . . emotional poverty.

No marked difference has been discovered between violent offenders and other categories of offenders. However, this description of individuals who lack internalised restraints coincides with what is known of the personality traits of the majority of violent offenders.

There is, in addition, one particular category of violent offenders which does not fit this picture, and researchers have described these as the most dangerous of all. They are people whose hostile impulses are in conflict with unusually strong internal controls and the category is referred to as the overcontrolled personality. When hostility is eventually expressed, it is extremely violent. When such a personality trait is combined with criminal predisposition, an offender emerges who commits only the most explosively violent crimes. These outbursts tend to be unpredictable and the behaviour seems to be relatively impervious to treatment.

10 MENTAL ILLNESS

The concepts of mental illness and violence have frequently been linked in the public imagination. This is no doubt partly due to media publicity given to particularly heinous crimes of violence committed from time to time by deranged offenders, and partly due to a tendency to the ascription of madness as the only feasible explanation for some especially horrific acts. As a result, it is commonly held that by virtue of being mentally ill a person is more likely to engage in violent behaviour.

There are a number of difficulties in determining the relationship of mental disorder to violence. First of all, some would argue that, at least at the margin, both mental disorder and violent behaviour are social constructs, rather than absolute entities, in that value judgments are involved in making assessments of both. Foucault (1965) amongst others has shown that mental disorder is a difficult concept to deal with in scientific terms because of its roots in cultural and moral realities.

Another problem lies in definitional difficulties. Not only does the concept of violence cover a variety of behaviours, but mental disorders also may cover a variety of conditions, ranging from anxiety state to full blown paranoid psychosis. In research in this area, frequently conditions as diverse as schizophrenia, manic depression, post traumatic stress disorder and alcohol abuse and dependence are collectively subsumed under the category of mental illness. Diagnosis of all these conditions is frequently difficult and involves a degree of subjective professional judgment.

Given these difficulties, it is not surprising that controversy has existed for some years in determining what relationship, if any, exists between the concepts of mental illness and violence.

Monahan and Steadman in their classic 1983 study concluded that there was no relationship between mental disorder and crime generally when other factors, specifically age, race, socioeconomic status and prior exposure to the mental health and criminal justice systems are controlled. They now acknowledge, however, that mental disorder may account for violence in some circumstances (Steadman 1987). Steadman points, for example, to the "unusually high incidence of diagnosable mental illness" in United States Presidential assassins, but argues that there is no good evidence that mental illness itself accounts for any substantial proportion of the violence that occurs in the United States. In any event, mental disorder and criminal behaviour may share common causal elements.

Psychiatrists are frequently called upon to make judgments on the future dangerousness of the mentally ill, both in civil commitment procedures and in legal proceedings, and the difficulties involved in making such judgments, and indeed the relatively low success rate in predicting violent behaviour is well documented (Mullen 1984). After reviewing the evidence, Mullen

concludes that "mental abnormality of and in itself contributes little to the prediction of the predisposition to act dangerously". He refers specifically to the so-called Baxtrom case, which, he states, dominates the literature on the reoffending of mentally ill offenders and the inadequacy of clinical prediction. Baxtrom was the first of almost a thousand patients in a high security hospital who had been deemed potentially dangerous, and who, for constitutional reasons, were transferred to an ordinary state hospital against psychiatric advice. The very low rate of reoffending by these patients led to the conclusion by Steadman and Cocozza (1974) that "with current and foreseeable tools, it is impossible to designate those who will be dangerous".

Mullen goes on to say that

> the question remains as to whether there are definable groups or classes within the generality of mentally abnormal individuals for whom there is an increased risk of future violence . . . The literature is largely inadequate to delineate such high risk groups with the degree of certainty ideally needed to instruct clinical decisions, but does suggest that such groups exist and are capable of further empirical definition.

It is now generally agreed that a disorder/violence relationship probably exists for some forms of serious mental disorder, such as schizophrenia and certain mood disorders. It also exists for some alcohol-related conditions and some disorders with an organic origin, as discussed above. It is in the area of schizophrenia that violent behaviour is of greatest concern, although it is important to realise that the vast majority of schizophrenics are not violent at all.

After reviewing the literature, Taylor (1982) concluded that "within the mentally ill group schizophrenics are probably the most violence prone". However, the relationship is not straightforward. Some research indicates that violence is only related to some schizophrenic subtypes. West (1987), for example, comments that "psychotics in general are not particularly prone to crime, but a small minority of schizophrenics, especially among those who harbour grandiose delusions or delusions of persecution, that is paranoid schizophrenics, do sometimes behave violently under the delusion that they are defending themselves or others against evil or attack". West cites Peter Sutcliffe, the "Yorkshire Ripper", as a classic case of this kind.

Weller (1984) refers to research which showed that in a group of prisoners in London charged with homicide, just over one-third were psychiatrically abnormal. Weller compares these findings with several earlier studies, all of which had failed to find any appreciable excess of schizophrenic patients prosecuted for violent crimes. By way of explanation for this discrepancy in research findings over time he points out that in the period 1954 to 1984, the number of patients in mental hospitals in England and Wales declined by 67,000. He states: "As a society we have been failing in our care of schizophrenics. Their difficulties in obtaining psychiatric treatment, their

high suicide rates after discharge from hospital, and the prevalence of serious mental illness among the destitute and in prison, are further indictments of 'community care' policies". He believes the link is between violence and the neglect of mental illness, rather than with mental illness as such.

Wallace (1986) has reviewed Australian research on mental illness in relation to homicide, and her conclusions are somewhat different from Weller's. She found that in the period 1968 to 1981, 16 per cent of homicide offenders were known to have had some kind of mental disorder. This compares with findings indicating that measurable psychiatric problems occur in at least 20 per cent of the adult Australian population (for example, Krupinski & Stoller 1971). During this period, only 3 per cent of offenders were found not guilty on the grounds of insanity.

Nevertheless, there are indications that the situation may be changing in Australia, for the reasons that Weller suggests. Dr Margaret Leggatt of the Schizophrenia Australia Foundation suggests that the policy of de-institutionalisation has sometimes resulted in acts of violence when patients have had to fend for themselves or rely on their families with inadequate support. She maintains that appropriate intervention with schizophrenics can prevent violence and ease the burden of intimidation presently being borne in many cases by the families of the mentally ill. The Committee notes that these and related issues are being investigated by the Inquiry into Mental Disturbance and Community Safety, under the auspices of the Victorian Social Development Committee.

However, it is important to bear in mind, as Collins (1988) observes, that whilst the mental illness/violence relationship may sometimes be significant in a statistical sense, it is not by itself a powerful explanatory factor, and in any event is rare. In addition, several researchers and all the submissions received on this subject by the Committee, emphasise the dangers of fostering and maintaining public attitudes and policies towards the mentally ill that are discriminatory and stigmatising.

II SOCIAL-PSYCHOLOGICAL EXPLANATIONS

Child development and the influence of family

All human behaviour results from the interaction of genetic and environmental factors, and violent behaviour is no exception. Evidence strongly suggests that such behaviour is largely determined by the interaction of constitutional characteristics, such as temperament and intelligence, and factors within the family, which is the environment in which the child grows up.

As anyone who has had much contact with infants can attest, babies vary widely in mood and temperament. Some are docile, and others cranky and prone to tantrums. These basic differences can become apparent soon after birth. Olweus (1979) has found that marked individual differences in aggressiveness appear very early in life, certainly by the age of three, and before other influences such as school or peers come into play. However, some researchers have speculated that gender and the expectations of parents about what constitutes acceptable behaviour by boys and girls may also be important.

Olweus also found that measures of aggression over time are remarkably stable, and that the early onset of misconduct is one of the best predictors of a child's later delinquency. These findings were supported by a longitudinal study carried out by Huesmann et al. (1984a), which found that subjects who were the more aggressive 8-year-olds at the beginning of the study were also the more aggressive 30-year-olds at the end of the study. In addition, the child's aggression related strongest to his or her parents' aggression when the parents were about the same age, thus demonstrating the stability of aggression within a family across generations.

Antecedents of aggressive behaviour

Observers of young children have noted that a high proportion of their social interchanges are hostile in character, but that normally the proportion of aggressive actions decreases with age (Goodenough 1931). This change is a result of the socialisation process which every child undergoes: a combination of observational learning — seeing how the people around cope with situations where aggression is one possible reaction — and conditioning — learning what behaviour is "approved" via the routine interactions of child and parents.

Parental characteristics

Studies in several countries show a correlation between aggression in children and certain characteristics in their parents. Olweus (1980) found that aggression among young boys resulted from a combination of the boy's temperament and the extent to which his mother was hostile, rejecting, cold or indifferent towards him. In subsequent research, Olweus (1988) found

that the mother's tolerance of child aggression and parental use of physical punishment and threat, in addition to child temperament and maternal rejection, helped explain the development of aggression.

Minty (1988) has found a significant association between adult violent criminal behaviour and a family background where the father had been rejecting, neglectful or unable to provide adequate care. Farrington (1978) found that violent delinquents tended to be more aggressive than other children from the age of eight, and that at that age their parents had been characterised as cold and harsh more often than those of non-violent delinquents.

Child rearing practices

Researchers vary in their opinions of the relative importance of observational learning and reinforcement in the process of socialisation. For instance, physical punishment is commonly employed by parents to make clear that certain behaviours are unacceptable. However, there is a body of research which suggests that such punishment may not affect the behaviour of children and may actually make misconduct more rather than less likely (Berkowitz 1973). In other words, the child observes and perhaps copies the parent's aggressive actions, rather than absorbing the message of disapproval.

Child physical abuse is not usually intentionally gratuitous. Rather, it occurs in the course of punishment, when parents are responding to some perceived misbehaviour on the child's part. The circumstances in which physical punishment is used against children contributes to a learning process. Children learn to associate love with physical punishment. The child is struck by those human beings to whom he or she is closest. As physical punishment is most typically employed as a means of redress for misbehaviour on the part of the child, the child may come to accept it as morally justifiable to use violence against a wrongdoer.

Nevertheless, physical discipline is one of the means at a parent's disposal to show what kinds of behaviour are not acceptable. Patterson (1982) has found that physical discipline which is inconsistently or erratically applied can actually cause aggression in children. He suggests that it is these defects in parental skill which account for failures to socialise young children effectively, and that irritable, unpredictable parents who do not use discipline effectively tend to produce aggressive children. In a very real sense, families constitute the training ground for aggression. If families do not instil non-violent values in their children, those children are more likely to develop violent behaviours as they become adults.

On a more positive note, Baumrind (1978) has examined child-rearing methods which she describes as particularly effective in the control of undesirable behaviour, including aggression. This consists of a combination

of a high degree of control, involving setting clear standards and directing children to conform to those standards, and a high degree of nurturance, support and encouragement.

Effect of divorce, broken homes and single parent families

Because of the acknowledged importance of family experiences in children's development, it is often assumed that the rupture of the family may easily result in delinquency in general and aggression in particular. However, the evidence is inconclusive. Even a traumatic breakup of the family may be no more damaging than its cause: a miserable prevailing atmosphere in the home may affect the child more than parental separation.

Wilson and Herrnstein (1985) have reviewed the literature on female-headed families and comment on the inconclusive and unsatisfactory nature of knowledge in this area. Such families commonly experience a variety of problems, and it is very difficult to separate out the effect on children's behaviour flowing purely from the father's absence. Hetherington et al. (1982), however, have commented that in the long run, factors other than the absence of the father per se, particularly the amount of hostility in post-divorce relations between parents, custody arrangements and the amount of social support available to the mother, are crucial in determining how well children cope with their parents' separation.

Hetherington et al. (1982) compared stressed, non-divorced families and low-conflict divorced families. They found that at two years of age, boys from conflict-ridden nuclear families manifested more aggressive behaviour, and less prosocial behaviour than boys in low-conflict, divorced families. In addition, he found that boys from divorced families where high conflict persisted after the divorce showed the most problems of all. This may, for example, be at issue when custody arrangements include access to a child by a parent with a history of violence.

Most single-parent families in Australia are headed by females. Mothers can compensate for absent fathers, but this entails even greater parenting effort. Inevitably, not all single parents can manage the extra burden. Kellam et al. (1982) found that boys with aggressive temperaments, living from an early age with their mothers only, were more likely than such boys living with two adults to become aggressive in their behaviour. Kellam particularly noted that it was the early experience that counted.

This research highlights the interactive nature of family circumstances and temperament, whilst acknowledging the potentially serious adverse effects of family breakdown on children.

Abusive homes

Studies support the commonsense view that abuse and neglect make an important difference in a child's behaviour. Smith (1988) found that over one-third of serious juvenile sex offenders had themselves been the subject

of physical or sexual abuse at home, and that violence and abuse within offenders' families, even though not involving the offender himself, were also found to be associated with more serious offences.

However, beatings or psychological abuse may be only one feature of child-rearing practices in abusive families which may result in aggressive behaviour in children. Walsh et al. (1986) found that abuse was only one factor amongst many which add up to what he refers to as "love deprivation" and which he believes to be the crucial explanation for adult criminal behaviour. Certainly both of the critical elements of successful childrearing — initial bonding and positive socialisation — are difficult to achieve in abusive families.

It is commonly held that abused children will inevitably become abusive parents. Evidence confirms that abusive parents themselves tend to have been abused or neglected, physically or emotionally, as children (Allan 1978). However, a review of research by Kaufman and Zigler (1987) shows that only perhaps one-third of abused or neglected individuals will maltreat their children. They point out the importance of realising that intergenerational violence is not inevitable and that the cycle can be broken.

Recent reviews by Widom (1989a; 1989b) reach similar conclusions.

> Of parents who were abused, about one-fifth continue the pattern of abusive behaviour against their own children. Among abused children, the majority do not grow up to be delinquent; among delinquents, the majority were not abused (Widom, 1989a, p. 185).

Family life plays a central role in the development of aggressive behaviour in children, and in the control of such impulses as well. However, there are many other social influences which may affect aggression, including television, schooling and peers.

Media influences

Television

The question of how television violence influences viewer aggression has been the subject of intense research since the 1950s. Rigorous identification and measurement of the effects of exposure to televised violence has proven a difficult task for researchers. Many studies have demonstrated an association between television viewing and subsequent aggression. The consistency of these findings, despite the shortcomings which might have characterised any single study, suggests that television violence may contribute to the aggressive behaviour of some viewers.

However, no clear-cut answers have emerged. Edgar (1988) notes that in every country where television exists it has generated social concern, and that public opinion, in spite of the equivocal nature of research findings, tends to blame television for causing violence. She states that "clearly there is an association between violence and the media, but the nature of that

association has to be understood if the problem is to be resolved in a way that reduces the levels of violence in society" (Edgar 1988).

The association that Edgar refers to is demonstrated in research showing that aggressive children watch more television than non-aggressive children do (Lefkowitz et al. 1977). However, this may be because they enjoy it more. It is also true that children with low IQs watch more television than children with high IQs, but it is not possible to conclude from these findings that viewing habits cause either low IQ or aggressive behaviour.

Very little is known about the effects of prolonged television viewing on attitudes and behaviour. It has been suggested that there is a tendency in the short term for some people to imitate violent newsworthy events such as the suicide of a famous person (Phillips 1978; 1982), but these findings have been challenged on methodological grounds (Baron & Riess 1985), and in any event, if it exists at all, the effect is short-lived (Wilson & Herrnstein 1985). However, Huesmann et al. (1984b) found that the positive correlation they observed between violence viewing and aggressive behaviour in children depended as much on the frequency with which violence was viewed as on the extent of the violence. Their findings suggest that the relationship between viewing and behaviour is bi-directional — violence viewing gives rise to aggression and aggression engenders violence viewing.

Waters (1989), in a review of the literature states that other correlates with aggressive behaviour in children include heavy violence viewing by parents and more expressed hostility and violence in families. Findings in overseas research are broadly supported by Sheehan (1987) in Australia, who agrees that parents' viewing habits are a better predictor of children's aggressiveness than the habits of the children themselves.

Some research suggests that certain kinds of programs reduce tolerance for delay (Stein & Friedrich 1972), or encourage more materialistic attitudes (Himmelweit et al. 1958). Others have suggested that televised violence desensitises or habituates people to violence in the real world (Bandura 1983, pp. 7-8). This may weaken people's restraints over behaving aggressively, or may lead them to view others' aggression with indifference. Television certainly gives the viewer a glimpse of a way of life unattainable for many people. If any of these assertions are true then criminal violence is one possible reaction for people already disposed to use violence to solve their problems.

At the present time no direct causal link has been established between television violence and aggressive behaviour. The relationship appears mediated by a number of factors, including whether the televised violence is, or appears to be realistic; whether it is portrayed as, or is perceived as legitimate; and a variety of situational and cultural circumstances. Public attitudes towards violence on television are the subject of a publication in the

Committee's **Violence Today** series (Wright & Aisbett 1989). In addition, the consensus of opinion at this stage is that, as Edgar (1988) states: "it seems unlikely that television plays more than a minor role in producing violence and violent crime directly when compared to many other social forces". At the same time it is generally conceded that the viewing of television violence may produce attitude change, provide justification for violence and suggest that problems can be solved through aggressive behaviour (Huesmann et al. 1984b).

Particular concern was expressed in submissions to the Committee about the effects of violence on television on children — indeed the Committee received more submissions from individuals on this than any other single topic. The Australian Children's Television Action Council argued in its submission to the Committee that television is "the most powerful communicator in the world today" and that high levels of television violence can lead to increased aggression, de-sensitisation, copy-cat acts and a distorted view of problem-solving. Mr Glenn Cupit from the South Australian Council for Children's Film and Television told the Adelaide community forum that the real concern about television violence lies not in the short-term responses to a particular violent program, but in the long-term effects on people's values which prolonged exposure to media violence can cause. Ms Barbara Biggins from the Australian Council for Children's Film and Television, provided the Committee with a report of a Churchill Fellowship study tour of children's television production and regulation. According to her North American experience, a basic problem lay in children's relative lack of experience and their use of television to learn about life, coupled with the fact that the industry is geared to the needs of advertisers rather than children.

Perhaps the comment which best sums up the feelings expressed by many individuals and organisations was that made at the Sydney community forum by Peter Garrett, lead singer of the rock group Midnight Oil:

> There may be continued debate about the direct relationship between television violence and real violence but it is hard to believe that the constant vicarious, relentless portrayal of violence of all levels at all times of the day on the most popular medium for young people does not in some way shape perception and reflect social and cultural values ... What is any young person to make of an advertisement for a daytime television series which has as its constant message "Here's a character you will love to hate" . . . "She's a bitch, a slut" or of a continual repetition of a fight at a sporting event . . . There is no context, no justification, no framework under which these aberrations are displayed.

Videos and film

Similar controversy exists in the role of videos and film concerning the relationship between the viewing of aggressive acts and violent behaviour. This subject has been comprehensively examined by the Joint Select

Committee on Video Material (Australia 1988). In particular, the report refers to research carried out by Malamuth and Donnerstein (1984), whose research indicates that "any dominant response may be 'energised' by a state of increased arousal" — that is, any increase in levels of arousal, including sexual arousal, may lead to increased levels of aggressive behaviour.

The Joint Select Committee concluded that violent pornography, even if it does not incite viewers to behave in like manner or even act to desensitise, may be harmful insofar as it acts to intensify aggressive responses and to release latent aggressive behaviour. They further conclude that "there is clear evidence before the Committee that excessive exposure to violent material can have deleterious effects upon some people, particularly children and those predisposed to aggression . . . The potential desensitisation of the community to such material is also of concern and in particular how it relates to adverse social behaviour" (Australia 1988).

Peers and schooling

In the words of Akers (1985), "the single best predictor of adolescent behaviour, conforming or deviant, is the behaviour of close friends".

It has often been assumed that the influence of peers must be crucial in determining youthful criminality, whether of an acquisitive or violent character, because most juvenile crime, unlike adult crime, is committed by people in groups. The theory is that the individual's values are altered by the group so that he or she conforms to their delinquent norms.

However, there is strong evidence to suggest that the onset of delinquency precedes participation in delinquent groups (Glueck & Glueck 1950), and that much juvenile crime occurs in a group setting for reasons that do not necessarily have anything to do with the influence of peers on one another (Wilson & Herrnstein 1985).

Research also indicates that the more delinquent the boy, the less value he attaches to the opinion of his friends, and that delinquent groups seem to be the refuge of boys with little respect for the opinions of friends (Hirschi 1969). Hirschi concedes that individuals must value the company of fellow delinquents if they join with them at all, but that it is those with a low stake in conformity who are most susceptible to the pressures of delinquent friends. Hirschi concludes that both being delinquent and having delinquent friends are the result of the breakdown or absence of those social controls, emanating mainly from family and school, that normally inhibit criminality.

Organised gangs, however, may provide a way of life for their members much more rewarding and all-encompassing than other peer groups do. Studies by Miller (1976) indicate that, at least in large American cities, such gangs, with their distinctive names, territories and rituals, are responsible for a significant proportion of all violent crime, and consist of very violence-prone individual members. Because they are so highly organised, they may

provide the structure needed for the commission of certain kinds of crime, such as protection rackets and large-scale drug dealing. The Committee was pleased to note that such activity is relatively rare in Australia.

There are two possible ways in which schools may affect the likelihood of an individual student becoming delinquent: first they provide a social setting in which individuals with similar inclinations can meet and reinforce each other's behaviour, for good or ill. Second, they may operate in such a way as to label or stigmatise certain students so as to influence them towards delinquency. There is much research evidence to suggest that young people with low achievement levels at school and poor behaviour are much more likely than other children to be delinquent and become criminals (Gottfredson 1981). However, the effect of school itself is not clear. There are a number of personal traits which may lead both to difficulty in school and to delinquency, including low intelligence, impulsive and aggressive temperament, and poor family relations with resulting generalised hostility to all adults or authority (Wilson & Herrnstein 1985). There is, in any case, substantial evidence that whatever the effects of schooling on delinquency, they cannot be great. For example, the Gluecks (1950) found that a third of the delinquents in their study displayed marked school misbehaviour before the age of eight and the average age at which misbehaviour began was nine and a half.

Thus, the company of delinquent or aggressive peers, in school or out, may influence individuals to misbehave. However, the magnitude of the effect is difficult to estimate and in any case, such behaviour seems usually to predate communal factors. School experience and friends, it seems, are largely incidental to the more important factors of personal traits and family experience in determining criminality in general, and violent behaviour in particular.
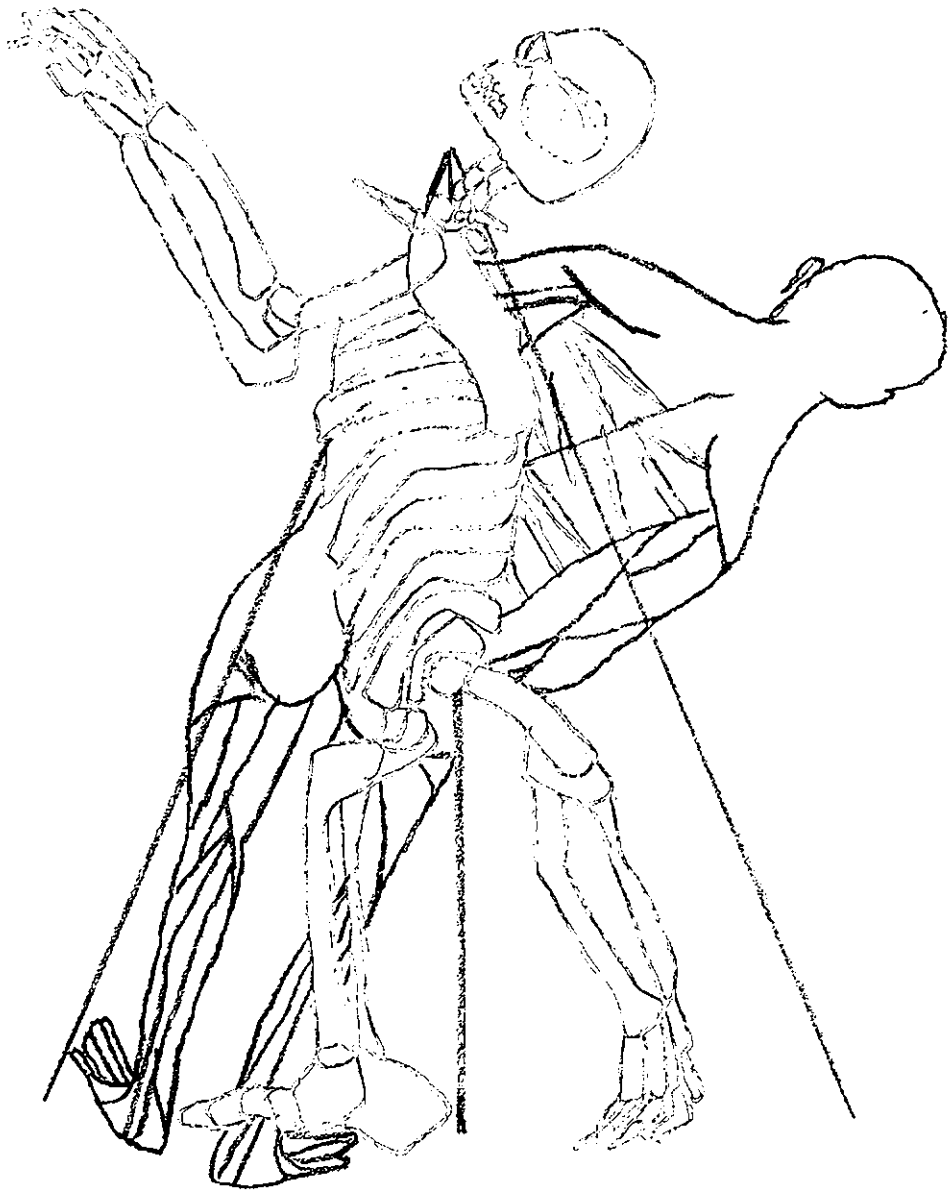
Sidney Nolan **Untitled** (Skeleton, flogged figure and triangle) 28 August 1978
pastel on paper
from the series *For The Term Of His Natural Life* based on Marcus Clarke's novel.

12 SUBSTANCE ABUSE

The suggestion that "drugs cause violence" is a gross oversimplification. The effect of a drug on an individual's behaviour is the product of a range of drug and non-drug factors which include the pharmacological properties of the substance in question, the individual's neurological foundation, personality and temperament, his or her expectations of the drug's effects, and the social setting in which the individual is located.

Drug use and violent behaviour may result from a common cause — the inability to control one's impulses. Beyond this, drug use may compound the impairment of impulse control in an otherwise aggressive person.

Alcohol

The association of alcohol and violence has been observed in human society for millenia. It has been generally accepted that alcohol consumption causes these undesirable consequences, whether directly through the pharmacological properties of alcohol, or indirectly by its disinhibiting effects.

We should bear in mind that drinking is a very popular pastime in Australian society and that alcohol-related violence is rare in relation to the time devoted to drinking. Hundreds of thousands of Australians consume alcohol regularly, if not daily. Only a small percentage of these drinkers commit acts of violence.

It is true, nevertheless, that the association of alcohol and violent crime gives cause for concern, even if the link may not be a direct one. Police records show that alcohol is present in substantial percentages of personal injury offences. Both North American and Australian studies show that about 50 per cent of homicides involve alcohol use by either the offender or the victim or both. Robb's study in New South Wales (1988) indicates that about 40 per cent of serious assaults coming to the notice of police involve alcohol.

Overseas and Australian studies report that alcohol had been consumed by 30–50 per cent of rapists shortly before their assaults, although the connection appears to be a complex one and varies with the dynamics of and motivation for the offence. Coid (1986) suggests that alcohol can influence the offender's attitude and subsequent behaviour towards the victim, increasing the potential for violence and additional humiliation.

It appears that in the case of family violence, both husbands who abuse their wives and parents who abuse their children are more likely than the general population to be alcohol abusers (Hamilton & Collins 1981). However, some researchers deny that alcohol use or alcoholism has any genuine explanatory role in the occurrence of family violence. It appears to be sometimes causally relevant, but exactly how it exerts its influence is not clear.

It is only in recent times that the complexity of the relationship between alcohol and aggressive behaviour, and the relevance of psychological, social and cultural factors has begun to be appreciated. A large number of studies has been conducted over the past two decades in order to establish conclusively whether alcohol acts pharmacologically to produce aggressive behaviour. These have entailed both experimental studies, observations in natural settings, and analyses of police assault reports and prison population records. Despite the volume of research attempting to establish a direct causal connection between alcohol and aggression, the findings are equivocal and many researchers are reluctant to claim that such a link exists. This ambiguity arises in part from methodological difficulties inherent in non-laboratory research — for example, variability in definitions of excessive drinking and of aggression, and difficulties in disentangling the influence of alcohol from those of other possible explanatory factors.

Nevertheless, there is some evidence to suggest that alcohol can induce aggression, specifically when intoxicated subjects are placed in inherently threatening or provocative situations, or even in situations subjectively considered as such by the subjects (Taylor et al. 1976).

Since the 1960s the inadequacy of the disinhibition theory as a complete explanation of a link between alcohol and aggression has been recognised. To be sure, alcohol tends to lower inhibitions. But a number of studies demonstrate that behaviour after drinking is extremely diverse — it is commonly observed that some individuals become talkative, others amorous, others tearful and some aggressive. And all behaviour under the influence of alcohol is affected by social and cultural rules and conventions and the setting in which the drinking takes place, as well as particular personality factors in the drinker.

The influence of alcohol as mediated by personality factors

Research indicates that the personality of the individual is an important factor in determining behaviour after drinking. Boyatzis (1974) found that men who became aggressive after drinking were more likely than unaggressive drinkers to have had a history of getting into fights and arguments, drunk or sober, and that heavy drinkers who are hostile or irritable are those most likely to engage in violent behaviour. Other researchers have postulated that men who have a strong unsatisfied need for personal power tend to drink excessively because of the illusion of potency that alcohol can provide. Lindman et al. (1987) found that the tendency to behave aggressively while intoxicated was a fairly stable individual trait.

In the case of alcoholics, where anger and low self-esteem are common characteristics, greater sensitivity to slight or threat may be discerned than may actually exist, and this may serve as provocation to violence. It seems

that problem drinking may be only one of a number of personality disorders in the alcoholic and that some of these in combination are systematically associated with alcohol-related violence.

Situational factors

Drinking behaviour at family gatherings usually differs markedly from behaviour in pubs frequented predominantly by young men. Even though drunkenness may occur in both settings, violence is far more commonplace in the latter than the former. Graham (1985) in a Canadian study found that certain features of bars were strongly correlated with aggressive behaviour, especially the decor and standard of upkeep, which, they suggest, may give a message to patrons about the kinds of behaviour expected.

In addition, certain pubs gain reputations as rough houses, and the clientele they attract could be assumed, in the main, to be looking for a fight as well as looking for a drink (Riches 1986). Robb (1988), in a study of serious assaults coming to the attention of the NSW police, found that more than half of these assaults occurred around closing times, and that nearly half occurred in the pubs or clubs or the streets nearby. It appears that the circumstances of the drinking produce greater changes in behaviour than the alcohol does.

Tomsen (forthcoming) suggests that the aggression which is associated with drinking is linked to the effects of intoxication on social competence and on cognitive factors. Social interaction can become a confused process with frequent misunderstanding of the intentions of others, and often worsened by crowded and uncomfortable circumstances.

Cultural factors

We learn from childhood what we are likely to observe and experience after drinking alcohol. One of the results of this is that everyone has expectations about how they may behave while intoxicated. Some expect that alcohol use may induce aggressiveness, and such an expectation can itself affect behaviour, and become a self-fulfilling belief. Indeed, the belief alone that one has consumed alcohol has been shown in many experiments to affect behaviour just as much as actual consumption (Hull & Bond 1986).

Related to the expectational effect in alcohol consumption is the role that drinking may play in excusing violence after drinking. McCaghy (1968) found that sex offenders sometimes used alcohol as an excuse for their actions and to avoid responsibility for the behaviour, and Coleman and Strauss (1983) found that wife beaters tended to do likewise. Indeed Gelles (1974) concluded that men got drunk to have an excuse to beat their wives, rather than becoming violent because they were drunk.

These observations may be linked to assumptions widespread in our culture about the negative effects of drinking, where blame for unacceptable behaviour is frequently ascribed to drinking in the absence of any other

acceptable justification. Indeed, it seems that people with aggressive personalities can be expected to select alcohol not only as justification, but also as an opportunity for aggressive behaviour.

In a wider context, many cross-cultural studies attest to differences within and between cultures as to how drinking is done and what conduct ensues. Although high consumption rates do not necessarily mean that alcohol is a disruptive influence, there are many studies to show that in fact in any given community it may result in social problems multiplying at a catastrophic rate.

Blum (1981) believes that the differential effect of high alcoholic intake can be explained in terms of the degree of "integrated" drinking existing in each group. Thus, when drinking behaviour is learned not within an authoritative family structure but instead among unsupervised peers with more extravagant ideas about acceptable behaviour, then entirely different results may be anticipated, regardless of the volume of alcohol routinely consumed within each group. As Makela notes (1978) "we have no reason to believe that the French would start drunken fights should they lower their consumption to the same level as the Scots or the Finns".

It seems clear that cultures as a whole impose on personality, on attitudes to alcohol, on drinking settings and on conduct, the values and standards which express central features of that culture, and this may hold true for subcultures within any given society as well. Tomsen (forthcoming) observes that in Australia there has been a long tradition of rowdy drinking among blue-collar men, which he interprets as an expression of rebellion against bourgeois values and social order. He believes that the contemporary "yobbo" culture has evolved out of this larrikin tradition, which has served to compensate for relative social powerlessness. Tomsen suggests that the apparent increase in levels of violence associated with drinking in this subculture in recent years may be a reaction to social changes undermining areas of traditional male privilege and bringing about more marked class differences and inequality.

Pernanen (1976) states that alcohol is implicated in violence, but only in combination with personal predispositions to aggression, as a source of neuropathology where brain damage has resulted from alcoholism, or because of cultural or subcultural influences.

Toch (1984) found that the importance of alcohol in a violent event varies depending on the situation, and that "typically it leads to exaggerated responses, produces risk by making the drinker more conspicuous to others, reduces accuracy of judgment of the risks in being violent, and/or augments the joy in impulse and aggression".

Thus, although the relationship between alcohol and aggression is frequently observed, it is a complex relationship not necessarily related to

the pharmacological properties of the substance. Instead, aggression arising in the presence of alcohol results from a highly variable interaction between what the individual brings to the situation and what that situation means to the individual.

Illicit drugs

The association which is observed between alcohol and violent behaviour is rarely seen in the case of the most commonly abused illicit drugs (Nurco et al. 1985; Goldstein 1989). Of course, violence is a frequent occurrence in parts of the drug culture, but in Australia such violence is almost always associated with the trafficking and distribution of drugs, and their high cost, rather than with their consumption. Robb (1988) states that "serious dependency on a drug, the use of which requires access to large amounts of money, is possibly the single most important factor contributing to the commercial robbery rate in New South Wales". Indeed, violent crime may be intrinsic to involvement with any illegal market or with any illicit substance. Robb also comments that "it is unlikely, however, that the incidence of commercial robbery is going to drop dramatically in the absence of more effective social policies for dealing with the current high levels of heroin use in the community".

Heroin

The direct effect of heroin on the user is, in general, to sedate and engender inaction and stupor, though some violence may be associated with heroin withdrawal, resulting from impatience and irritability (Goldstein 1979). However, because, as suggested above, drug control policies serve to restrict the supply of heroin and thus increase its price, heroin addicts may engage in potentially violent criminal activity to support their habit. They generally need money quickly and frequently, so most of their crimes are highly opportunistic — bag-snatching and shoplifting, for instance. Addicts may have no desire to confront those whom they rob, but violence may occasionally be an unintended consequence of their crime. Also, there is considerable potential for violence in the supply and distribution of heroin, as with all other illicit high-price drugs, whether in theft from dealers, the elimination of rival distributors or acts of vengeance for the supply of poor quality drugs (Australia 1983).

Thus, almost all of the violence associated with heroin may be attributed to policies relating to its control, rather than to any inherent pharmacological properties.

Cannabis

The most common effect of cannabis is to produce a feeling of relaxation and mild euphoria in its users. A number of researchers have found that cannabis, far from engendering violence, may actually inhibit aggressive behaviour (Taylor et al. 1976; Salzman et al. 1976; see also Goldstein 1979).

Cannabis is much less addictive than alcohol, tobacco or heroin, and the potential for incidental violence associated with its acquisition or distribution is relatively minimal. However, because cannabis is an illicit substance, users risk the violence associated with all dealings in the drug trade, as described above.

Cocaine and crack

Cocaine is a very infrequent trigger of violent behaviour, even though it is a stimulant to the central nervous system. However, large doses of cocaine can result in erratic, bizarre or violent behaviour (Manschrek 1987). Psychosis is a relatively uncommon reaction to cocaine, but is more frequent with freebase cocaine (crack), and aggression may be one manifestation of the psychosis. The nature of the psychosis appears to be related to dose and duration of use, but prior psychiatric conditions may be involved — indeed it has been suggested (Weiss et al. 1986) that a substantial number of cocaine abusers may be suffering from psychiatric disorders which makes the task of clarifying the nature of their psychopathology more difficult.

Amphetamines

Like cocaine, amphetamines act to stimulate the central nervous system, but it is more common for amphetamine intoxication to be accompanied by violence. High doses of amphetamines seem to operate in a similar way to alcohol, that is, violent behaviour is a consequence of the interaction between the effects which the drug has on the individual, personality factors which are exacerbated by the use of the drug, and the social context of use (Asnis & Smith 1988). One of the few systematic studies of the effect of amphetamines on behaviour was Ellingwood's investigation of 13 men who committed homicides while under their influence (1971). He found that heavy use induced in the men feelings of persecution, impulsiveness and emotional excitability, although it seemed that the most important factors associated with the amphetamine-induced delusions were predisposing personality factors, the environmental conditions of use and the use of other drugs.

Several researchers refer to the potentiating effect of mixing drugs. The combination of tranquillisers and alcohol can be dangerous, and may result in violence (Lader 1982). Asnis and Smith (1978) comment that "while the (drug) culture provides an awareness that paranoid reactions are drug related, individuals on extended runs of speed (amphetamines) who have concurrently used barbiturates and alcohol frequently lose their insight into the delusional nature of their thinking and strike out against those whom they perceive to be plotting against them".

PCP (Angel dust)

PCP (phencyclidine) was first synthesised in 1956 as a general surgical anaesthetic, but was abandoned after post-operative psychotic reactions

were observed in some patients. It first appeared as an illicit street drug in 1965 and is now believed to be one of the most widely used psychoactive drugs in the United States.

The tendency for explosive rage to develop during the course of PCP intoxication has been cited as a contributory factor in the rise in the incidence of violent acts and antisocial behaviour in the United States (Young et al. 1987). The effects of PCP on the user are unpredictable, and during a period of excitation the user can be extremely dangerous. (McAdams et al. [1980] recommend a backup of at least five large people when dealing with one average-sized patient). Unlike any other street drug, its psychological effects are often nearly indistinguishable from schizophrenia, and the psychosis may last for periods of four weeks or more, because of the manner in which the drug recirculates through the gut and is continually reabsorbed.

These effects are mostly observed in chronic abusers or individuals with psychotic or prepsychotic personalities, but the increased violence associated with PCP intoxication is not consistently dose-related, and individuals acting violently under the influence of PCP may not have any history of violent behaviour (Pradhan 1984).

To summarise, this review of the incidence of violence associated with drug abuse shows that, with the exception of PCP (which is not commonly used in Australia), amphetamines, and the combination of tranquillisers with alcohol, the pharmacological properties of the substances themselves seldom result in violent behaviour, and some in fact have the reverse effect. Nevertheless, drugs remain associated with violent crime because of their use in some cases by people already predisposed to aggression and because of the violence which may accompany illegal drug trafficking.

In a study of convicted armed robbers in eastern States prisons conducted by the Australian Institute of Criminology on behalf of the Australian Bankers Association, some interesting data were obtained about the relationship between illicit drugs and robbery. Based on information volunteered by admittedly unsuccessful perpetrators, the following points emerged:

- Drug usage appears to be a major reason for people becoming involved in robbery.
- It probably also plays a part in leading some people to graduate from other crime to robbery.
- The need for money for illicit drugs is frequently given as the main reason for committing robbery.
- Many robberies appear to be carried out by people under the influence of a drug.
- Continuing drug usage may result in some robbers reoffending after release from prison (Nugent et al. forthcoming).

Volatile substances

Volatile substances are those which give off vapours at room temperature. Many of these vapours have psychoactive properties and are consequently subject to abuse. The most commonly abused of these substances are petrol, various glues and adhesives, paint and nail polish remover and certain aerosols.

Petrol and glue "sniffing", as the practice is generally known, are usually associated with young teenagers and sometimes with younger children; in general, usage tends to fall away with increasing age (Commonwealth Department of Health 1984; 1985). Rural adolescents are more frequently involved than urban youth, possibly because petrol in particular is more readily available than other psychoactive substances. It has proven to be a particular problem in Aboriginal communities; for example, a study in Maningrida conducted by Eastwell in 1979 indicated that over one-third of the population of children in the nine to fourteen age group were involved with regular petrol inhalation.

Observers have frequently compared sniffing with the consumption of alcohol; Eastwell (1979), for instance, comments that "young people inhaling petrol vapours compare their behaviour with that of adult drunks. Some young people comment that they will use alcohol to achieve the same effect when they are older, while others note that they are imitating their drunken parents, some of whom are known to resort to petrol when alcohol is unavailable". It is seen as a disinhibitor and as a social activity; the "high" and the reasons for its appeal have also been compared with the use of alcohol.

The motivations for solvent abuse also appear to be the same as those leading to alcohol and drug abuse. Polkis (1977) comments that "adolescents regularly sniffing petrol are conditioning themselves to rely on chemicals to face unpleasant or taxing realities of life. This is cause for concern that adolescent petrol 'sniffing' may be a prelude to alcoholism or the use of addictive drugs".

Brady (1985) cautions however that in many ways the effects of drinking and petrol sniffing are quite different. Petrol sniffing produces hallucinations which have been compared with those resulting from mescaline and LSD (lysergic acid diethylamide); the mind-altering state produced is of a quite different order from that induced by alcoholic intoxication.

As well as hallucinations, the effects of sniffing include euphoria, confusion, impaired judgment and aggressive behaviour. In addition, symptoms which may result include nausea and vomiting, drowsiness, delirium and unconsciousness. The failure of muscle coordination, staggering gait and bouts of mania are also commonly reported (Commonwealth Department of Health 1985). The inhalation of volatile substances may lead to neurological impairment, and may thus be conducive to violent behaviour as discussed

above. A number of deaths have resulted directly from the abuse of volatile substances. As with alcohol, the individual's behaviour while sniffing depends upon the circumstances in which it is used, previous experience with the substance and upon his or her personality.
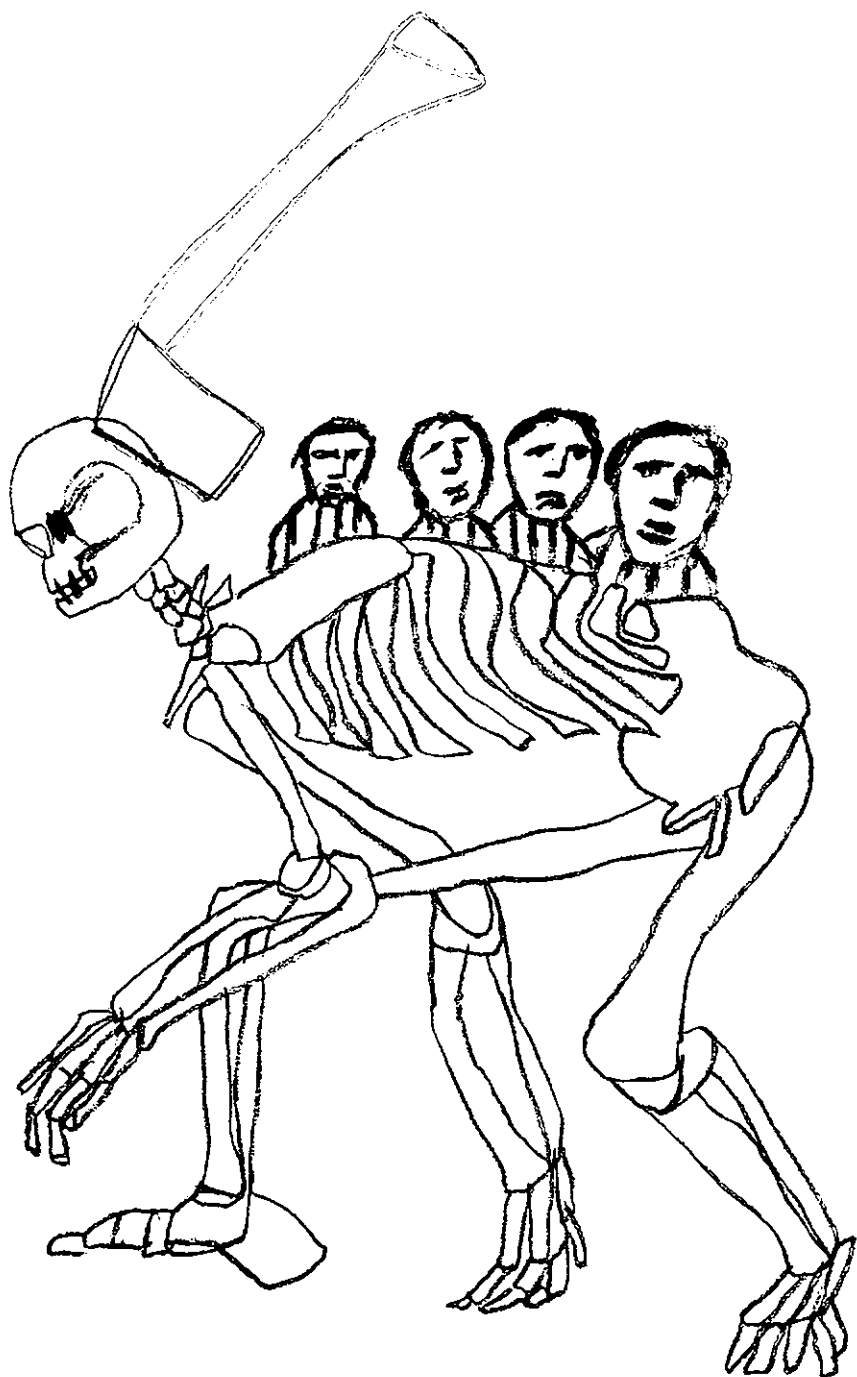
Sidney Nolan **Untitled** (Escaped convicts in bush) 26 August 1978
  pastel on paper
    from the series *For The Term Of His Natural Life* based on Marcus Clarke's novel.

13 CULTURAL FACTORS

Economic inequality

Violence is more common in those societies characterised by widespread poverty and inequality. In societies generally, violence is more common within those social groups which might be described as an "underclass".

Braithwaite and Braithwaite (1980) surveyed 31 nations and found those with high income inequality to have the highest homicide rates. Gartner (1989) analysed rates of homicide in 18 industrial democracies (including Australia) over the period 1950–1980. Homicide rates were lower in those nations with less income inequality, higher welfare expenditures and lower divorce rates. A number of additional studies have consistently demonstrated the relationship between income inequality and homicide (Avison & Loring 1986; Krahn et al. 1986; Messner 1982).

Chiricos (1987) reviewed 63 studies of the relationship between unemployment and crime (primarily in the United States) and found that rates of violent crime tended to be higher in those jurisdictions with high rates of unemployment, and that rates of violent crime tended to increase during periods of economic decline.

Within Australia, as we noted above in Part One, there is evidence that both victims of violent crime and violent offenders are drawn from the most disadvantaged socioeconomic groups. This is most evidently the case with homicide (Wallace 1986; Bonney 1987). It is hardly coincidental that Aboriginal people, the most disadvantaged minority group in Australia, have homicide rates estimated at ten times that for the general Australian population.

Norms of behaviour

That some societies are more violent than others is self-evident. That some sub-groups within societies are more violent than others is also obvious. But not all of these differences are attributable to poverty and inequality. The general orientation of a culture, or the shared beliefs within a sub-culture help define the limits of tolerable behaviour. To the extent that a society condones violence, the values of individuals within that society will develop accordingly.

Two millennia ago, Romans enjoyed the spectacle of gladiatorial combat, and of Christians being devoured alive by wild animals. Public executions were widely attended in 19th century Britain. Although contemporary tastes may be slightly more refined, many Australians regard violence as entertainment. Children and adults flock to cinemas to watch depictions of death and destruction. The market for violent videos is vast and lucrative. "War toys" remain popular with many children, if not always with their parents.

Televised violence is greatly enjoyed by many, both adults and children, and television has an important role in the transmission of cultural values.

A study of homicide rates in eighty nations found that combatant nations tended to experience significant increases in homicide rates during the postwar period, while non-combatant nations showed no such increase during corresponding years. The size of the postwar increase in combatant nations tended to vary with the nation's combat death toll. The authors concluded that authorised killing during war has an effect on the level of violence in peacetime by implicitly legitimising the use of fatal force (Archer & Gartner 1984).

The use of violence to achieve ends perceived as legitimate is a principle deeply embedded in Australian culture. The history of Australia's European settlement was one of unspeakable brutality (Hughes 1987; Reynolds 1982). Australian society has indeed become less violent over the past two centuries, but some of this cultural heritage lingers: participation in international conflict has a hallowed place in Australian history; traditional dispute settlement practices in Aboriginal communities may entail the use of extreme physical force.

Violence is not universally condemned in contemporary Australian society. Most parents accept the use of physical punishment as a means of disciplining children. One in two advocate capital punishment for murder. Violence on the sporting field, in the home and in schools is tolerated by many Australians.

Straus (1976) has pointed out that the norms and values relating to intrafamily violence pose a paradox: on the one hand there is the picture of family life which reflects cultural norms for the family characterised by love and harmony; on the other hand there seem to be social norms which legitimise intrafamily assaults, at least under certain conditions. This is borne out by the 1988 survey of attitudes to domestic violence carried out on behalf of the Department of Prime Minister and Cabinet's Office of the Status of Women (Public Policy Research Centre 1988). The survey found that one in five people consider that the use of physical force by a man against his wife is acceptable under some circumstances, though only 6 per cent think that there can be justification for extreme forms of violence such as threatening or using a weapon on one's wife.

The survey found that people from blue-collar households are much more likely to believe that physical force could be acceptable behaviour. This is in line with the findings of Kantor and Straus (1987) that the highest rates of wife abuse in their study were associated with the combination of blue-collar status, drinking and approval of violence: of these three factors, approval of violence had the strongest association with wife abuse.

Cultural disintegration

Even in circumstances where cultural condonation of violence in interpersonal relations may not be explicit, the loosening of social prohibitions against violence may flow from feelings of alienation or estrangement on the part of marginal members of society (Braithwaite 1979, Chapter 3).

Over the past decade, large numbers of Australian youth have come to regard themselves as excluded from Australian society and its benefits. To be sure, "alienated youth" have been a feature of modern western society for generations. Contemporary conditions in Australia appear without precedent, at least for those young people who are unskilled and under-educated. With no apparent hope of achieving the status, prestige and material well-being enjoyed by mainstream adult Australians, increasing numbers of Australian youth have chosen to take their own lives (Eckersley 1988). Others, rejecting traditional values in another manner, have directed their rage outwardly, in both word and deed.

Nor can one overlook the cultural alienation experienced by Aboriginal Australians. Here, the feeling of exclusion from mainstream Australian society has continued over two centuries. The sense of hopelessness and estrangement in many Aboriginal communities is as endemic as the violence (Wilson 1982).

Setting

In addition to the wider cultural context, there are factors of time and place which may facilitate or inhibit violence. In some physical settings or types of social gatherings violence may be regarded as expected, tolerable or perhaps even normal; in others, less so. Any Australian capital city has at least one or two pubs which are notoriously rough. Graham's findings regarding norms of behaviour in the Vancouver equivalent of such pubs have already been discussed above. A dilapidated environment has the potential to invite violence; a clean, modern setting can inhibit aggressive behaviour. Similar findings have been made in relation to facilities for spectators of sporting events.

Thus, the physical characteristics of a location and the kind of activity occurring there at a given time can communicate that violence, or other behaviours, are more or less acceptable.

Firearms

Most Australians are no doubt aware of the slogan "guns don't kill people, people kill people". To be sure, the availability of firearms can contribute to violence. The United States, with its vast firearms inventory and a rate of firearm homicide eight times that of Australia, is often invoked as an illustration of the risks posed by the ready availability of firearms. But a

nation such as Switzerland, where firearms are present in a great proportion of households because of government policy on civil defence, has a rate of violent crime which most Australians would regard as enviable.

Approximately two out of three homicides in Australia are committed with weapons other than firearms. The vast majority of Australian shooters are respectable, responsible and non-violent. The issue of firearms regulation will be the subject of consideration below in Part Three of the Report. The immediate question is whether firearms (or indeed, other instruments of destruction) might serve as aggressive cues; that is, whether the mere sight of a weapon can elicit ideas, images, and ultimately, aggressive action.

Research on this question is scant, but in one study, four and five-year-old children were observed in a nursery setting, playing either with their own toys or with toy guns. Play with make-believe guns was followed by a significant increase in pushing, hitting, and other anti-social behaviour of both a verbal and physical nature (Turner & Goldsmith 1976). There is, of course, nothing inherently violent about guns. Rather they are perceived by some as instruments of aggression, and may thus serve to evoke moods which can facilitate aggressive behaviour. They are also very handy and potentially very lethal, in the hands of impulsive people.

Gender

It was noted in Part One that the vast majority of those who commit acts of violence, whether against men or women, are male. However, as Dr Christine Alder noted in a paper she presented to the National Conference on Violence (1989), much criminological research has been gender blind.

For example, until recently violent crimes against women have been viewed as events caused primarily by the personalities of the principals involved — both offender and victim — or their social situation. In the case of rape, it was generally believed that the offender must suffer from a pathological personality, or, alternatively, that the victim provoked her own victimisation. In the case of domestic assault, wives were generally assumed to be masochistic, nagging and sexually frigid, and their husbands shy and passive, beating out of frustration at their wives' behaviour. Storr (1968), for example, described "the nagging, aggressive woman . . . often unconsciously demanding that which she most fears. By irritating a man . . . she is really trying to evoke a dominant response".

However, in the 1970s, researchers, and in particular, feminist researchers, looked at the relationship between violence and gender in several contexts. Not surprisingly, most of the work done in this area related to violence against women. In the United States in the early 1970s much initial feminist scholarship related to the issue of rape (see for example, Brownmiller 1975). More systematic research than had previously been done on the issue of

family violence was undertaken into the frequency of occurrence of such violence and the circumstances in which it took place. A number of researchers (for example, Steinmetz 1977; Straus 1977-78) concluded that perpetrators of domestic violence were not necessarily pathological. Amir's research on rapists (1971) indicated that their personality structure did not differ more from "normal" men than did offenders of any other crime.

The conventional view of the dynamics of domestic assault was also found to be inaccurate: Star (1978), for example, concluded that the characteristics she found in battered wives — repressed anger, timidity, low coping ability — pointed to passivity rather than masochism as the more appropriate rationale underlying the endurance of abuse. Walker (1977-78) proposed the construct of "learned helplessness", observed in laboratory experiments, as a psychological rationale for the fact that so many women fail to leave violent relationships.

It was also found that domestic violence against women occurred much more often than had been assumed (for example, Straus et al. 1980), and that, in the case of sexual assault, the assailant was frequently well known to the victim (for example, Amir 1971). These findings tended to make the traditional explanations of domestic assault and rape in terms of individual deviance inadequate for the phenomenon as a whole. There has, therefore, been an increasing tendency to view such offences in a cultural context rather than as an individual problem, with its origins in the very structure of society and the family.

Straus (1976) states that the cultural norms permitting husband-to-wife violence "reflect the hierarchical and male-dominant type of society which characterises the Western world. The right to use force exists . . . to provide the ultimate support for the existing power structure of the family, if those low in the hierarchy refuse to accept their place and roles". Historically, the status of a woman under this patriarchal system has been that of property, first of her father and then of her husband.

Straus remarks (1976) that this unequal standing remains embedded in the criminal justice system, which serves to legitimate domestic assault. He cites as examples of this legitimation the failure of police to act in situations where they definitely would do so were the parties not husband and wife, broad indifference on the part of lawyers and the judiciary, difficulties in obtaining victim compensation and immunity from prosecution in most jurisdictions for rape of one's wife. Samyia-Coorey (1988) in her study of domestic violence in country areas of Australia comments that "the patriarchal ideology inherent in our socio-economic and political structures . . . create conditions in which women are oppressed and subsequently trapped in abusive situations".

Similar problems with the criminal justice system have been faced by rape victims. Zoomer (1983) comments: "the still prevailing assumption that 'real rape' only takes place in parks and dark alleys, by strangers using considerable force, makes every rape that does not meet this stereotype open to suspicion". This has led to reluctance in the past for women to report sexual assaults, especially those carried out by assailants known to them.

Both rape and domestic assault can be viewed as crimes similar in their causes and function, that is, as violent expressions of the cultural norm of gender inequality. Scutt, for example, states that "whatever form the abuse takes, inequality is inherent in the structure of the relevant relationship. Women who are politically, socially and economically oppressed are battered by men who are, comparative to them, politically, socially and economically dominant" (Scutt 1983).

Another aspect of the issue of gender and violence is that of how the social construction of masculinity is related to violence generally, not just violence against women.

David Morgan (1989) argues that the relationship between masculinity and violence is complex and that "too often the paradigm of masculine behaviour is something derived from working class lads, the lower echelons of military or civilian organisations, football hooligans or street corner gangs . . . ". He argues that masculinity itself is variable and that there are in fact quite diverse masculinities with different relations to violence.

A similar point is made by Bob Connell (1989) who argues that phrases such as "male violence" and "male values" couple a social fact with a biological fact and thereby implicitly attribute the social fact or process to the biological fact. He notes that this is understandable because gender as a social category is unlike other categories of social analysis, such as class, in being firmly and visibly connected to biological difference. Nevertheless, Connell regards the attribution of particular characteristics solely to the biological fact of maleness as an error, because "masculinity is not all of a piece. There have always been different kinds, some more closely associated with violence than others . . . " (Connell 1989).

Alder refers to the work of psychologists Daly and Wilson (1988), whose analysis "is consistent with the feminist argument that male violence is a means of maintaining and reinforcing power. In the case of male to male violence it is in the context of the testing and establishment of power in relation to other men". Alder discusses the inadequacy of subcultural theories of violence and concludes by saying that "an examination of the material on violent crime indicates that to reduce this form of crime in particular we will have to address not only economic inequalities but also gender stratification and male power. Most apparent is the need to confront our construction of masculinity" (Alder 1989).

Like all the other contributing factors in the explanation of violent behaviour, however, it would be unwise to suggest that a single cause — patriarchy — is the reason for all violence. At the same time, it is important to realise that these attitudes are deeply embedded in our society. While legislative and procedural changes in the criminal justice system are essential in dealing with crimes against women, changes in community attitudes must precede changes in behaviour.

14 CONCLUSION

Although there are still gaps in our knowledge, we have begun to acquire substantial insights about the causes of violence in general, and about the distribution of violence across time and social space in Australia. This knowledge is of much more than mere intellectual interest, as it can serve as the basis for policy interventions which can lead to a reduction in violence. However, for present purposes it is important to bear in mind that no single policy or program can be regarded as a panacea in dealing with violence in Australian society.

As the above review suggests, factors which contribute to violence in Australia are many and varied. Moreover, their influence occurs not in isolation but rather in interaction with numerous other forces.

Essentially, it is the Committee's view that the experiences of childhood and the influence of the family are paramount in determining whether or not an individual becomes violent in his or her behaviour. We acknowledge that biological and personality factors may predispose individuals to violence, but strong evidence suggests that in almost every case a loving and secure environment can overcome such predispositions. Likewise, although alcohol, the media, peers and school may all exert their influence, what children observe and learn in their homes — what they come to recognise as norms of behaviour — will largely determine their reaction to these influences.

Of course, each child lives within a larger culture where factors such as economic and gender inequality may be realities they have to cope with on an individual basis as adults, and which may be sources of disillusion and frustration. Nevertheless, what is learned in the process of socialisation within the family can be both protection and a source of strength in coming to terms with or even altering these realities.

Strategies for the prevention of violence in Australia will be the subject of Part Three of this Report. Many of the initiatives which the Committee recommends lie in the area of assistance to families, where, we believe, the greatest difference can be made, by engendering non-violent values in children and by helping to ensure that they are brought up in an atmosphere free from violence. Many of the recommendations made in the final Part of this Report therefore relate to measures such as education and support in parenting, which are designed to assist families. Other initiatives are linked to public values, and involve the large issues of gender role, unemployment and attitude change.

The Committee recognises that any intervention focussed on children is self-evidently a long-term proposition. At the same time it believes that there are many other initiatives which can be taken in the short term to reduce the level of violence in the community and which would not cost the earth, whilst making a significant practical impact. A number of recommendations

have therefore been made in areas such as the control of alcohol, violence in the sporting arena, both by spectators and players, the control of firearms and the policies of police and others in the criminal justice system.

The Committee believes that a serious attempt to reduce the level of violence in our community requires attention to both long-term and short-term issues. The challenge is to find the most efficient and effective policies which will bring about the control and prevention of violent behaviour, whatever its cause.

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PART THREE: THE PREVENTION AND CONTROL OF VIOLENCE: CONCLUSIONS AND RECOMMENDATIONS

Witch-hunters
from Middlesborough 1987

It was our professional renown
That we could tell the Markings of the Beast,
That we could half-depopulate a town
And still assert that witchery increased.

Unfair to see us as demented fools,
The canting loonies of a darker day.
We worked within a sober set of rules
And had our codes of conscience to obey.

Burning for the truth, we only built
A case on what we truly heard and saw;
And if it always pointed to the *guilt,*
Well, it wasn't innocence we hunted for.

And people were supportive, by and large.
They understood the set-up rather well
— That criticism would attract a charge
Of being in complicity with Hell.

Our overriding passion was *concern.*
It overrode us everywhere we went.
It drove us on relentlessly to learn
What pimples on a witch's elbow meant.

You'd hardly credit all the pains we took
With pincer, rack, hot-iron, ducking-stool.
In all good faith, how could we overlook
The use of any diagnostic tool?

So scrupulous were we in these affairs,
So jealous of a blemish on our names,
Nobody ever lacked our tender cares
Or ever went unjustly to the flames.

And though in recent centuries we'd feared
That our profession might be dead and gone,
Some gratifying symptoms have appeared
To show the work is being carried on.

Peter Kocan

Crowd Control

Terry's the bouncer
  six foot & thirteen stone

& if you're superstitious
  you could get real unlucky
with this one

he looks a cross between
a Boxer
  & a Staffordshire

& can start a blue
in an empty house (although
he'd never admit it)

in his pub
  HIS PUB
the owner
  barmen
  barmaids
  book
& customers
  eat shit   Terry's
  & there's some big
logs amongst 'em
  'cos Terry
who used to box main events
on the east coast as
  The Blond Bomber

is crowd control

he's known by his
train track knuckles
  steel blue eyes
  flat filleted nose
  & when his slow
deliberate drawl drones
down the bar
  don't get y' aspirations
mixed up with y'r abilities
MUG don't

but if you reckon you've
got form he'll ask
    are you insured —
get out here on the lawn
where y' won't hit y'r head
on the way down STUPID

now i'm not religious
    but if you go —
may the good Lord
    or three of your best mates
be with you

the customer with the
compressed cheek bone
calls him   *Sir* now
    the police *Mister*
other   out of earshot
    call him a lunatic
others   out of hours
    call him on the phone
where they can't be reached

he deals out punishment
like a croupier
    he's not scared by
aces
    jokers
        clubs
            or jacks

but he's got a soft spot

found it one night in a Leagues
Club in Sydney
    knocked a bloke into a coma
in 'The Eighths'

cried for 3 days

soft they said
    bit bloody soft
oughta give the game away

& he did
    except this pub

Geoff Goodfellow

15 INTRODUCTION

The complexity of violence is such, and its causes so numerous, that we must resist the temptation to rely upon simplistic solutions. The prevention and control of violence is a challenge which confronts not only a wide variety of agencies across all levels of Australian government, but private and non-profit sectors, as well as individual Australians.

Objectives and priorities

In framing its recommendations, the Committee has identified three major objectives:

- Adoption of a national strategy for the promotion of non-violent attitudes.

  The degree to which many Australians condone violence is one of the fundamental impediments to achieving a non-violent society. The Committee considers that a strategy should be launched to promote non-violent attitudes, beginning with a national media campaign and incorporating the Committee's recommendations in relation to education and recognition of the needs of victims.

- The reduction of factors which aggravate the risk and extent of violence.

  The Committee has identified several factors which, while not directly causing violence, aggravate its incidence and severity. In order to reduce violence, the Committee has identified a number of measures aimed at mitigating the effects of such factors, including measures to reduce alcohol consumption and to better regulate the ownership of firearms.

- Improvement in the availability of accurate information about the extent and nature of violence so as to provide a proper basis for decision-making, and the reduction in fear of violence.

Information about violence is inadequate. This is a general problem but is most evident in relation to violence within the family. The Committee has made a number of recommendations aimed at increasing the availability of accurate information in order to inform policy making, to encourage those crime prevention measures which may be appropriate, and to reassure those members of the public whose fear may be unwarranted.

Not all of the following recommendations are of equal import. As a matter of principle, priority should be given to those programs which, in addition to their efficiency and effectiveness in the prevention and control of violence, will produce other economic and social benefits. The extent to which the benefits of a program will extend beyond the target should be an important criterion for investment. Indeed, for many programs such as those concerned with health, education and employment training, the prevention and control of violence will be of ancillary concern.

Conversely, policies or programs to combat violence which would constrain freedom or curtail liberty should not do so gratuitously. They should be framed as narrowly as possible, and should be subject to strict scrutiny with regard to their anticipated effectiveness and efficiency.

Fiscal constraints which are likely to prevail in Australia for the foreseeable future dictate that public sector resources be allocated efficiently and effectively. It must be stressed, however, that as discussed in detail in Part One of this Report, the consequences of violence represent a cost to Government of billions of dollars each year.

As noted in Parts One and Two of this Report, those Australians who are drawn from the most disadvantaged ranks of society tend to be at greatest risk of becoming the perpetrators (and the victims) of violence. The Committee notes the identification of groups at greatest risk of violence set out in Part One of this Report, and re-affirms that the focus of preventive strategies should be targeted at these high risk groups:

- children, especially children under the age of twelve months
- women who are victims of violence in the home
- young males

An important challenge facing policy makers is to identify those measures which might prevent this risk faced by vulnerable groups from becoming reality. Interventions directed towards the prevention and control of violence which identify individuals at risk, or are targeted at vulnerable groups, should be delivered in a non-coercive and non-stigmatising way. They should be perceived as benefits, not as criticism.

The response of the community in the aftermath of violence, by contrast, should be characterised by denunciation and censure of the perpetrator. It is important for Australians to affirm the principles of non-violence by denouncing their transgression. This process of denunciation, however, should be exercised with care. Indiscriminate denunciation, without the possibility of some degree of eventual forgiveness and reintegration, can produce an outlaw caste, a subculture whose members derive their very self-image from identification with evil. It is precisely such a subculture whose development we must strive to prevent.

Implementation

The Committee considers the implementation of its recommendations to be a matter of the utmost importance. We are mindful of the fact that the shelves of Australian libraries are groaning with reports which have been forgotten and their recommendations ignored. To this end, the Committee deliberated at substantial length about the structure of this third Part of the final Report. One alternative considered was to base our conclusions and recommendations according to various problem areas, such as child abuse, "street" violence, criminal assault in the home, and violence within

Aboriginal communities. Eventually, we decided that the best way to facilitate implementation was to structure our conclusions and recommendations according to the areas of portfolio responsibility, that is, by type of government department. Because responsibility for the prevention and control of violence does not lie exclusively with Governments, the structure also includes relevant non-governmental organisations. In this way, the pathways to implementation and the most appropriate agencies to undertake such implementation are clearly marked.

By presenting its conclusions and recommendations according to this framework of agency responsibility, the Committee in no way absolves individuals from their responsibilities for the prevention and control of violence. First and foremost, the Committee is strongly of the view that individual Australians are responsible for their own actions. Acts of criminal violence are, by definition, acts of choice. It is recognised that the cultures in which many Australians live and the pressures to which they are subjected may be conducive to violence; but no violent act is inevitable or foreordained. All Australians have a responsibility to act in a non-violent manner.

Individual Australians may also contribute to the prevention and control of violence by condemning acts of violence when they occur. To be sure, in circumstances of heinous crimes, this already occurs. But lesser forms of aggressive behaviour also require condemnation. To condone violence anywhere on a limited scale sends a message that the use of force in interpersonal relations is acceptable social behaviour. Lest there be any doubt, the Committee categorically rejects this proposition. We encourage all Australians to eliminate the climate in which more serious aggressive behaviour may be implicitly encouraged.

The Committee recognises that not all of its recommendations are amenable to implementation by a single responsible agency, and that many will require liaison and co-operation by two or more bodies. This is all too easily overlooked. By way of illustration, the Committee noted with some dismay the fragmentation and insularity which characterise the provision of services to victims of violence. This same problem was noted in a report to the South Australian Government nine years ago (South Australia 1981). Effective and efficient prevention and control of violence requires careful co-ordination, lest limited resources be wasted through overlapping and duplicated efforts, and important needs remain unmet.

The Committee is acutely aware of the complexity of government organisation, both within and between levels of the Australian federal system. This recognition has conditioned the specificity of our recommendations. Where particular action lies squarely within the purview of a particular agency, such as the importance of improved police training relating to criminal assault in the home, we do not hesitate to fix

responsibility. Beyond this, the Committee has been cautious about prescribing policies in intimate detail.

The Committee is of the view that in many critical areas the paramount responsibility for the welfare of Australians lies with the Federal Government. We recognise that some policies, for example, the control of firearms, require a national response in order to be effective. However, the Committee concedes that in other areas, what appears to operate effectively and efficiently in Queensland may not necessarily do so in Tasmania. One of the virtues of Australian federalism is that it lends itself to experimentation and modification to suit the needs and political culture of individual jurisdictions. We encourage rigorous, controlled evaluation of those programs which are introduced, the wide dissemination of the results of those evaluations, and the full implementation of effective programs.

The Committee considers that all Governments should designate an implementation body to oversee implementation of the recommendations made in this Report. The responsibilities of these bodies would include co-ordination of effort on the part of those agencies within their jurisdiction jointly involved in the implementation of a given recommendation.

In a number of jurisdictions, a body eminently suited to such a task already exists. We have in mind, for example, the Victorian Community Council Against Violence, whose foundation Chair is a member of this Committee. The overall objective of the Community Council is to prevent and reduce violence in the community and its functions are to monitor, investigate, co-ordinate and recommend. In South Australia, the Government has developed a crime prevention strategy entitled "Confronting Crime: South Australia's Crime Prevention Strategy", which includes the formation of a "Coalition Against Crime", chaired by the Premier and comprising Neighbourhood Watch, community leaders and representatives of local government, business and unions, church and youth organisations, to advise the Government on crime prevention issues. The Government has earmarked $10m to promote crime prevention programs over the next five years.

It is, of course, up to each jurisdiction to decide upon the form of the implementation body. However, the Committee considers it important that such bodies should be broadly based, should have community representation and should cover all relevant government portfolios and should, as far as possible, adhere to the principle of gender balance. The Committee considers it desirable that the bodies nominated or established by the States and Territories should report annually to the Premier or Chief Minister and that the body created under the auspices of the Federal Government should report to the Prime Minister.

Coordination between these bodies could be facilitated by an annual meeting convened in the first instance by the current Chair of the National

Committee on Violence. A national secretariat could be situated at the Australian Institute of Criminology, which has served as the secretariat for this Committee, and which exists as a unique repository of expertise in the area. Such a body could also provide consultation and contract services relating to evaluation, which is essential to ensure efficiency and effectiveness in the prevention and control of violence, a theme which is highlighted throughout this Part of the Report.

Recommendation 1. **The Federal, State and Territory Governments should each nominate a body to co-ordinate implementation of the recommendations of the Report. These bodies should report annually to the Prime Minister, Premier or Chief Minister.**

Recommendation 2. **The Chair of the National Committee on Violence should convene a meeting of representatives of the bodies nominated by Federal, State and Territory Governments twelve months from the date of issue of the Final Report and report on the outcome of this meeting to the Prime Minister. Thereafter, Federal, State and Territory representatives should meet annually to review progress on implementation of the Committee's recommendations, to identify areas where national activity needs to be pursued and to report to the Governments concerned.**

Recommendation 3. **A national secretariat should be established within the Australian Institute of Criminology to co-ordinate these activities.**

The Committee stresses that there must be a commitment, at all levels of government, of adequate resources for the implementation of the Report.

Evaluation

The Committee is strongly of the view that programs and policies for the prevention and control of violence be subject to rigorous, independent evaluation. Provision for this evaluation should be incorporated in the design and budget of the program in question. Good intentions, warm feelings, and trendy ideas, laudable though they may be, are simply not a sufficient basis for the expenditure of public funds. Measures which are heralded as successful in one jurisdiction, whether in Australia or overseas, should not be blindly embraced without careful provision for their evaluation and their eventual dismantling in the event of unsatisfactory performance. Australia simply cannot afford to waste money on ineffective ventures.

Recommendation 4. **Programs and policies for the prevention and control of violence should be subject to rigorous, independent evaluation and provision for such evaluation should be incorporated in the design and budget of the program in question.**

Non-violence publicity campaigns

The Committee believes that Governments and all opinion leaders must denounce violence forcefully and unequivocally, taking special care not to

tolerate some forms of violence while condemning others. An initial step which the Committee believes must be taken is a public awareness campaign conducted through the mass media to promote non-violent attitudes.

The use of the mass media to change public attitudes and behaviour is hardly novel. Australian health authorities have made extensive use of the mass media for health promotion campaigns. Most Australians are familiar with "Life, Be In It". Public awareness of AIDS (acquired immune deficiency syndrome) has been significantly enhanced as a result of television announcements, and a significant proportion of resources devoted to the Drug Offensive entail public education through the mass media.

In the course of its inquiry, the Committee was made aware of televised public service announcements in the United States, where fighting by youth, often with firearms or other lethal weapons, is common in many large cities. Indeed, in some American cities, violence is the largest cause of death for African-American males between the ages of 15 and 24.

A series of brief announcements depicted, with considerable drama, the fatal consequences of fighting by youth. The announcements contained the concluding message: "Friends Don't Let Friends Fight". A longer documentary, produced by health authorities in the vicinity of Detroit, featured interviews with teenage victims of spinal injuries sustained in fights. The young men in question were paralysed for life, and their expressions of regret were a grim warning for other youth who might be inclined to fighting.

The use of the media to propagate non-violent values was recommended by the Victorian Parliament's Social Development Committee. It is an integral part of the National Domestic Violence Education Program currently undertaken by the Office of the Status of Women in the Department of the Prime Minister and Cabinet.

The Committee considers that a media campaign to promote non-violent attitudes could be very effective but that it should not be undertaken haphazardly. A campaign should be designed for a target population, and communicated in a manner most likely to reach that target. In the absence of sophisticated planning, pretesting, and evaluation, media campaigns can result in aesthetic achievements but may have no impact on violence.

Several submissions received by the Committee argued for some form of public awareness campaign about violence. At its Melbourne community forum, the Committee heard about a public awareness program developed by the National Association for Mental Health called "Towards a Gentler Society" (TAGS). TAGS provided the Committee with a detailed and costed public awareness campaign. The aim of the campaign is "to address the root cause of violent thought and behaviour within our community". TAGS considers that the first major focus of the campaign should be stress,

because that is an issue about which each individual can do something positive in their immediate everyday lives. At a later stage it was suggested that such a campaign could look at issues such as family conflict, violence in the media and entertainment, racial tolerance and positive parenting. The Committee was impressed with their proposal but considers that it would need to be pilot tested prior to full implementation.

Recommendation 5. **The Federal Government should undertake a national multi-media public awareness campaign conveying the message that violence is not acceptable. Campaigns directed at target audiences should be designed and pilot tested prior to full implementation.**

The following pages detail the courses of action recommended for governmental authorities according to their respective areas of responsibility. We recognise that within these categories, specific agencies may bear different names in different jurisdictions.
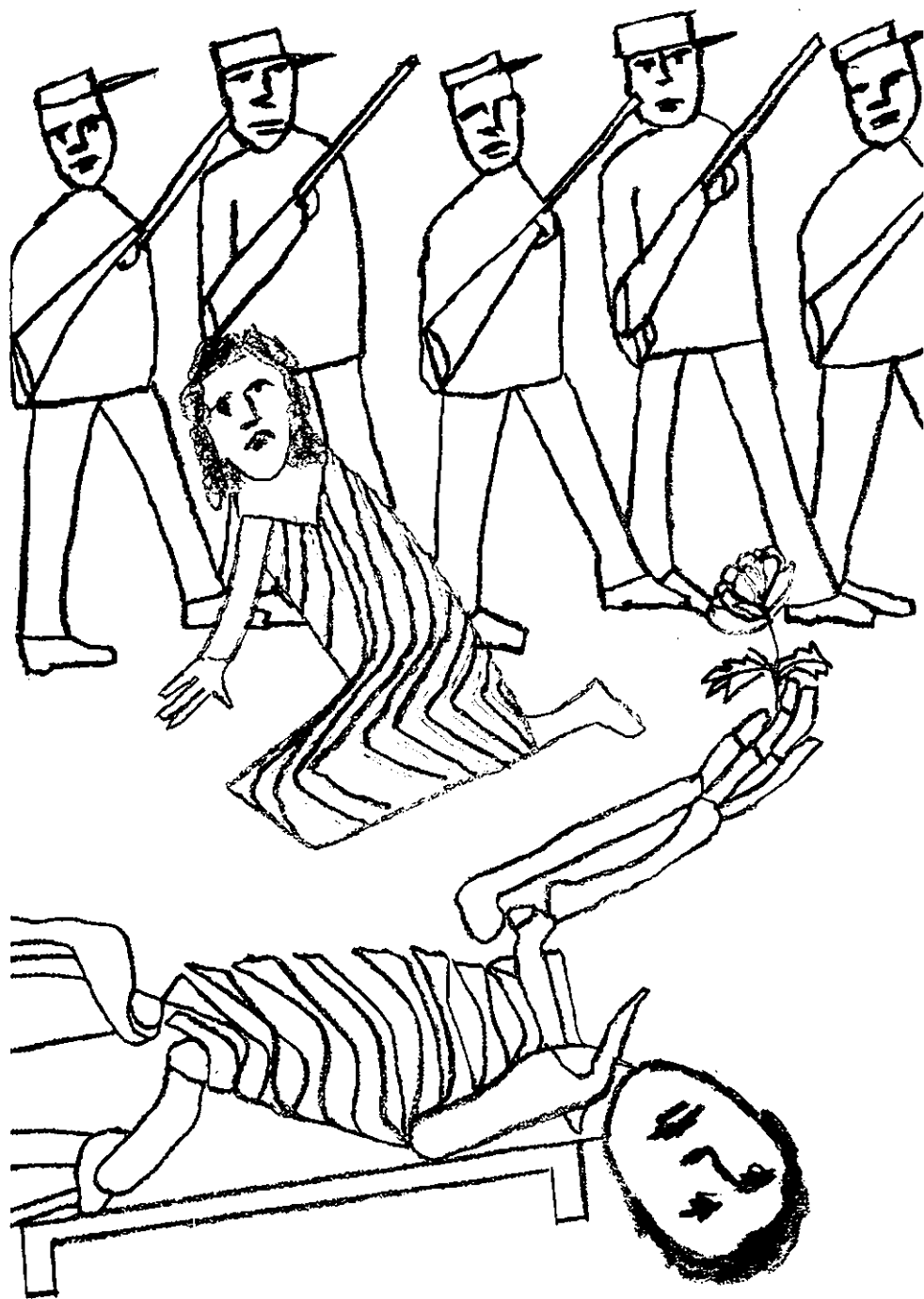
Sidney Nolan **The Rose** 28 August 1978
  pastel on paper
    from the series *For The Term Of His Natural Life* based on Marcus Clarke's novel.

16 PUBLIC SECTOR AGENCIES: HEALTH AND WELFARE

Health and welfare matters have been placed in one section because while in some areas they are clearly discrete, in others the areas of portfolio responsibility may differ from jurisdiction to jurisdiction.

Violence and its aftermath are important health issues. Numerous factors which enhance the risk of aggressive behaviour were reviewed in Part Two of this Report. It will be recalled that these included congenital and peri-natal disorders, as well as hormonal and neurological abnormalities. The following paragraphs focus on the responsibilities of public health authorities, while Chapter 32 sets out recommendations for private medical practitioners and for the medical profession generally.

Alcohol

Alcohol tends to obscure the future consequences of one's actions, to erode inhibitions, and to distort perceptions of others and their intentions in a manner which may contribute to violent behaviour. The Committee is well aware that many people consume alcohol in copious quantities and refrain from aggression in any form. Nevertheless, the strong association between alcohol and violence which was noted in Parts One and Two of this Report is of great concern to the Committee. The situational association of alcohol and violence amongst spectators at sporting events, in and around licensed premises, and in some Aboriginal communities, calls out for attention.

Needless to say, the costs imposed by alcohol on the health of the Australian public is by no means limited to death and injury arising from alcohol related violence (Smith 1983; 1987; Smith & Burvill 1986). The challenge facing Australian Governments therefore, is to discourage the excessive or irresponsible use of alcohol.

Of particular concern to the Committee is the extent of alcohol consumption by Australian youth. Research conducted for the National Campaign Against Drug Abuse concluded that more young people are starting to drink alcohol at an earlier age, and to do so in a manner which might be described as "binge drinking" (Elliott & Shanahan Research 1987).

This research was supported by a number of submissions to the Committee. Ms Erinna McNeil, Director of Second Story, an adolescent health centre in Adelaide, told the Committee that some young people are developing addictive patterns in relation to alcohol and that a major issue is the conflicting messages given to young people. There is heavy media promotion of alcohol consumption, coupled with disapproval in other quarters.

These sentiments were echoed by Peter Garrett, of the rock group Midnight Oil, who told the Sydney community forum that the increasingly violent atmosphere at concerts is attributable in part to alcohol. He said that the sort

of behaviour which occurs is reinforced by media stereotypes and that many publicans and concert promoters do not exercise any responsibility in this regard. In a written submission to the Committee, Peter Garrett suggested far more stringent controls on the availability and advertising of alcohol and support for recreational venues for young people where alcohol is not consumed. He told the Committee that several bands, including Midnight Oil, had done concerts for under-age young people which had been extremely popular, citing, for instance, the concerts run every month in conjunction with the Manly Council in Sydney. He also told the Committee that rock singer Jimmy Barnes and others had done a very successful series of alcohol-free concerts, adding: "In other parts of the world, its very unusual for alcohol to be allowed at concerts. The Oils have just travelled through Tunisia, Europe, up to Scandinavia and into North America where concerts didn't allow alcohol". He made a plea for the community to start dealing constructively with the issue, through setting up, for example, drop-in centres and entertainment venues for young people run by young people.

As noted in Part Two of this Report, the association between alcohol and violence is complex. There are a number of ways in which access to alcohol can be controlled, particularly in settings which are likely to contribute to the risk of violence. At the same time, it is recognised that the Australian alcohol industry is enormously powerful, both politically and economically. Tens of thousands of Australians owe their livelihoods to the production, marketing, or sale of alcoholic beverages in Australia.

The fact remains that drinking has been an integral part of Australian culture since European settlement. It is particularly central to the culture of young males. Hard drinking (and often, fighting) has been a central part of male identity (Tomsen 1989). In the absence of alternative means of attaining status, this is likely to remain the case. Indeed, the changing gender roles (in itself, a positive development), and growing inequality in the distribution of wealth will in many instances be felt most acutely by those men with the least power, and would appear likely to aggravate this crisis of masculinity. Without educational intervention, the result, barring any changes in patterns or level of alcohol consumption, will be an increasing trend in alcohol related violence.

The control of alcohol consumption by Aboriginal Australians is a most difficult issue. The paternalistic approach taken in years past of denying Aboriginal Australians the right to purchase alcohol was an unsatisfactory policy of patronising racism. By contrast, the laissez-faire approach which prevails in some areas of Australia today has wrought great devastation.

Aboriginal Australians are acutely aware of the damage which their people have suffered from alcohol. The Committee endorses current thinking which holds that Aboriginal communities should be empowered to exercise local control over trade and consumption of alcoholic beverages. Australian

State and Territory Governments should promote the capacity of Aboriginal communities to exercise that control, and should support those communities in its exercise. (Specific recommendations on this issue can be found in Chapter 27 which includes a section on liquor licensing authorities.)

It is apparent to the Committee that alcohol is a major contributor to violence and that a reduction in the consumption of alcohol would lead to a reduction in violence. We consider that in the long term, education about the effects of alcohol is the most effective means of reducing alcohol consumption. We also believe that more immediate steps can and should be taken.

The Committee regards the introduction of low alcohol beer as a positive move in the direction of reducing alcohol intake, which should be strengthened further. We also support the measures taken in the 1988 Budget to widen the price differential between low alcohol and high alcohol beer. The change in the method of calculating excise on beer has led to a reduction in the price of low alcohol beer to the consumer. The effect of this measure is demonstrated by the fact that between June 1988 and June 1989 low alcohol beer climbed from 12 per cent to 16 per cent of the market.

In relation to the advertising of alcohol, the Committee regards any proposals for a voluntary code of practice as insufficient. The Committee notes that the Joint Parliamentary Committee on the National Crime Authority (1989) in their report Drugs, Crime and Society recommended a total ban on the advertising of alcohol. We generally endorse the findings of the Joint Parliamentary Committee in relation to alcohol, but consider that a complete ban on alcohol advertising is not appropriate at this stage. We consider that a ban on advertising of alcohol in the electronic media would be a start and would target the advertisements which most powerfully associate alcohol consumption and lifestyle.

In order to bring about a reduction in alcohol consumption, the Committee proposes that the following steps be taken:

Recommendation 6. **The Federal Government should further increase the excise differential so that low alcohol beer is significantly cheaper to the consumer compared with high alcohol beer.**

Recommendation 7. **Health warnings should be required on all alcoholic beverage containers.**

Recommendation 8. **Electronic advertising of alcoholic beverages should be prohibited.**

(Additional discussion and recommendations relating to alcohol may be found below in Chapter 27, the section relating to licensing authorities; Chapter 29 on local government; and Chapter 30, the section on licensed premises.)

Parent education

Parenting skills do not always come naturally. Parenting can be an extremely stressful experience, and a drastic departure from the idealised expectations which derive from contemporary media mythology. It would appear that many Australian parents have been insufficiently prepared for the task. Not only does this render the infant itself more vulnerable to neglect or abuse; it also increases the risk that the infant in question will become an aggressive child and a violent adult. A program of education for parenthood would constitute a benefit beyond the specific goal of reducing the risk of child abuse, for it would be of value to a large proportion of people not regarded as being in a high risk category.

A number of submissions received by the Committee referred to the need for parent education. The Royal Australasian College of Physicians, for example, noted in their submission that children learn most about parenting in the early years of their life and that "supportive programmes need to be developed to assist parents in developing parenting skills". In another submission, Ms Diana Pittock, a community educator, described parenting courses as helping families to "feel more in control of their family situation, feel better about themselves and their kids, and to work out ways of dealing with conflicts and other problems".

It would seem that childbirth education classes conducted by hospitals could be adapted to include such material and would allow the capture of the greatest number of participants. To use hospitals as the location for the program would have the additional important benefit of providing an opportunity to identify at-risk parents in a non-judgmental environment.

However, it is desirable for parent education to continue on an ongoing basis after the baby is born, partly because before the birth, parents, particularly first parents, are much preoccupied with the birth itself, to the exclusion of other issues, and partly because it is only as they come face-to-face with the stresses of child-rearing that the value of the program may be recognised. The Committee is aware that in some jurisdictions the role of child health centres has been expanded to include broader education in parenting skills and suggests that jurisdictions in which this has not occurred review the role of child health centres. The Committee also notes the importance of encouraging fathers of children to attend courses in parent education.

Recommendation 9. **Education for parenthood, including what constitutes normal child behavioural development, should be incorporated in hospitals as part of classes associated with childbirth. The program should be continued in community health centres. Support services for all parents should be available after the birth of a child. Parents should be given detailed information about post-natal support services available to them locally.**

Peri-natal screening for child abuse risk

Australian health authorities play an important role in the prevention of child abuse. The risk of child neglect and abuse is not randomly distributed across the Australian population. A recent study by the New South Wales Department of Family and Community Services showed that for children who live in the poorer areas of metropolitan Sydney the risk of becoming victims of neglect was eleven times that of children in the most affluent areas. This pattern occurs for all forms of abuse — such children were found to be five times more likely to suffer physical abuse and four times more likely to suffer sexual abuse. Health authorities have identified a number of factors associated with the risk of child abuse, which can be detected in ante-natal clinics or in the maternity hospital. These include living in poverty, adolescence of one or both parents, birth complications, and parents who themselves were maltreated as children. Timely identification of these risk factors can and should serve as the basis of special programs (Oates, Davis & Ryan 1980). Such a program has been introduced at King Edward Hospital in Perth, and this may provide a model for such programs elsewhere.

Recommendation 10. **All health authorities should co-operate in reviewing the available literature and devising a proposal for a pilot peri-natal screening and intervention program for child abuse risk. Such a pilot study should be structured so that it can be rigorously evaluated. If it is found to be successful, then such programs should be introduced in all maternity and general hospitals.**

Parent management training

As noted above in Part Two of this Report, most violent offenders have long histories of aggressive behaviour, and most were aggressive children. Society's traditional response to anti-social behaviour, the mobilisation of the juvenile justice system, tends to be reserved for adolescents; there thus exists a period of years during which a child's aggressive inclinations can develop and harden.

Progress in identifying effective treatment of antisocial behaviour in children has been relatively slow (Kazdin 1987). Some promising developments have occurred overseas in recent years, and may be worthy of testing in the Australian context.

Parent Management Training entails training parents to interact differently with their children. It differs from more general parent education (such as Parent Effectiveness Training) in that it is aimed at families experiencing serious difficulties with an aggressive child, and involves intensive individual therapy. It is based on the premise that anti-social behaviour is inadvertently developed and sustained within the family by maladaptive interactions between parents and their children. Inappropriate parenting practices can

actually promote aggressive behaviour and suppress prosocial behaviour in children (Patterson 1982).

The training program encourages parents to establish rules for the child to follow, to provide positive reinforcement for appropriate behaviour, and to deliver consistent yet mild discipline in the event of inappropriate conduct. Hundreds of outcome studies with children of varying ages and degrees of severity of antisocial behaviour have reported favourable results (Kazdin 1987, p. 191). Duration of the training program, and the availability of social support, outside the home, appear to enhance program success.

Needless to say, the success of such a training program is dependent upon the willingness and ability of parents to participate. It cannot be imposed coercively. The likelihood of parental co-operation will be enhanced if the program is presented as a benefit, in a non-stigmatising manner.

Recommendation 11. **Effective parent management training programs should be initiated to control aggressive behaviour in children.**

Health aspects of victimisation: therapeutic intervention

The problems faced by victims of violence have been reviewed in the Committee's monograph *Victims of Violence* (Grabosky 1989). Among the issues highlighted as deserving priority attention is the identification of the most effective coping strategies by which victims can resume a normal existence, and the determination of the most effective methods of therapeutic intervention for those victims who may be in need of professional treatment.

The Committee notes the very great progress which has been made over the past twenty years in the medical treatment of sexual assault victims, and regards this as a framework for the treatment of all victims of criminal injuries. Most jurisdictions now offer referral and assistance for victims of sexual assault. The Committee stresses the importance of the work of such agencies and the importance of continued support for such services. The Committee also stresses the need for adequate service provision to victims with special needs, such as those from non-English speaking backgrounds, Aboriginals, people with disabilities and people from rural areas.

Those health professionals who may be called upon to treat injury victims, regardless of cause, should be sensitive to the problem of stress and anxiety which may linger in the aftermath of a criminal assault. The professional term for this condition is post-traumatic stress disorder.

Over the course of its life, the Committee learned of numerous programs and services available to assist victims of violence in each of the States and Territories of Australia. Some of these programs, such as those which provide non-specific crisis counselling, deliver general services, whilst others, such as rape crisis centres, serve a more specialised clientele. The Committee sees no need to create a monolithic agency to serve victims of violence,

whose needs, after all, may be quite diverse. In theory, the needs of victims of violence would appear to be well served by a variety of services, some specific and others more general. The Committee does, however, recognise the need for better liaison and communication between these various agencies, and regards the present state of fragmentation and lack of co-ordination as unfortunate.

Recommendation 12. **Where hospital policies and procedures for identifying and treating victims of violence do not exist they should be instituted. All such policies and procedures for identifying and treating victims of violence, especially those involving the provision of emergency care, should be subject to periodic evaluation, based in part on consumer surveys and retrospective interviews of previous patients.**

(Other recommendations relating to data collection can be found in Chapter 28 which covers information and research agencies.)

Recommendation 13. **Governments should take steps to achieve better co-ordination and communication between organisations in public, private and non-profit sectors, which provide services to victims of violence.**

Appropriate diagnosis and referral of victims of assault

Another issue relating to victims which merits the attention of health authorities is the role of health professionals in combating domestic violence. Because of prevailing biases in Australian culture, victims of domestic violence who seek treatment for the physical injuries which they may have sustained as the result of an attack may be disinclined to disclose the cause of these injuries to an attending doctor or nurse.

Professor Beverley Raphael of the University of Queensland advised the Committee that the cause of injuries inflicted by one's spouse may not become apparent to accident and emergency staff in hospitals. She suggests that whilst a significant proportion of women presenting with injuries are in fact the victims of domestic violence, only a minority disclose the cause of the injury. Of the remainder, staff may fail to identify the true cause of injuries in question. Even when the causes are disclosed, professional attention may be limited to treatment of the injury, not the patient. As a result, the victim may be vulnerable to subsequent injury from the same source. Dr Joan Lawrence noted in a recent discussion paper that overseas studies indicated that nearly one in four of all injuries treated in accident and emergency departments were the result of marital abuse, although only one in thirty-five were identified as such by doctors (Lawrence 1989). The issue is not a trivial one, for the Committee received much evidence that a large number of domestic violence victims suffer chronic abuse, which can endure over a period of years. The consequences can be fatal.

Victims of domestic violence often sustain repeated injuries requiring medical care. The proper treatment of these patients to prevent continued

victimisation requires some familiarity with the wider social circumstances of domestic violence, and with the legal implications of criminal assault in the home.

The Committee heard from many organisations involved in assisting victims of domestic violence and most referred to the lack of an appropriate response from service providers, including health professionals. This was seen as due either to failure to recognise instances of domestic violence or to inappropriate attitudes on the part of the service providers.

For example, Ms Carmel O'Loughlin, from the Domestic Violence Prevention Policy Unit of the South Australian Department for Community Welfare, told the Committee that the literature in this field suggests that health professionals often "send the woman home to try harder".
Ms O'Loughlin felt that health professionals need to be trained as they are a possible referral source for victims of domestic violence. Dr Judyth Watson, Chair of the West Australian Domestic Violence Co-ordinating Committee, told the Committee that a seminar held early in 1989 in Perth had identified the need to establish more programs for health professionals, both recruits and in-service. The Committee regards it as essential, therefore, that health professionals improve their ability to diagnose violence against women and children, and become fully aware of counselling and support services for victims, so that they might make appropriate and timely referrals.

The New South Wales Domestic Violence Committee has prepared a model hospital protocol for the treatment and referral of domestic violence victims. This protocol, which has been introduced on a pilot basis in the State's Northern Region, includes information about the social context of domestic violence, its medical and psychological effects, and its legal implications.
The protocol provides casualty and emergency staff with guidelines on how to deal with victims of domestic violence, and information on the range of non-medical crisis and support services available to victims. The model protocol also stresses the importance of maintaining precise medical records of injuries as potential evidence in court cases.

Recommendation 14. **Institutions which provide education and training for health and welfare professionals should offer training in the recognition, treatment (including counselling and support services) and management of victims of violence, especially domestic assault, sexual assault and child abuse. Issues relating to gender inequity, and its implications in relation to violence, should be included in this training. This should include provision for continuous in-service training.**

Recommendation 15. **All health service providers should develop specific procedures for the identification and treatment of victims of violence, especially domestic violence, sexual assault and child abuse.**

Recommendation 16. **Service provision to domestic violence and sexual assault victims should address the diversity of needs for people from non-English speaking backgrounds, Aboriginals and people with disabilities.**

Recommendation 17. **Funding by Federal, State and Territorial Governments for direct service providers and community education programs relating to domestic violence, sexual assault and child abuse should be increased.**

(Recommendations relating to the medical profession are contained in Chapter 32 below.)

Counselling for violent men

A number of programs have been devised to provide counselling for violent men. Participation may be voluntary, or pursuant to a probation order issued subsequent to criminal proceedings. The concept of counselling and rehabilitation for violent men is a laudable one, and those programs which have come to the Committee's attention appear on their face to be sound. Not surprisingly, those who manage such programs speak of them with enthusiasm.

For example, the Director of the South Australian Domestic Violence Service, Mr Reg Brand, advised the Committee at the Adelaide community forum that men can and do change, given appropriate help. He described the program as remarkably effective and provided the Committee with an evaluation supporting this view.

In Tasmania, Men Overcoming Violence (MOVE) provided the Committee with a detailed account of the program and its philosophical base, which is similar to the South Australian program in its emphasis on the fact that violence arises from a particular social structure which emphasises male dominance and sex role stereotyping. The Committee also heard positive accounts of work being done by the Domestic and Social Violence Service of Victoria and from workers at the Melton Community Health Centre, both of which run programs for violent men.

Some controversy surrounds these counselling programs, however, and support for them is less than universal. The most vocal opposition comes from some feminist groups who claim that those limited funds which are available to confront domestic violence should be reserved for the victims. The Women's Refuge Referral Service of Victoria, for example argued in a submission to the Committee that "tackling a social issue on an individual level is largely ineffectual and expensive. If men do wish to take responsibility for their actions and seek counselling . . . we suggest that public funds are inappropriate for this purpose". However, not all groups providing services for victims of domestic violence opposed providing funding for such programs and some expressed support for them.

The Committee appreciates the vital need for services to victims of domestic violence and supports further funding for such services. However, it also accepts the view put forward in the submission by Men Overcoming Violence that services to victims and services to perpetrators are complementary.

The Committee also strongly supports the view put by a number of organisations that offender programs should be carefully monitored and evaluated. The New South Wales Domestic Violence Committee has recommended that programs for domestic violence offenders be monitored closely, not only for reasons of efficiency in the allocation of resources but because victims' decisions to return to a previously violent partner are often influenced by the offender's decision to undergo counselling. Under these circumstances, considerations of program effectiveness have significant implications for subsequent offending and risk of victimisation.

Recommendation 18. **The recent development of preventative programs, such as counselling for violent men, is commendable. These programs should be encouraged by Federal, State and Territory authorities, subject to systematic controlled evaluation.**

Health promotion/stress reduction

Stress, from whatever source, enhances the risk of aggressive behaviour. The National Association for Mental Health, in a presentation given to the Melbourne forum, pointed out that stress is a major element in most forms of violent thought and behaviour. The Association commented that "the buildup of emotional stress and the inability to cope with it, or control it, is a major element that can transform anger or depression into physical violence".

A considerable proportion of violence in Australia (for example, many incidents of the physical abuse of children) may be precipitated by stress. To be sure, this will vary according to the type of violence and the context within which it occurs; stress significantly enhances the risk of violence in the family, but is less relevant to the violence practised on occasion by professional criminals.

It is nevertheless the case that the reduction of stress in Australia would contribute to a reduction in violence, and would enhance the ability of victims of violence to cope with the experience and its aftermath. In addition, given the association of stress with increased risk of minor infections, cancer and sudden cardiac death (Elliott & Eisdorfer 1982), programs to control stress can lead to an improvement in public health generally. The Committee suspects that paradoxically, those Australians who are most vulnerable to stress may be least aware of the means of controlling it.

The Committee notes that stress identification and management is part of the National Women's Health Program, and considers this to be a positive development and one which should be extended.

Recommendation 19. **Stress identification and management should become an integral part of health promotion programs.**

Child abuse

As reports of suspected child abuse continue to increase, our knowledge of the problem and how to confront it has failed to keep pace. Several organisations with a specific interest in the area of child abuse, including the National Association for the Prevention of Child Abuse and Neglect (NAPCAN) and Barnardo's Australia, felt that there is a need for greater Federal Government involvement in the issue of child abuse.

NAPCAN and Barnardo's both called the Committee's attention to a lack of co ordination and standardisation in governmental response to child abuse and neglect across the jurisdictions of Australia. NAPCAN pointed to the need for consistency in areas such as definition and reporting, while Barnardo's Australia in its submission expressed the view that the Federal Government has a role in monitoring State Government policies and programs and developing preventative strategies and conducting research.

The Committee regards national co-ordination and consistency in this area as desirable and agrees with NAPCAN that ratification by the Federal Government of the UN Convention on the Rights of the Child (Sinclair & Ginn 1989) would facilitate this.

The Committee also considers that the suggestion from the National Women's Consultative Council that a national awareness campaign on the issue of child abuse should be conducted has considerable merit.

Recommendation 20. **The Federal Government should sign and ratify the United Nations Convention on the Rights of the Child as a signal of its commitment to the well-being of Australian children.**

Recommendation 21. **A national campaign for the prevention of child abuse should be conducted.**

The establishment of a National Research Centre on Child Abuse was proposed by the Royal Commission on Human Relationships in 1977, and again by the Second Australian Conference on Child Abuse in 1981. More recently, it was recommended to the Committee by NAPCAN. The Committee considers that a national research centre could be a central repository of information about the epidemiology of child abuse and the identification of risk factors, treatment programs, evaluation studies, and training and educational materials for professionals and for families of victims. It could, for example, provide information on child development to police training programs (as recommended below in Chapter 24).

The Committee sees no need for the creation of a new institution; such a centre could be established within an existing body such as the Australian Institute of Family Studies.

Recommendation 22. **A national research centre on child abuse should be established by the Federal Government.**

People with an intellectual disability

Among the more vulnerable victims of violence are people with an intellectual disability. Public understanding of intellectual disability is poor and people with an intellectual disability often bear a social stigma which is entirely unwarranted and unjustified. As the Intellectual Disability Rights Service (a unit of the Redfern Legal Centre) noted in their submission to the Committee, there are several factors which render people with an intellectual disability more vulnerable to crimes and less able to cope with the experience of being a victim, such as a lack of power and the pervasiveness of societal myths.

The Public Advocate of Victoria spoke at the Committee's Melbourne community forum and called the Committee's attention to the difficulties faced by people with an intellectual disability, which were documented in the report *Silent Victims* (Johnson et al. 1988). Such people may be subject to abuse by fellow residents and staff within institutions, including hostels and boarding houses, or by predatory members of the public, or within their own families. Their vulnerability may be compounded by a lack of communicative skills, which often inhibits reporting, and may compound difficulties in investigation and prosecution.

The Intellectual Disability Rights Service also drew attention to the finding of *Silent Victims* that although most people with an intellectual disability have a mild disability and live in the community, appropriate general services are not always accessible to them.

The Committee supports the general thrust of the recommendations contained in the report *Silent Victims* and endorses the establishment of the Office of the Public Advocate in Victoria as a means of guarding against abuse of people with disabilities. The Committee understands that legislation in this area exists in New South Wales and South Australia and is about to be introduced in Western Australia.

Recommendation 23. **Governments should ensure that safeguards exist to protect institutionalised persons who have an intellectual disability from abuse by staff or fellow patients.**

Recommendation 24. **Governments should ensure that adequate support services are available for people with an intellectual disability who are living in the community, including those living in hostel and boarding house accommodation, and for their carers.**

The mentally ill

The de-institutionalisation of the mentally ill has been a distinctive feature of Australian health policy over the past ten years. Whether inspired by anticipated therapeutic benefits or by anticipated expenditure reduction, de-institutionalisation, without appropriate community-based support, may have contributed to an increase in the homeless population and to the increased vulnerability of those with mental illnesses.

This issue was mentioned in several submissions received by the Committee. For example, the Royal Australian and New Zealand College of Psychiatrists stated in its submission that "de-institutionalisation . . . is not always accompanied by the degree and quality of care necessary to sustain them in the well state" and the ACT Association for Mental Health submission pointed out that those who do not have relatives to care for them can easily disappear into the anonymity of big cities where they are very likely to become victims of violence.

As noted in Part Two of this Report, the relationship between mental illness and violence is complex. The Committee received several submissions which addressed the issue of violence committed by people with mental illnesses. These submissions emphasised the need to avoid stigmatisation of the mentally ill as "homicidal maniacs," pointing out that the greatest concern in raising the issue of violence and mental illness is the possible effect on the mentally ill who are not violent.

However, as Dr Margaret Leggatt of the Schizophrenia Australia Foundation stated in a paper presented to a joint symposium of the Human Rights and Equal Opportunity Commission and Schizophrenia Australia, and subsequently forwarded to the Committee, "we are denying the reality of some mental illness and violence because we want to protect the non-violent mentally ill . . . nowhere does there seem to be any recognition of the need to consider how primary carers can or should cope with what is often an atmosphere of smouldering violence which has the potential to erupt into actual and extreme violence against them". Dr Leggatt wrote that her day-to-day experience in the foundation has led her to the view that more and more violence is being experienced by the families of schizophrenia sufferers.

The ACT Association for Mental Health submission presented a similar perspective to the Committee, noting that a significant proportion of mentally ill people can be violent and that the families of such people can face serious pressures and threats to their safety. These statements are to some extent supported by the Royal Australian and New Zealand College of Psychiatrists which notes that while ten years ago it could be stated with some confidence that psychiatric illness was, statistically, not a contributory factor to violent crime, the conclusions are "now less clear than previously".

While the principle of de-institutionalisation is supported, the Committee considers it essential for the well-being of the mentally ill and their families, as well as the general community, that there be adequate after-care and community support.

The Committee is not in a position to offer detailed solutions to the problems noted above. However, we note the Social Development Committee of the Victorian Parliament is looking at the issue of violence by people with mental illnesses in the Inquiry into Mental Illnesses and Community Safety. We welcome also comments from Mr Brian Burdekin that it is likely that the Human Rights and Equal Opportunity Commission will conduct an Inquiry into Mental Illness in 1990. We regard the issue of violence against carers as an appropriate matter to be examined by such an inquiry.

Recommendation 25. **Governments should assess the impact of de-institutionalisation of the mentally ill and should improve community support where appropriate in order to reduce the risk of their becoming victims or perpetrators of violence.**

General crisis intervention services

Given the fragmentation and isolation which characterise many Australian communities, the kinds of assistance in times of crisis once rendered by neighbours and relatives may no longer be available. Personal crises do not always occur during business hours, and police are often called upon to assist in a wide variety of situations.

Generalised 24-hour crisis intervention services under the auspices of the South Australian Department for Community Welfare have been available in metropolitan Adelaide since the 1970s. Assistance is available in person from a mobile team, or over the telephone, for clients in remote areas, or where personal attendance may not be required. Crisis care workers are in a position to provide immediate social support and information to victims of violence which can be crucial in the alleviation of post-traumatic stress; they are also equipped to assist with referral to more specialised services as appropriate. The availability of such services relieves the South Australian Police of responsibilities which they would otherwise have to bear.

Recommendation 26. **Governments should provide effective, adequately resourced 24-hour mobile crisis intervention services and should introduce them as soon as possible where they do not already exist.**

Violence and the elderly in institutional care

Elderly residents of nursing homes and hostels, while less vulnerable to predatory assault, may at times be subject to rough or insensitive treatment. While in most cases this would not amount to criminal assault, such maltreatment should not be allowed to continue. Protection of the

institutionalised elderly is less a matter for the criminal law than for management and for regulatory oversight.

The Committee commends the recent review of Residents Rights in Nursing Homes and Hostels (Ronalds 1989) and endorses its direction as the most appropriate strategy for ensuring the security and well-being of aged persons resident in institutions.

Programs for reducing unwarranted fear amongst senior Australians are discussed below in Chapter 24 relating to police agencies.

Family support

The task of mitigating the effects of economic difficulties and the isolation of many families falls largely to community welfare agencies. Our present welfare system has an important role in minimising those factors which are conducive to violence. Existing welfare structures need to interact and co-ordinate services — this avoids duplication and ensures that those services are responsive to the changing roles of families in society. There needs to be a broad range of support services to those in need.

A feature of Australian society which has placed demands on the welfare sector is the isolation of many individuals and families. Dr Don Edgar, Director of the Australian Institute of Family Studies, told the Committee's Melbourne meeting that one of the worst features of our society is the isolation of families; households living in suburbs with no immediate neighbours or relatives and a reluctance by others to intervene.

The Committee considers that the establishment of a 008 hotline for parents to call for support and advice in dealing with children would greatly assist such families.

There are periods of crisis where families under stress may feel unable to cope with their children. It is precisely at such times that children are most vulnerable to abuse. Facilities could be made available in a supportive and non-stigmatising way to permit parents in crisis to leave their children for a few hours; such facilities could also provide counselling and support for parents. There is also evidence that greater access to child care for families at risk is associated with a decrease in the incidence of child physical abuse and neglect (New South Wales Government Child Protection Council 1988). It would be desirable, therefore, for increased attention to be given to the provision of free or low-cost respite or occasional care to at-risk families.

A promising development which came to the attention of the Committee is the establishment of Neighbour Networks, as proposed by NAPCAN (National Association for the Prevention of Child Abuse and Neglect). This scheme encourages neighbours to assist each other in coping with various problems of everyday life, and could deal with the need for relief experienced by many parents on an informal basis, without government involvement and funding.

The Scheme was launched in the Sydney suburb of Mt Druitt in November 1988 following a six-month pilot program at the Shalvey Police Citizen's Youth Club (in Sydney's Western suburbs). It was set up with the assistance of Police Citizens Youth Clubs, the community nursing service, Safety House and other local authorities and businesses and is being implemented around Australia by NAPCAN State and Territory committees.

The Committee supports the establishment of neighbourhood networks. The model suggested by the National Association for the Prevention of Child Abuse and Neglect (NAPCAN) appears to be a promising one. In order to assist parents with the task of bringing up children and to relieve stress on families the Committee considers that additional support from Governments is needed.

Recommendation 27. **Additional respite child care should be funded by the Federal Government and be made available to all low income families.**

Recommendation 28. **Each State and Territory should establish a 008 hotline for parents to call for support and advice in dealing with children.**

Evaluation of child protection programs

One of the more contentious issues in contemporary Australia has been the propriety of governmental intervention in the family. The traditional reluctance of Australian police to intervene in cases of criminal assault in the home has been noted in Committee publications dealing with domestic violence (Mugford 1989, **Violence Today** No. 2) and victims generally (Grabosky 1989). More difficult decisions arise from suspicion of child abuse or neglect as even today, the strong ideology of family autonomy and right to privacy militate against the protection of vulnerable family members. Indeed, one commentator referred to the unwarranted intrusion of welfare authorities into family matters as "government violence". The Committee respectfully disagrees. The traditional perception of the family as inviolate is no longer appropriate as Australia approaches the 21st century. Allegations of abuse and neglect must not be ignored. When they are not without foundation, some form of governmental intervention is appropriate.

Child protection authorities throughout Australia have developed and implemented a variety of intervention programs for the prevention and control of child abuse. Indeed, some of these programs have been operating for a number of years. We nevertheless command insufficient knowledge of which of these programs is most effective in preventing continuing abuse. Nor can we say with certainty which programs best contribute to the long-term health of the child. Evaluations of short-term interventions are essential, as are long-term follow-up studies of previously abused children. Only through analyses such as these will it be possible to determine which programs are effective, and which if any, do more harm than good. The issue is not merely academic, for the lives of Australia's children are at stake.

Recommendation 29. **Agencies dealing with child abuse should undertake systematic evaluations of their child abuse intervention programs.**

Income support

As noted in Part One and Two of this Report, most violent offenders, and most victims of violence, are drawn from the disadvantaged strata of Australian society. The image which many people who are on low incomes have of themselves is one of worthlessness, expendability, or at best, irrelevance. This self-image is reinforced if the person of economic disadvantage belongs to a minority group. Respectable paths to status or prestige are seen as barred. Too often, this translates into a search for dominance or danger, often expressed in self-destructive or outwardly aggressive behaviour.

With concern growing over the future of the Australian economy, it is important to recognise that general economic decline is likely to be accompanied by an increase of violence in Australia, especially if economic inequality increases. In addition, regardless of overall trends in economic expansion or contraction, economic policies which contribute to the development and growth of marginalised groups in Australian society are likely to produce violence within these groups. This analysis is supported by the submission made to the Committee by the Salvation Army, who stated that their grassroots workers have observed growing levels of anger and frustration within sections of the community. The submission attributes this to several factors, including the treatment of people in a dehumanising way and the denial of access to services. The submission commented that "violence is about the only thing some people feel they have left as a reaction to society".

The Committee considers that Governments and Oppositions should avoid the kind of political point-scoring which labels poor people as worthless bludgers. The Committee considers it a responsibility of the Federal Government to provide adequate income support for the most disadvantaged members of society. The provision of such support will assist in prevention of the growth of an underclass. Evidence for the importance of adequate income support comes from countries which lack income support programs and where the level of violence is much higher.

Recommendation 30. **The Federal Government should maintain its income support programs for the most disadvantaged members of Australian society.**
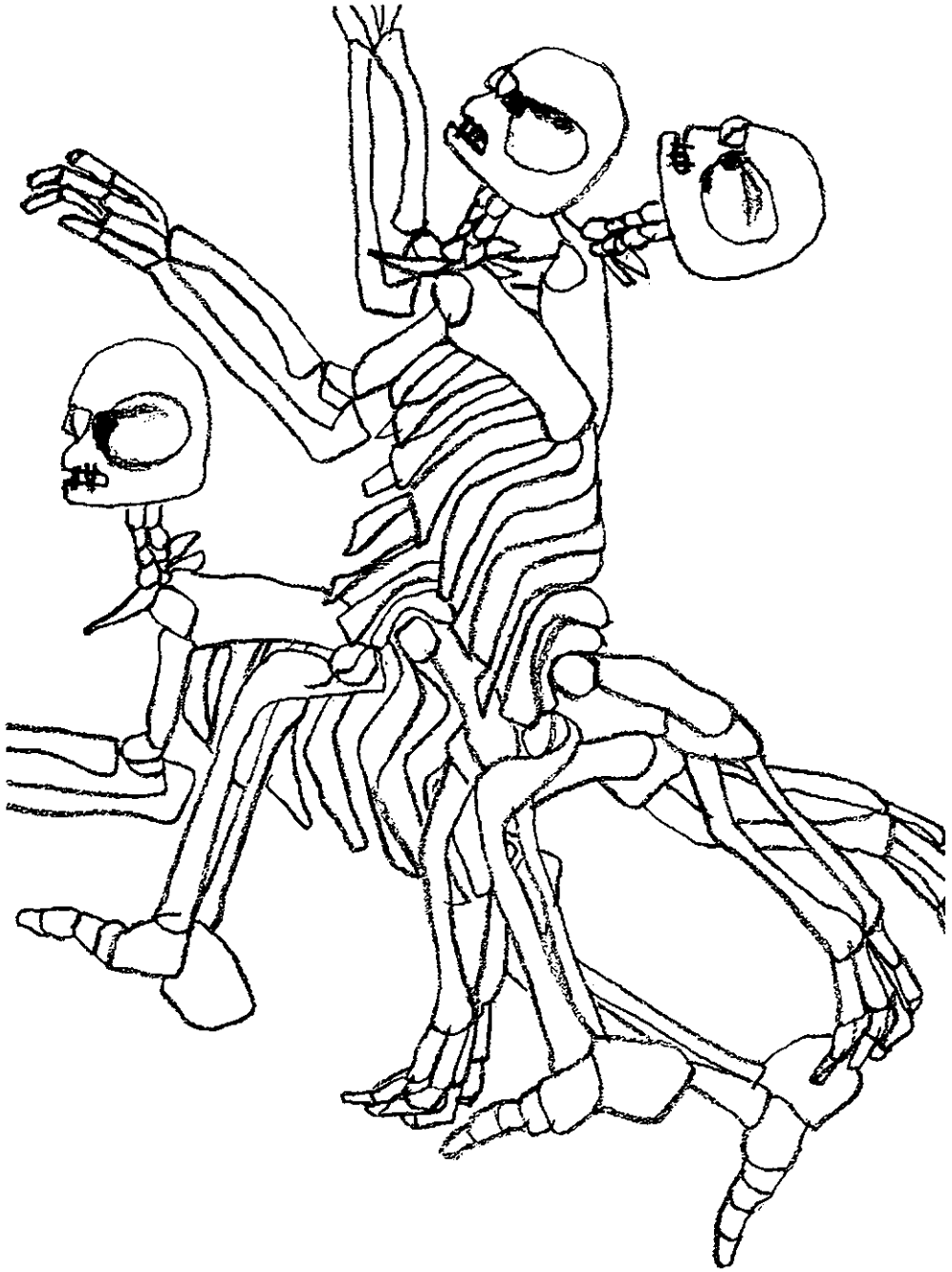
Sidney Nolan **Untitled** (Convict skeletons) 28 August 1978
   pastel on paper
      from the series *For The Term Of His Natural Life* based on Marcus Clarke's novel.

17 PUBLIC SECTOR AGENCIES: EDUCATION

Outside the home, schools are the most important setting for the socialisation of children. Children spend over 1,000 hours each year in the school environment. Indeed, we look to the school as complementing the family as the institution to instil pro-social values in our children.

It is often the school where chronic aggressive or otherwise anti-social behaviour first becomes publicly apparent. In addition, the Committee heard from Queensland child and family psychiatrist Dr William Bor, who states in his submission that there is a correlation between poor school performance and later delinquency and violence. Schools are thus uniquely situated to identify behaviourally disturbed children, as well as those children who may themselves have become the victims of abuse.

That some schools are more violent settings than others may reflect more on their location and on the socio-economic status of their student body than on any characteristics of staff or curriculum. That those students who manifest problems of aggression are poor school performers is hardly coincidental. Compensatory or remedial programs for low academic achievers can have benefits beyond those of delinquency prevention; they can significantly enhance an individual student's future earning capacity and life chances.

In addition, there is some evidence that the organisational characteristics of schools may have a beneficial effect on levels of violence (Kimbrough 1987; Greenwood 1987). These include the quality of leadership and support for teachers from principals; integrated curriculum development stressing academic skills; frequent monitoring of student progress; and overall emphasis on academic achievement.

The Committee considers that schools are well placed to promote non-violent values; to identify and assist behaviourally disturbed children and to identify and refer instances of child abuse. To some extent, of course, schools already perform these functions but the Committee would like to see additional resources devoted to these areas.

Non-violent curricula

It has been apparent to the Committee throughout the course of its inquiries that one of the best strategies in the long term for changing attitudes which embrace violence as a solution to problems lies in childhood education. This is not a novel idea — it has been recognised by several State education departments which have made efforts to introduce a variety of personal development courses designed to assist young people in coping responsibly with the "real" world.

Numerous submissions received by the Committee stressed the importance of teaching conflict resolution skills to young people. The Committee

believes that educational authorities should emphasise non-violent means of conflict resolution. In an innovative move, the Victorian Government has established a Peace Education Research Centre within the Ministry of Education. The Centre acts as a major focus for the development of conflict resolution in schools and the resources of the Centre are widely used in schools. The Committee regards the establishment of the Centre as a commendable initiative to promote non-violent values.

The Committee was also impressed with a publication of the New South Wales Education Department — *Ideas for Teaching about Non-violent Relationships* (New South Wales Department of Education 1984). This booklet provides a resource for teachers involved in teaching the personal development unit offered in all State high schools in New South Wales. There may be similar resources available in other States and Territories, but where this is not the case, the Committee commends this publication as a model for other States and Territories to follow.

The Committee also believes that educational authorities should develop programs which help children to relate effectively to others, to be aware of their responsibilities in their relationships and to learn about non-violent, adaptive responses to conflict and stress. Dr Don Edgar of the Australian Institute of Family Studies has drawn our attention to the Human Relationships Education program presently being taught in all Queensland State schools. This is an integrated course covering all school years from preschool to Year 12 and is implemented in consultation with parents and the community, within certain policy guidelines. This course has impressed the Committee as a useful tool for encouraging non-violent values, although whether students exposed to such curricular materials become less violent, or whether they remain so in the long term are both important questions which can be answered in the course of development and testing.

Recommendation 31. **Education authorities should include conflict resolution strategies as an integral part of school and other education curricula, and should evaluate their effectiveness.**

Recommendation 32. **Teacher training institutions should incorporate materials relating to non-violent conflict resolution, including an analysis of the gender basis of patterns of violence and violent behaviour, in their curricula.**

Corporal punishment

The institution of corporal punishment in schools remains a matter of continued debate in Australia. Whilst some authorities regard the availability and selective use of physical punishment as essential to the maintenance of good order and discipline, others regard it as archaic and excessive. In public, as opposed to private schools, corporal punishment is allowable in the Northern Territory under specific conditions and was restored in New South

Wales in November 1988. Corporal punishment in schools is banned in State schools in Victoria and Western Australia and is being phased out in South Australia. As a matter of policy, corporal punishment is not practised by school authorities in the Australian Capital Territory. Corporal punishment is allowed in independent schools in all States, although many do not use it.

The National Association for the Prevention of Child Abuse and Neglect (NAPCAN) advised the Committee that the effect of corporal punishment on students can remain with them into their adult life, when violence can be used against their own children as a "disciplinary" measure, or as a means of resolving conflict with other adults.

This view was shared by many other organisations and individuals who made submissions to the Committee. For example, Mrs Sally Castell-McGregor and Mrs Anne Scheppers argued in a detailed submission to the Committee that the available evidence indicates that ceasing corporal punishment does not result in an escalation of difficult behaviour in the classroom.

This view was supported by information provided to the Committee by the ACT Schools Authority. The Authority advised the Committee that revised procedures for the management of student behaviour have been successful.

Among other things these entail early recognition and intervention when a student displays behavioural problems, and contractual agreements between school, student, and parent. The ACT Schools Authority also described their program of peer support, where year 10 students are trained to provide support and assistance to year 7 students. In addition, the Authority's submission spoke of the approach to school discipline without violence, which

> focuses on the development of mutual respect between students and teachers through the establishment of friendly relationships . . . schools must have **clear and reasonable rules** and the **consequences of rule breaking** must be **logically related** to the misbehaviour. Students must know the rules and, within reason, agree with them, as a result of their participation in the process of establishing the rules (emphasis in the original submission).

The Committee embraces the principle that the state and its agencies should be moral exemplars, and that the use of violence as an instrument of school discipline is unacceptable.

Recommendation 33. **Corporal punishment in all schools, public and private, should be prohibited by law.**

Recommendation 34. **Educational authorities should develop constructive, non-violent means of social control to replace corporal punishment.**

Parenting education

The relationship between violence reduction and parenting was discussed in Chapter 16 of this Part which dealt with the health and welfare system.

Schools may also make a contribution to the prevention of violence through parenting education. As long ago as 1977, the Royal Commission on Human Relationships recommended the introduction of human relationships curricula in schools, to include materials on roles and relationships of family members in family life. One of the submissions received by the Committee which recommended that parenting be part of the core school curriculum was National Action Against War Toys, who pointed out the irony of spending millions training teachers while spending little or nothing on preparing young people for parenting. Karinya Young Women's Shelter in Launceston told the Hobart community forum that it favoured teaching parenting responsibilities in schools on the basis that it is easier to teach new parents skills before problems arise, than to use the welfare system as a "band-aid".

Recommendation 35. **Programs should be introduced into school curricula for instruction in human relationships, including proper gender roles and parenting responsibilities and child development.**

Recommendation 36. **Education authorities should produce materials to assist parents in developing non-violent means of discipline.**

The Committee opposes the use of physical punishment in disciplining children. Its conclusions and recommendations are discussed below in Chapter 23.

Parent effectiveness support

Schools can also assist in supporting parents. While the health system is an appropriate means of educating parents of younger children, as children grow older support for parents can also be given through the education system.

Children today are subject to a greater variety of influences than even a generation ago. Parents need support in encouraging their children to question and to express themselves. It is important that parent effectiveness programs are presented at the grassroots level, using for example the "Playgroup Interest Courses" run by playgroup associations in all States and Territories, kindergarten parent effectiveness programs and through interaction between parents and their child's primary school. The development of this concept of shared information and problems reduces the isolation felt by many parents.

The Committee is aware that parent education courses are offered by a number of bodies throughout Australia, for example in family centres such as those established by the West Australian Government. These are based in

the State's primary schools, which sponsor playgroups by day and parent education at night. The Queensland Centre for the Prevention of Child Abuse sponsors parent education seminars. In its submission to the Committee, the Northern Territory Department of Health and Community Services advised, as part of its effort to prevent home violence, that it had introduced parenting skills courses.

However, parenting courses are not as widely available as the Committee considers desirable and parents are often not aware of their existence. In addition to the examples mentioned above, parenting courses could be established more extensively through Councils of Adult Education community health centres, school parent organisations and TAFE colleges.

Recommendation 37. **Parent effectiveness programs should be developed in conjunction with organisations dealing with young children and their parents to promote non-aggressive strategies for both parents and children.**

Recognition of child abuse

Historically, one of the most pressing problems relating to child abuse was the failure to recognise its symptoms. Whilst considerable progress has been made in this area through training, there are still those victims who remain unidentified. At the same time, there are those children who may be misdiagnosed as having suffered from abuse, a situation which can result in acute embarrassment, if not tragedy, for the child and its parents. Improved training in the recognition of child abuse is essential.

Recommendation 38. **Training in the recognition of child abuse should be an integral part of the teacher training curriculum. To this end, education authorities should utilise the expertise of those who provide services to abused children and their families.**

Education in protective behaviours

Controversy exists concerning the appropriateness of some programs teaching young children behaviours to protect themselves from abuse. In Australia attention has mainly been given to the area of sexual abuse. Until quite recently this mainly took the form of warnings about "stranger danger"', even though fewer than 20 per cent of reported incidents involve persons unknown to the child. There are many difficulties in alerting young children to dangers which may exist within their families. It is by no means certain that it is possible to do so in a manner that will not overly concern children about parental figures, and ultimately produce feelings of mistrust and suspicion. Some maintain that a fundamental question is whether young children should be expected to prevent abuse and whether "empowerment" is an appropriate concept for this age group.

The Committee is aware that "protective behaviours" programs are in force in a number of jurisdictions and a number of these were brought to the

Committee's attention in submissions. In addition, the Second Report of the Victorian Inquiry into Strategies to deal with the Issue of Community Violence contains a detailed discussion of the issues surrounding protective behaviours programs. That Report stresses the importance of evaluating any new programs and recommends a pilot program integrating protective behaviours with existing curricula in the Ministry of Education (Victoria 1988).

The Committee is of the view that while it is important to train children to protect themselves, programs designed to sharpen the vigilance of parents, teachers and other responsible caretakers of children are also important. The Committee is reluctant to endorse any particular program in the absence of a controlled evaluation, but supports the general principle of equipping young children with skills to assist them in self-protection.

Recommendation 39. **All school students should be provided with information about what constitutes abuse, the importance of telling someone when abuse occurs, and appropriate individuals in whom they might confide.**

Self-protection for older children and young adults

Poor self-image can place one at risk of abuse, and exploitation, as well as a constellation of self-destructive behaviours. The Committee received a number of submissions which supported training in self-defence to overcome this problem.

For example, the Centre Against Sexual Assault in Melbourne argued that a primary factor in explaining the fact that the overwhelming majority of those who are violent are male is the "socially constructed state of being masculine" and that support for what is termed "the culture of male violence" is present in the content of schoolbased curricula. The Centre suggested the introduction of compulsory self-defence courses for young women and nurturing skills training for boys.

The Committee also received submissions from a number of self-defence trainers. They argued that the value of self-defence extends beyond the development of the ability to defend oneself from attack, but also helps to build self-esteem and confidence. Ms Bronilyn Smith, from the organisation "Defence Dynamics" told the Hobart community forum about a program of self-protection training for women which utilises a range of strategies aimed at preventing potentially dangerous situations, but also offering instruction in how to defend oneself should the need arise.

The Committee considers that both young men and young women may benefit from properly constructed self-defence courses but is reluctant to suggest that such courses be compulsory. In particular, the Committee stresses that self-protection includes a range of behaviours and is not limited to self-defence.

A program for older students which has been highly commended to the Committee is "Standing Strong". The Victorian Government provided funds to the Youth Affairs Council of Victoria to publish "Standing Strong" which is an educational resource for young people aged 13-18 years and designed to help them make sense of violent and sexually abusive relationships. "Standing Strong" is designed to be used in the context of human relationships and personal development courses. It has a strong emphasis upon examining the way in which male and female socialisation is one of the keys to understanding family violence and child sexual assault. The Committee was impressed with the wide range of behaviours suggested in these materials.

Recommendation 40. **School students should have access to courses in self-protection which discuss issues of male and female socialisation and which are able to be used in conjunction with other school curricula.**

Children of preschool age

Despite the importance of formal education, it should be recognised that important stages of a child's cognitive and social development occur at an even earlier age than the commencement of formal schooling. Some children may develop a repertoire of aggression long before they set foot in a classroom. Because of cultural disadvantage or congenital disability, some children may commence their formal education without the intellectual skills and facilities which most of their classmates command. They risk being "left at the post" and experiencing failure for the duration of their schooling. Since one of the most consistent predictors of delinquency is poor school performance, intellectual enrichment programs can provide children from disadvantaged backgrounds with resources which will better equip them to commence their formal education.

A significant contribution to the prevention of violence can be achieved through preschool programs. These carry the added attraction of producing benefits well beyond the reduction of violence. One of the most celebrated of these programs is the Perry program established in the State of Michigan (USA) in 1962. The Perry program entails preschool attendance combined with weekly home visits by program staff. The program has been subject to rigorous evaluation, based on random assignment to preschool or control groups. Long term follow-ups have revealed that program participants have significantly lower juvenile and adult arrest rates, but also significantly higher rates of high school completion, tertiary education, employment and earnings (Berreuta-Clement et al. 1987; Schweinhart 1987). In addition to its demonstrated effectiveness, the Perry program has proven to be cost beneficial. Total benefits have been estimated at three times the program cost (Schweinhart 1987, p. 145).

Resource limitations may dictate that such programs be targeted at those communities whose children are at greatest risk of delinquency — invariably, communities of low socio-economic status. It is important that preschool intervention programs be presented as benefits, rather than in a way which might be perceived as stigmatising by the recipients.

Recommendation 41. **Recognising that preschool children are cared for and educated in a variety of settings, such as child care, kindergartens, and pre-primary programs, these agencies should emphasise areas such as enrichment programs, non-violent conflict resolution and the identification and management of behaviourally disturbed children.**

Recommendation 42. **Governments should develop preschool enrichment programs. Controlled evaluation should be undertaken and should embrace subsequent school performance as well as the effect of such programs on later delinquent behaviour.**

18 PUBLIC SECTOR AGENCIES: EMPLOYMENT AND TRAINING

Youth employment

To seek and to fail to find employment in Australia today is more than just unfortunate. The experience of joblessness has adverse effects on both physical and mental health (Eckersley 1988, p. 27). Mere concern about the prospect of unemployment can contribute to feelings of hopelessness, low self-esteem, anger and aggression.

The dislocations which accompany the current changes in the Australian economy have had an especially severe impact on Australian youth. Both youth unemployment and indeed, homelessness, are at unprecedented levels (Human Rights and Equal Opportunity Commission 1989). Aggressive feelings thus engendered are compounded when young people are blamed for their own misfortune. In addition to violent behaviour directed outwardly, the suicide rate for young Australian males has doubled over the past two decades (Hassan 1988).

Programs directed at reducing youth unemployment thus have the potential not only for increasing productivity and reducing social service payouts, but also for reducing delinquent behaviour and subsequent adult offending. The Federal Government has indicated that it is conscious of the difficulties faced by the young long-term unemployed (Duncan 1989) and has introduced a number of programs targeted specifically at youth. In the past, few had substantial training components and few, if any, had been systematically evaluated (Potas et al. forthcoming), but more recently, the Government's emphasis has shifted towards training through programs such as the Youth Training Program and the Australian traineeship system, a move which the Committee endorses.

Overseas evidence suggests that it is the job-skills training in employment programs which is the effective element in reducing criminal activity and generating other social benefits. One example is the Job Corps scheme in the United States. This scheme, consisting of 6-12 months in a residential setting, provides remedial education, health care, vocational training and job placement to disadvantaged unemployed youth. These individuals are not selected on the basis of any history of delinquency, but rather on the criteria of social and economic disadvantage. A controlled evaluation disclosed a significantly lower rate of subsequent offending by program participants, most of whom became productive, tax-paying citizens. It also revealed a very favourable cost-benefit ratio. Because of factors such as increased tax payments by participants, reduced welfare payouts, reduced criminal activity and reduced drug and alcohol use, the Job Corps Program was found to return in benefit almost half as much again as it cost (Long, Mallar & Thornton 1981).

The only scheme of which the Committee is aware which has a residential component is a program run at the Pundulmurra Special Aboriginal College in South Hedland, Western Australia, which runs a twelve-month course for young unemployed Aboriginal people. The course, which is funded by the Commonwealth Department of Employment, Education and Training, offers vocational training in areas such as building, mechanics, administration and also offers remedial education.

Recommendation 43. **The Committee commends the efforts made by the Federal Government in establishing training programs for young people. In addition to continuing support for programs of this type, the Federal Department of Employment, Education and Training should establish a pilot residential program similar to the United States' Job Corps Scheme targeted at particularly disadvantaged young people, and should evaluate the outcome of the program.**

The long-term unemployed

The deleterious effects of unemployment are not confined to the young. Long-term unemployment among those aged between twenty and fifty can have an equally severe impact.

The Newstart scheme, introduced in Australia at the beginning of 1989, is specifically concerned with getting long-term jobless back into education and training by offering free tuition in formal programs of study and subsidies to employers offering on-the-job training, as well as financial support for extra expenses incurred and unemployment benefits while undertaking training. The Committee regards initiatives such as Newstart as contributing to the prevention of the growth of a marginalised underclass which provides a precondition for violence.

Women's employment

A common theme in the literature on domestic violence is the financial dependence of the victim on the batterer, which often inhibits the victim from leaving a violent relationship. In its submission to the Committee, the Domestic Violence Advocacy Service advised that "women have fewer financial resources, more responsibility for the care of children and less access to housing and employment — in short, they are often economically unable to leave a violent relationship".

It is important to remember that only when people feel they have control over their own lives, and are not victims of fate, that they are able to shake off the frustrations and feelings of helplessness which can lead to violence and to acceptance of violence. The Committee believes, therefore, that programs designed to enhance employment opportunities for women not only will yield additional economic benefits but would eventually reduce their vulnerability to violence as well.

In Australia today, there has been a significant increase in the labour force participation of women. However, this has not been matched by improvement in their status in the labour market. Women continue to be over-represented in the low paid, low status positions with limited career prospects. Adult women who are employed full time earn on average 83 per cent of male average weekly earnings (excluding overtime).

It must also be noted that employment options for women with dependent children may be significantly constrained because of their child care responsibilities. Many married women still find themselves financially dependent on their partners. This continued economic dependency may impose significant costs on the individual.

For these reasons the Committee is particularly impressed with the Government's JET (Jobs, Education and Training) program. This scheme is directed at sole parents, because it is recognised both that this group is severely disadvantaged in their efforts to find work and because it is acknowledged that there are strong links between poverty and long-term unemployment. An important aspect of the program is the special assistance with child care — participants are either found a permanent place in a local child care centre or, if this is not possible, a temporary place is provided while participants are studying or training, and for twelve weeks after starting a job.

The Committee believes that such initiatives, which permit greater participation in the workforce by those presently dependent on social welfare benefits, have several beneficial effects: first, they convert an expensive drain on community resources into productive, tax-paying contributors; second, employment means a much higher standard of living than pensions can provide; third, the psychological benefits of employment and consequent increase in self-esteem is considerable; and fourth, and most importantly, they constitute important steps towards breaking the cycle of deprivation in a disadvantaged group amongst whom so much violence takes place.

The JET program has some similarities to the ET (Massachusetts Employment and Training Choices Program) program which began operating in Massachusetts in 1983, especially in its emphasis on provision of child care to participants. The following comments, made in connection with ET are equally true for Australia:

> Unfortunately, too many programs have been unwilling or unable to make the financial commitment to day care. But it's a terrible and costly mistake because young single parents with very young children are precisely the ones States must try to reach if they hope to have any real effect on welfare dependency. If you effectively refuse to serve these parents until their youngest child reaches school age, research on the dynamics of welfare and our own experience tell us that you are missing a terrific opportunity to help them before they become long-term welfare recipients (Glynn 1987, p. 13).

The Committee commends the JET and Newstart initiatives, and supports the introduction of similar imaginative programs which target the long-term unemployed, single parents and dependent spouses. As we have pointed out in Part One of this Report, these groups are recognised as being particularly vulnerable, as the risk of becoming either a violent offender or a victim of violence is known to vary inversely with socioeconomic status. To the extent that economic restructuring contributes to a growing number of disadvantaged, Australians can expect to experience more violence in the future, and to bear the costs in human as well as fiscal terms, unless serious steps are taken to deal with this likely outcome. At the same time the Committee cautions that rigorous, independent evaluation should be an intrinsic part of any initiative in the employment field, as elsewhere.

The Committee commends the JET (Jobs, Education and Training) and Newstart employment initiatives.

Recommendation 44. **Federal, State and Territory Governments should continue to develop and refine employment training programs, and increase their accessibility to young women as an important contribution to the reduction of violence against women.**

19 PUBLIC SECTOR AGENCIES: HOUSING

Shelter is a basic human need. Yet it is a need which remains unfulfilled for thousands of Australians. Virtually all of these are at risk of becoming the victims of violence, if they have not already suffered the experience of victimisation.

Homeless people, by virtue of their exposure in public places, are at great risk of predatory assault. Moreover, because of the stresses which they experience as a result of their daily struggle for survival, they are at great risk of conflict and dispute which may escalate into violence.

The Committee's publication *Victims of Violence* (Grabosky 1989) described the particular vulnerability of victims of domestic violence. These victims, virtually all female, many with reduced earning capacity and having assumed primary responsibility for child care, are forced to choose between submitting to continued abuse and securing alternative accommodation which lies increasingly beyond their means. The Committee regards it as ironic and unjust that it is the victims, and not the alleged perpetrators, who are often effectively condemned to eviction. Most jurisdictions now have excellent legislation relating to domestic violence, with provisions to deal with this particular problem, but difficulties remain in the enforcement of the law.

The problem of inadequate shelter for victims of domestic violence was the subject of many submissions to the Committee. Accommodation problems faced by victims of domestic violence include a dearth of acute crisis accommodation, insufficient "bridging" shelter, pending the location of permanent residence, and lack of access to long-term housing, whether publicly provided or purchasable on the private housing market.

Victims of violence at the hands of their spouses may be forced to flee the family home for their safety. Only the most fortunate are able to afford alternative accommodation; not all of the remainder are able to impose on family or friends. Thousands seek emergency shelter accommodation each year. Many must be turned away for want of space. The New South Wales Domestic Violence Committee advised us that in 1988, 23,000 women and children were denied accommodation in the State's refuges. Problems faced by women in remote country areas are also acute, given their distance from shelter facilities. For example, Ms Elida Radig from the Peninsula Women's Information Service, told the Committee's Melbourne forum of the difficulties faced by women living outside large towns in finding emergency accommodation. Women from some of the more remote Aboriginal communities also told the Alice Springs community forum of the difficulties of obtaining shelter.

Facilities which provide crisis refuge for women in flight tend to be faced with continued demand for accommodation. They are often unable to

provide lodging for more than a few days at a time. Locating a new home can be difficult at the best of times, and the stress experienced by recent victims of domestic violence can be difficult to bear.

Another difficulty facing refuges is the demand for places by women with special needs. The Domestic Violence Advocacy Service of New South Wales drew attention to the difficulties faced by women from non-English-speaking backgrounds, Aboriginal women and rural women. The Women's Refuge Referral Service of Victoria also spoke of this problem. They informed the Melbourne community forum that 26 per cent of the women whom they were unable to place in accommodation had some form of special need, for example a psychiatric disability. Dr Judyth Watson, MLA, Chair of the West Australian Domestic Violence Co-ordinating Committee, commented at the Perth forum that victims of domestic violence are not an homogeneous group, and also noted that for many middle-class women going to a refuge is not seen as a viable option.

Public housing is not always available. According to the Human Rights Commission (1989, p. 197), there is a waiting list of 60,000 for public housing in New South Wales alone. The Committee was advised by Dawn House Women's refuge, Darwin, that it can take their residents up to five months to obtain permanent accommodation, and the Victorian Federation of Community Legal Centres Domestic Violence Working Group stated that even with priority the wait for public housing is up to three months.

The economics of housing in Australia bodes ill for low income people. The escalation of real estate prices over the past decade has made the prospects of home ownership remote. The private rental market lies beyond the resources of most welfare recipients, and would exhaust the means of some. The stock of boarding house accommodation has shrunk in many cities, to be replaced by townhouses, units, and other reflections of gentrification. The problem is particularly acute for single parents, who seek a wholesome residential setting in which to raise their children.

Recommendation 45. **Governments should take steps to ensure that no victim of criminal assault in the home is denied alternative shelter.**

Recommendation 46. **Victims of domestic violence should be given priority in the allocation of emergency and low-cost accommodation.**

Homeless youth

The vulnerability of young homeless people to violence was discussed in Part One of this Report, and was graphically depicted in David Goldie's documentary film, "Nobody's Children", screened on ABC Television in 1989.

The Human Rights and Equal Opportunity Commission (1989, p. 69) has estimated that there are between 20,000 and 25,000 homeless youth in Australia. The Commission acknowledges less conservative estimates that the total could be up to 70,000. The seriousness of the problem warrants

urgent attention and the Committee does not purport to improve upon the measures contained in the Burdekin Report.

The National Committee on Violence commends the Human Rights and Equal Opportunity Commission report entitled "Our Homeless Children". The Committee's views are broadly consistent with the recommendations of this report.

Housing for Aboriginal people

As documented in Part One of this Report, the conditions under which many Aboriginal people live can contribute to violence within their communities.

The question of housing for Aboriginal people has been a vexed one for many years, both for policy makers and for Aborigines. Dr H. C. Coombs has observed (Ross 1987, p. xiii) that for the past twenty years Australian Governments have seen housing as central to their policies for Aborigines and have had extravagant expectations of its social benefits.

However, there has been insufficient awareness of the complexities of designing and administering policies to meet the needs of diverse and often isolated groups. The magnitude of the problem has led to mistakes in decisions about what kind of housing is appropriate in different circumstances. Little systematic research designed to test Aboriginal response to programs, or their social impact has been conducted. When housing does not suit needs it may be rejected or damaged.

In addition, Aboriginal people may experience difficulty in being accepted for public or private rental housing, and suffer the stress of behavioural expectations placed on them by non-Aborigines if they do obtain a conventional house. For example, Aboriginals are frequently obliged to provide shelter and hospitality on an indefinite basis for their extended families, an aspect of their culture not always appreciated by their white neighbours (Ross 1987).

The importance of consultation and a degree of control by Aboriginals in housing policy making, as with every other policy initiative , has been recognised for many years now as an essential ingredient for success. However this is frequently more difficult to implement than it may at first appear. For example, in remote areas the house occupied by the white teacher or policeman may be the model that the local community aspires to, but this style frequently performs poorly even for occupants trained in the use and minor daily maintenance of such houses (Nganampa Health Council Inc et al. 1987, p. 52).

An example of an innovative approach to the subject is a report for the Nganampa Health Council Inc et al. (1987). This study, although relating specifically to housing in central Australia, is a particularly useful document in that it concentrates on what is essentially required — minimum

maintenance, simple technology, safety, efficient washing facilities and waste management, dust and temperature control — and recognises that frequently houses service a far greater number of people than equivalent-sized premises in non-Aboriginal society. The Committee believes that the imaginative and enormously practical approach used in this report is a model of its kind, and that the information it contains may well prove extremely valuable for other agencies tackling this difficult subject.

Recommendation 47. **The Committee commends the progress which has been made in the provision of housing for Aboriginal people, but recommends that to control violence and to restore pride, management and maintenance of housing should be made the responsibility of Aboriginal people. Adequate funding and resources should be provided.**

Housing design

The design and management of public housing can contribute significantly to the prevention of violence (Perlgut 1981; 1982; Geason & Wilson 1989). Anonymity and social isolation, two of the correlates of vulnerability to victimisation and of public insecurity generally, can be minimised by designs which create opportunities for contact between neighbours. Housing estates can be subdivided into small enclaves to contribute to a feeling of community. Common areas of estates can be laid out so that they are publicly visible at all times.

Lobbies and foyers in public housing projects can be designed to enhance the security of residents (Sarkissian 1984). Hidden areas and blind corners can be avoided altogether, or can be compensated for by lighting and mirrors. Lobby areas can be configured in such a manner as to invite their use for socialising by residents. Controlled access, the use of entry phones, and in extreme circumstances, closed circuit television, can discourage intruders.

These and other design considerations, if implemented by public housing authorities, can significantly reduce the risk of residents becoming the victims of violence.

Recommendation 48. **Public housing authorities should include considerations relating to the reduction and prevention of violence in the design of public housing.**

20 PUBLIC SECTOR AGENCIES: PUBLIC TRANSPORT

As Part One of this Report indicated, the incidence of reported violence on and around public transportation facilities in Australia is relatively low. In 1987–88 in New South Wales, only one per cent of all assaults coming to police attention in that year were reported as having been committed on trains, and a further three per cent at or near railway stations. Nevertheless, a significant degree of public concern voiced during the life of the Committee related to security on public transport. Concerns appear to be greatest in New South Wales and Victoria, those States with the largest cities and metropolitan transportation systems. There is a risk that if such fear persists, it will produce a decline in the use of public transport facilities.

A number of steps have been taken recently to enhance security on public transport. In New South Wales, these have included reduction in services after midnight and the replacement of trains by buses on some late night routes, improved communications from vehicles to headquarters and to police, and improved carriage design and lighting in the vicinity of stations to enhance visibility. Passengers are encouraged to sit in designated compartments which are staffed by transport personnel. Teams of undercover police officers have also patrolled high risk areas on the transport system. In both New South Wales and Victoria, control over transport police has been shifted to police authorities.

Whether high profile policing is more effective than covert operations is an important question. Both are labour intensive; their relative efficiency and effectiveness is presumably a question which has been addressed by management, as is the question of whether either contributes to subjective feelings of passenger security.

The further augmentation of police personnel to prevent violence on public transport would be an expensive undertaking. We estimate that to increase police presence by one officer on a round-the-clock basis would cost no less than $125,000 per year. To install closed circuit television in one railway carriage would cost $14,000. The reduction in crime which would be produced by either of these investments, and whether proportionate increases would yield commensurate benefits, is by no means certain. The Committee, however, has been informed of the successful piloting in Adelaide of a program in which youth workers jointly with State Transport Authority police travel late night trains to mediate conflict situations.

Among the more unconventional approaches to enhancing the security of passengers on public transport are the mobilisation of citizens' groups. Perhaps most prominent among these are the so-called "Guardian Angels", who began patrolling the subways of New York City in 1979.

The idea of organised citizen patrols on the Guardian Angels model has met with a mixed reception in Australia. Questions have been raised about the ultimate accountability of such organisations, and about their potential to provoke (as well as deter) violence. In addition, it has been suggested that since public insecurity is a very subjective phenomenon, not always warranted in light of objective risk, organised groups might contribute to public perceptions of a society "out of control". Systematic evaluations of Guardian Angel activities in eight United States cities suggest that they are less effective in low-density suburban environments, but that in high density settings, they make some contribution to feelings of security among passengers, with no evidence of abuse or excessive vigilantism (Pennell, Curtis & Henderson 1986). Nevertheless, they do not appear applicable to Australia.

More promising indications have been reported in the Netherlands. There, 1200 unemployed young people were recruited and actually paid to patrol on the public transport systems of Rotterdam, The Hague, and Amsterdam. The scheme was subject to evaluation by the Netherlands Ministry of Justice, which reported significant decreases in the incidence of fare evasion and in reports of attacks on passengers. The evaluation reported that one-third of program costs were recovered through reduction in fare evasions (van Andel 1988).

It has become increasingly recognised that the design of transport facilities can encourage or inhibit anti-social behaviour. Clean, uncluttered and well-lit facilities can contribute to feelings of security. Poorly designed, run-down stations and vandalised rollingstock can invite predators. The Committee was advised that the rail system serving Washington, D.C. is exemplary in this regard. Stations are clean, and well illuminated. Any graffiti is removed immediately.

Impressionistic observations suggest that in New South Wales, the introduction of new carriages, which are better lit, more open, with vandal-proof seats and without hidden corners, has been accompanied by improvements in passenger behaviour. By contrast, older double-decked carriages are regularly vandalised. The new carriages also permit communication between passengers and train drivers, and indicate the location on the train at which a security officer is posted.

Transport authorities would be well advised to engage in careful cost-benefit assessment of the measures which they introduce to prevent violence and to enhance passenger security. Investment of limited resources must be justified by likely results. It is necessary, for instance, to identify high risk times and places and devote additional resources to them.

One potentially useful alternative to the midnight to dawn closure of public transport facilities would be the designation of certain stations in a

metropolitan transportation network as safety stations. These would be major stations, situated adjacent to bus and taxi interchanges, to be well maintained and lit and staffed on a 24-hour basis.

Recommendation 49. **Transport authorities should exercise care in the design and maintenance of their facilities, with a view toward crime prevention. They should also include and publicise a clearly stated violence prevention strategy in their State and Territory transport plans.**

21 PUBLIC SECTOR AGENCIES: SPORT AND RECREATION

The association of sport with violence is of considerable antiquity, and just as old is the connection between violence and sport as a public spectacle. The Romans had their gladiatorial contests, and jousting was popular in mediaeval times. Less than a century ago, bare-knuckle boxing was the rule.

The idea of there being a "permissible" level of violence in sport, has come under challenge recently, as evidence accumulates about the risk of brain damage in boxing, and as the advent of video recording technology has permitted the detection of intentional violence in professional sport.

Dr Wray Vamplew, one of Australia's foremost authorities on the sociology of sport, advised the Committee that contemporary Australian sport is no more violent than in years past, and may even be less so. He suggests that society has become less tolerant of that sporting violence which does occur. However, in the Committee publication *Violence in Sport* (Wenn 1989, **Violence Today** No. 4) the author notes that while precise statistics on violence in sport are hard to obtain, there have been a number of incidents, particularly since 1985 which are a cause for concern. The Committee has thus chosen to devote some attention to this issue.

Prominent sportsmen and women are role models for the youth of Australia. By their conduct on and off the field, they set an example for those who admire them. Sporting authorities are in a strategic position to promote good sporting conduct and fair play, and to condemn violence. Violence in sport must not be condoned, either by sporting administrators or by law enforcement agencies.

The Committee commends the efforts of the Australian Sport and Recreation Ministers' Council to establish a national community education program.

The Committee also congratulates the Australian Sports Commission for developing and promoting codes of behaviour in association with the Aussie Sports Program. Separate codes have been prepared for administrators, officials, spectators, parents, teachers, coaches, players, and the media.

Criminal assault on the playing field

During the life of its inquiry, the Committee noted at least one criminal prosecution arising from an assault on the playing field. It regards this as an appropriate response. The rule of law is not suspended when one walks on the playing field. A player does not consent to assault by taking part in a sporting match. The risk of injury from hard play should not be confused with the risk of injury from criminal assault.

Recommendation 50. **Sporting authorities should refer cases of criminal assault on the playing field to law enforcement agencies for prosecution.**

(For recommendations relating to spectator violence, see Chapter 31.)

Boxing

The sport of boxing is perhaps unique amongst Australian sports as one in which a central object is the infliction of physical damage on an opponent. In the opinion of some, it has a brutalising effect on both participants and spectators. The more immediate danger of boxing is less debatable. That boxers face a considerable risk of suffering brain damage is no longer disputed.

There is ample medical evidence, both in Australia and abroad, attesting to the danger of boxing (Lishman 1988; Lundberg 1986). The issue has been raised a number of times in the *Journal of the American Medical Association.* It has twice been the topic of editorials under the heading "Boxing should be banned in civilised countries" (Lundberg 1983; 1984), and a third time under the heading "Why physicians should oppose boxing: an interdisciplinary historical perspective" (Sammons 1989). In 1983, the World Medical Association recommended that boxing be banned (World Medical Association 1984). This agreement within the medical profession has since been reaffirmed: "A broad international medical consensus supports the view that boxing is medically and morally wrong and should be banned in civilised countries" (Lundberg 1985).

Finally, the issues have been addressed within the Australian medical profession as well (Millar 1984).

Over the past century, the sport has changed somewhat in response to community concern about health risks. Boxers now wear gloves, and fight shorter bouts within specified weight divisions. Protective headgear is required for organised non-professional competition. However, in spite of these modifications, and the fact that boxing has provided an avenue of upward mobility for many Australians from disadvantaged backgrounds, most Committee members feel that because of the fundamental character of the sport, whose aim is to inflict harm on one's opponent, it cannot be condoned. As a result, several Committee members strongly favour a complete ban on boxing. However, after lengthy discussion of this issue the majority of the Committee felt that it would not be appropriate to recommend an outright ban on boxing.

(A minority statement on boxing appears at the end of this Report.)

22 PUBLIC SECTOR AGENCIES: ABORIGINAL AFFAIRS

In the area of Aboriginal affairs generalisations are a treacherous business, for there is as much diversity in Aboriginal society as there is in non-Aboriginal society in Australia. Nonetheless, it is possible to state with conviction that the level of violence existing in some Aboriginal communities is of a scale that dwarfs that in any sector of white Australia.

Violence of this dimension does not occur in all communities, nor to the same extent throughout those which do experience violence. Indeed, which communities suffer most and to what extent is impossible to say with accuracy, for in many cases violent incidents do not reach the attention of white authorities. Even the incidence of homicide may be underreported. Fragmentary evidence available to the Committee suggests that overall, Aboriginal Australians are at least ten times more likely to be the victims of homicide than non-Aboriginals, and that overwhelmingly the perpetrators of this violence are Aboriginals as well.

Factors contributing to violence in Aboriginal communities are numerous and complex. Given the Committee's limited resources, we shall defer in great part to the ongoing Royal Commission into Aboriginal Deaths in Custody, which is investigating the social and cultural context which relates to the overwhelming overrepresentation of Aboriginal Australians in the custody of the state. Nevertheless, because problems of violence in Aboriginal communities are so closely linked to the demoralised state of the people living in them, the Committee is bound to comment on these fundamental structural problems which give rise to the extremes of violence and terror which sometimes exist.

It is generally accepted that this level of violence amongst Aboriginals is a manifestation of a more complex malaise relating to loss of traditional culture and authority structures, boredom, overcrowding, unemployment and despair. Wilson (1982) has written graphically of the consequences of cultural disintegration and has demonstrated that the greater the disintegration, the greater the rate of violence. He observes that displacement from traditional homelands and the lack of community cohesion deriving from mobility and the mixing together of people from different groups all contribute to escalating rates of crime and violence.

The Committee is aware that the Federal Government and many State and Territory bodies are facing up to the responsibilities consequent upon years of apathy and neglect, as well as downright genocidal government policies. The scale of the suffering of Aborigines at the hands of European settlers over the past 200 years has been extensively documented (Hughes 1987). Throughout the 19th century and into the 20th century massacres of Aborigines were commonplace, as was displacement from traditional land by

pastoralist and mining interests, with at least the tacit support of Governments, and in some cases their active assistance. At the beginning of European settlement the Aboriginal population was an estimated 325,000, while by the early 1930s there were only 70,000 (Department of Aboriginal Affairs 1984, p. 2). In the Northern Territory Aborigines were the subject of punitive hunting expeditions as late as the 1920s (Cribbin 1984). Little value was placed on Aboriginal culture and it was generally held that the extinction of the race would be no loss.

Although this disgraceful history has never been a secret, least of all to the victims of genocide and exploitation, it is only in fairly recent times that there has been general acknowledgement of the extent of deliberate maltreatment and exploitation of Aborigines by white Australians, and the necessary political will to begin the process of redressing the wrongs done on such a massive scale.

The Committee recognises that there are no simple solutions to this complex situation. At the same time it believes that an essential part of the process must be for individuals within Aboriginal communities to learn again, if they have forgotten, to have pride in their heritage. Much time and money has been invested in attempts to improve the physical health of Australian Aboriginals, but equally important is psychological health so that they feel themselves capable of and responsible for changing their circumstances.

In communities where there is still a concept of traditional ownership, land rights and the outstation movement may contribute substantially to this process. The importance of sacred sites in many communities must also be recognised. The fact that many white Australians are either unwilling or unable to appreciate Aboriginal culture, combined with the economic imperatives of mining exploration, have rendered places of traditional significance particularly vulnerable to desecration, whether through indifference or intent. Whilst undertaking community consultation in the Northern Territory the Committee was made very aware of the strength of feeling engendered, rightly or wrongly, by proposed changes to legislation relating to the Sacred Sites Authority. The Committee believes that such expressions of faith in traditional culture are a positive signal. The richness of the Aboriginal heritage is now beginning to be appreciated throughout the world, both because of the beauty of its artefacts and because of a growing appreciation of the achievement of survival and prosperity over 40,000 years. The Committee believes that Australians of all racial backgrounds must learn to appreciate the value of these cultural traditions, as part of the process of Aboriginals gaining eventual self-determination.

Recommendation 51. **As violence in Aboriginal communities is closely linked to their demoralised state, loss of culture and other related problems, steps should be taken to restore the pride of all Australians in the extraordinary richness of Aboriginal social and cultural traditions.**

Specifically, educational authorities should include the study of Aboriginal history and culture in school curricula, to promote a greater appreciation and understanding of these traditions.

At the same time, the Committee believes that practical measures should continue to be taken by government agencies, in close consultation with the people whose lives will be affected by their policies, to alleviate the very poor conditions existing in many Aboriginal communities throughout Australia. Amongst these are the health and housing measures which have already been discussed in Chapters 16 and 19 above.

Alcohol and substance abuse

No discussion of violence in Aboriginal communities can exclude reference to the devastating consequences of heavy drinking. Aboriginals themselves are, of course, well aware of these tragic results, and the Committee heard from many who had suffered because of drinking behaviour in their communities. Sadly, the behaviour of adults in some communities, in both urban and remote areas, is emulated by the children who become intoxicated with petrol and glue sniffing.

Explanations for this apparent self-destructiveness are not difficult to grasp. It is clearly related to the position of relative disadvantage experienced by almost all Aboriginals in Australia, and has often been seen as the mechanism through which the disinherited seek to numb themselves to social decay and other unpleasant realities. Perhaps the explanation of the Tangentyere Council is one that we can understand: "All these factors [viz. breakdown of traditional authority structure, unemployment, overcrowding] combine to form a vicious circle which is extremely difficult for individuals to escape from. Self-respect and self-reliance disappear. It is much easier to join the drinkers than to fight them" (Hill 1989).

Because there was no alcohol use in Aboriginal societies before contact with Europeans, there is no customary law to say how alcohol should be handled. Management of the consequences of drinking is often, therefore, not subject to community sanction. This attitude may be slowly changing — the Committee was told of moves being made by women in some communities to speak out at last about the violence they routinely experience, but such public expression of concern and the seeking of help from outside their community in fact runs counter to traditional reaction to the problem.

It should, however, be remembered that a lower proportion of Aborigines than white Australians drink alcohol at all, although for those who do, by any objective standard their behaviour constitutes a huge social problem. For this reason, Aboriginals have themselves been involved in a number of initiatives to deal with the problem of alcohol abuse. In Alice Springs, for instance, the Committee heard of a very successful "Beat the Grog" campaign held last year, "Rock Without Grog" concerts, moves to build an

Aboriginal social club with attendant services to help drinkers, and initiatives to get more Aboriginal people into Alcoholics Anonymous programs, as well as a number of counselling services for people with alcohol problems. Plans are also being made for mobile bush camps to provide rehabilitation services for people in outlying areas.

In spite of, or perhaps because of, the proliferation of such programs, however, it appears that there is a lack of support and coordination, which may lead to a waste of resources and effort. The Committee would strongly urge that close attention be paid to this problem, and that all programs be subject to evaluation so that those found to be successful can be implemented elsewhere.

It appears that more could be done in the area of education about alcohol, aimed at both adults and children and both Aboriginals and non-Aboriginals, for there is still a great deal of ignorance and denial of the potentially disastrous effects of alcohol abuse. More educational material in Aboriginal languages could also be developed to inform people about the laws associated with the sale and abuse of alcohol, and the consequences of breaking the law. Likewise, more education about petrol and glue sniffing must be directed at children.

As we have already mentioned, idleness is one of the contributing factors in alcohol and substance abuse in Aboriginal communities. This is due both to the levels of unemployment and the lack of recreational opportunities. Unemployment in some areas may reach 80 per cent of the possible labour force, while in areas remote from established labour markets, where residents lack conventional education and vocational skills, the idea of having a job ceases to have any real meaning.

Clearly, imaginative strategies are needed to come to terms with this situation. A balance is struck so that there must be provision for advancement and training for those who want them, while at the same time retaining enough flexibility so that people can fulfil their family and, where appropriate, ceremonial obligations. Such a scheme is the Community Development Employment Program (CDEP), which is run by the Department of Aboriginal Affairs, whereby remote communities may choose to forego individual unemployment benefits in order to receive funds equivalent to the community's combined entitlement, plus an additional grant of up to 20 per cent of this amount for costs such as worker's compensation, materials etc. This fund supplies wages to provide ongoing part-time employment on community development projects for members of the community who would otherwise be unemployed. The program is presently operating in 130 communities and benefiting over 15,000 people. The full-year cost in 1986–87 was $50 million, about $40 million of which was offset by savings in unemployment benefits.

The Committee recognises that CDEP should not be seen as a permanent solution to unemployment, but rather as an interim measure while other initiatives are worked out with the eventual aim of bringing about a degree of economic independence in individual communities. Nevertheless, the Committee supports the program as an imaginative response to Aboriginal employment problems and endorses its expansion to other communities as appropriate.

On the subject of recreational opportunities, Aboriginal young people suffer from the same problems as disadvantaged white youth in this country, but on a greater scale. Few sporting, social or cultural activities are generally accessible or welcoming to Aboriginal youth in urban centres, and frequently young drinkers say that they drink because there is nothing else to do. While employment and training programs may help to reduce teenage drinking, clearly more recreational facilities would be desirable and beneficial (for further discussion of this subject see Chapter 29 in the context of local government activities).

In the meantime, one of the many unhappy consequences of drunkenness is confrontation with the criminal justice system. The gross over-representation of Aboriginals in prison has been systematically documented — the rate is between 10 and 23 times that of non-Aboriginal Australians. Greater use of alternatives to imprisonment could serve to reduce this high rate and these have been discussed elsewhere (Hazlehurst 1987). The Committee endorses these innovative approaches, and also endorses moves to deal with public drunkenness through other than criminal justice sanctions. For example, the Sobering-up Shelter in Alice Springs is cited in the Interim Report of the Royal Commission into Aboriginal Deaths in Custody (1988) as a model which could be used in other communities facing similar problems with public drunkenness. It has become clear from the findings of the Royal Commission that death at the hands of the state has in the past been a serious risk for those whose principal offence has been unseemly public comportment, and the Committee commends moves which will reduce the likelihood of fatal consequences of such behaviour.

Alcohol remains a source of violence and misery in many Aboriginal communities because of its appeal to those whose relative powerlessness is manifest. It follows, therefore, that the only long-term solution to the problems associated with alcohol in Aboriginal communities is the regaining of real economic and social independence from white Australia. Many Aborigines presently lack viable alternatives to the services upon which they have been encouraged to depend. The structural problems of breakdown in traditional authority, unemployment, poor health and consequent feelings of hopelessness and despair lie at the heart of the problems of alcohol and

associated violence in Aboriginal communities, which will not be solved until the larger issues are resolved.

Recommendation 52. **To help alleviate violence in Aboriginal communities, alcohol and substance abuse education and rehabilitation programs currently being undertaken should be evaluated and, where appropriate, be introduced in those additional communities requiring them. Such programs should be coordinated more effectively and given appropriate government support. More emphasis needs to be given to such programs in urban areas and should include provision of better recreational facilities.**

Recommendation 53. **Imaginative programs such as the Community Development Employment Program should be expanded to other communities as appropriate.**

(Recommendations relating to licensing authorities and their relationship to Aboriginal communities appear below in Chapter 27.)

Aboriginal health

As noted above, the causes of violence in Aboriginal communities is a complex matter. There can be little doubt, however, that the notoriously poor physical health of Aboriginal people contributes to the vicious circle described above by the Tangentyere Council.

Mortality rates for Aboriginal children, although much reduced in the last 20 years, are still almost three times the rate for non-Aboriginal children. Adults have a high incidence of diseases commonly associated with poor unhealthy lifestyle — obesity, diabetes and vascular disease. Aborigines also continue to suffer high rates of diseases such as tuberculosis, hepatitis B, parasitic infections and trachoma. The life expectancy of Aboriginals is approximately twenty years less than that of non-Aboriginal Australians (Department of Aboriginal Affairs 1987).

The Committee is aware that the Federal Government is committed to raising Aboriginal health standards to the level enjoyed by other Australians, and an enormous amount of funding has been devoted to Aboriginal health in recent years. There is recognition that stop-gap approaches to Aboriginal affairs tend to perpetuate disadvantage unless accompanied by measures which are designed to develop self-reliance and economic independence, and that advancement is only possible if health and living conditions are improved. The Committee endorses this approach, and the promotion of Aboriginal participation and decision making in health care programs.

Ms Pat Turner, a Deputy Secretary with the Department of Aboriginal Affairs, informed the Committee that a serious difficulty is the lack of data in the area of violence and Aboriginal health, particularly in relation to violence against Aboriginal women. Without data it is very difficult to assess the true extent of the problem and to begin to put solutions in place.

The Committee commends the Federal Government's National Health Strategy for Aboriginals, particularly its violence prevention aspects, and supports its commitment to the collection of national uniform health statistics.
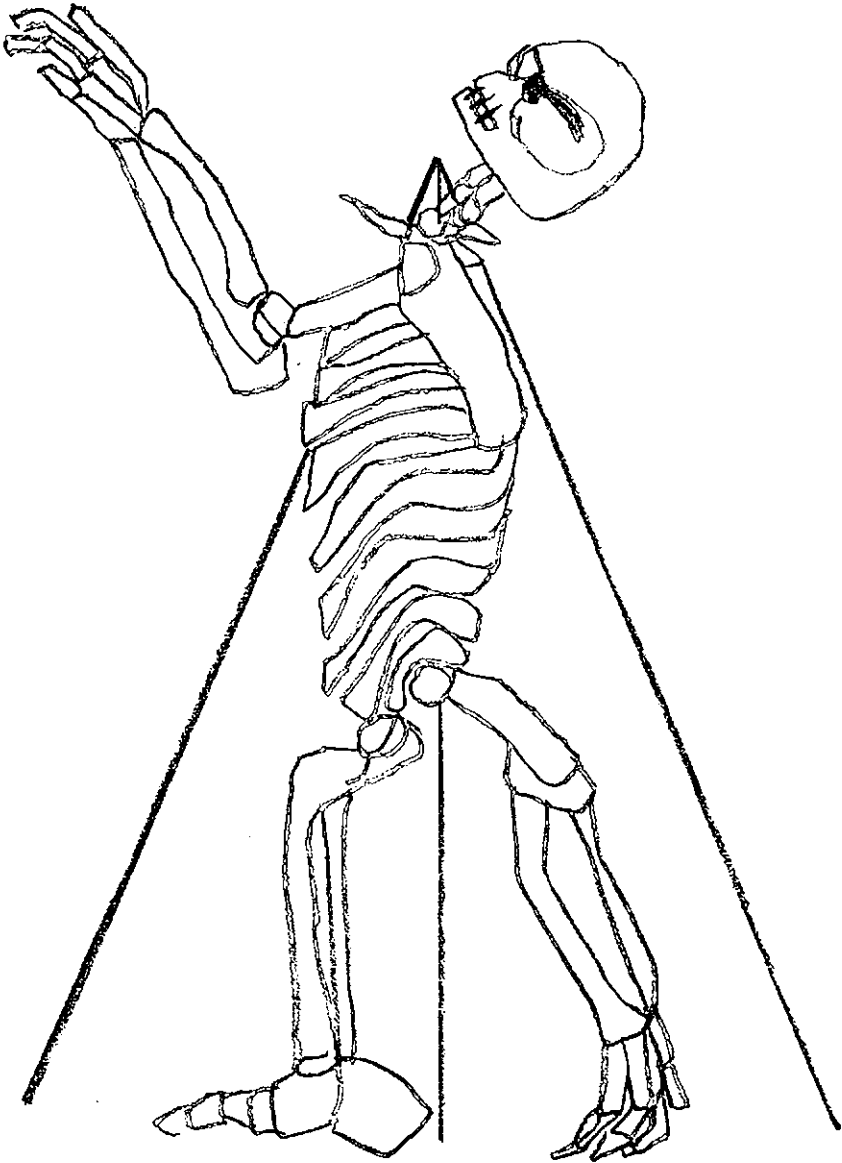
Sidney Nolan **The Flogging Triangle** 26 August 1978
  pastel on paper
    from the series *For The Term Of His Natural Life* based on Marcus Clarke's novel.

23 PUBLIC SECTOR AGENCIES: CRIMINAL LAW, EVIDENCE AND PROCEDURE

Firearms control

It was the two mass shootings in Melbourne in 1987 which shocked Victoria, indeed, all of Australia, and brought about the creation of the National Committee on Violence. Few, if any, issues in Australian State politics produce such a degree of controversy as firearms control. Because of the circumstances surrounding the Committee's origin, and because of the intensity of community interest in firearms policy, the Committee has chosen to accord a considerable degree of detail to its recommendations in this area. In addition to the numerous individuals and interest groups who put their views to the Committee, the Committee considered the arguments of scholars both in Australia and abroad, who support greater and lesser restrictions on the availability and use of firearms. Among the leading authorities in this area are Fine (1988), Wright (1988), Zimring and Hawkins (1987) and Harding (1981).

No other subject which the Committee has considered over the course of its inquiry has elicited such a degree of intense comment as has the proposal to restrict access to firearms. The subject of firearms control is indeed an emotive issue, and emotion has served to obscure the reality of firearms as a cause of death in Australia. Firearms are lethal weapons. As noted above, nearly 700 Australians die each year from gunshot wounds, the vast majority of them intentionally self-inflicted. This compares, for example, with 249 opiate-related deaths in 1986 (Department of Community Services and Health 1988).

It has been estimated that there are 3.5 million firearms in Australia — one for every four Australians. That a majority of Australian shooters are responsible persons is beyond dispute. But any city-dweller who ventures beyond outer suburbia cannot help but be struck by the ubiquity of bullet-ridden road signs; and 100 firearm homicides per year, a substantial proportion of them occurring in the family home, is too many. There is no doubt that significant disarmament of the Australian public would save lives and prevent injury.

It has been argued that, to the contrary, there are countries with high rates of gun ownership and low rates of homicide, such as Switzerland. However, it is important to realise that the Swiss are armed in the cause of civil defence, with all the training and retraining thus entailed, that safe storage is emphasised, and that draconian penalties are imposed for misuse. Furthermore, in spite of these measures, in 1986 Switzerland was second only to the United States in the rate of suicide by firearms (Magnuson 1989).

The Committee is aware that the segment of the Australian community which poses an obvious danger in terms of criminal violence, the subculture of professional criminals, will be minimally affected by any regime of firearms licensing and registration. They will often be able to obtain guns for criminal purposes. The Committee concedes this, but wishes to emphasise that firearm use by so-called "professional" criminals is only a small part of the problem of criminal violence in Australia. The vast majority of firearm homicides are unplanned and impulsive, and in all likelihood would not occur if such a lethal weapon were not to hand. The availability of a firearm in these circumstances makes death a far greater likelihood, for research has demonstrated that the death rate for victims assaulted by guns is several times that of those assaulted with lethal intent by knives or other weapons (NSW Bureau of Crime Statistics and Research 1973; Zimring & Newton 1969). The proportion of Canadian homicides committed with firearms decreased significantly following the introduction of restrictive licensing and registration measures (Canada 1983; Sproule & Kennett 1989).

The Committee is convinced that the availability of firearms increases the risk of violent death, both accidental and deliberate. This is demonstrated by statistics relating to gun deaths in urban and rural areas. In New South Wales, for instance, significantly higher gun availability in rural areas is accompanied by significantly higher rates of gun deaths (Wallace 1986; see also Zimring & Hawkins 1987 and Harding 1981 for a comprehensive review of research on this subject).

The Committee's aim therefore is to recommend measures which will militate against any further increase in the proportion of Australians owning guns, and to ensure as far as possible that firearms are used only by responsible, skilled shooters. The Committee acknowledges that there is no unanimous community view on ways of approaching firearms regulation. For instance, the Shooting Sports Council of Victoria opposed more stringent gun laws on the basis that while it supported a system of individual licensing and moves to improve safety and training, gun registration was a waste of community resources.

It is fair to say, however, that most submissions which the Committee received which referred to the issue of gun control favoured more stringent regulation. For instance, the Uniting Church in Australia (Synod of Victoria) stated in its submission to the Committee that guns formed part of a "culture of violence" and that "any idea that firearms should be part of the accoutrements of a normal household should be subjected to serious questioning". A number of submissions drew attention to the gender dimension to firearm ownership and use. Ms Carolyn Worth from Gun Control Australia told the Committee that guns tend to be used as a control mechanism in domestic violence situations. The Domestic Violence Advocacy service of New South Wales noted in its submission that a 1987 study

showed that 6.4 per cent of clients had been threatened with a weapon. Mr Roland Browne from the Tasmanian Coalition for Gun Control put forward the view that there is a link between gun ownership and perceptions of masculinity.

The following statement by the Anglican Archdiocese of Melbourne represents a common view expressed in submissions:

> . . . the death of innocent people in Hoddle and Queen Streets and the trauma resulting from that demands in our view responsible action from Members of Parliament. The freedom of some people may need to be restricted in order to protect the community from these disasters with guns ever occurring again.

The two Commissioners of Police who are members of the Committee maintain that a national system of firearms licensing and registration will assist the police in the prevention and control of firearm violence, and will enhance the safety of both the general public and Australian police men and women. On this the entire Committee is in wholehearted agreement, as they are with regard to all of the following recommendations relating to firearms.

The Committee believes that firearm ownership is a privilege, not a right, and that strict controls will impress it upon the public that firearms are inherently dangerous. The Committee urges all Australians to accept that strong measures are needed to deal with the present incidence of gun fatalities and injuries in this country. With this in mind, the following recommendations are made:

Recommendation 54. **All Governments should take appropriate action to minimise death and injury arising from the accidental or intentional use of firearms by:**

Recommendation 54.1. **The enactment of uniform legislation throughout Australia to regulate the acquisition and possession of firearms.**

Recommendation 54.2. **The introduction, through the Australian Police Ministers Council, of uniform guidelines for all Australian police forces in the enforcement of firearms legislation.**

Recommendation 54.3. **The development of a national gun control strategy aimed at**

● **reducing the number of firearms in Australian society**

● **preventing access to those weapons by individuals who are not fit and proper persons, such as those who have been convicted of violent crime or who have demonstrated a propensity for violence.**

The Committee recommends the following specific strategies:

Recommendation 55. **The Federal Government should undertake the following action:**

Recommendation 55.1. **Military weapons: sales of surplus military weapons should be prohibited to prevent their use in Australia. The importation of military-style weapons for use other than by law enforcement officers or defence force personnel should be prohibited. The Federal Government should provide a generic statement to specify what firearms are importable.**

Recommendation 55.2. **Mail order firearms: if the Federal Government has the constitutional power, the sale of mail order firearms should be prohibited. If it does not have such powers, and in the absence of uniform State and Territory licensing laws, the mail order sales of firearms should be restricted by using, for example, legislation relating to dangerous goods.**

Recommendation 55.3. **Rifle clubs established under the Defence Act should be brought under the ambit of State and Territory licensing and registration requirements.**

Recommendation 56. **The Federal Government should use its corporations power under the Constitution, as well as its powers to regulate trade and commerce, and imports, in furtherance of a national gun control strategy.**

Recommendation 57. **The State and Territory Governments should undertake the following action:**

Recommendation 57.1. **Prohibition of all automatic long arms and certain types of ammunition.**

Recommendation 57.2. **Restriction of semi-automatic long arms to individuals with a specific need.**

Recommendation 57.3. **Restriction of sales of ammunition by licensed gun shops only, to licensed individuals only, for personal use of a specific firearm.**

Recommendation 57.4. **Registration: all firearms should be registered in a computerised national firearms registry.**

Recommendation 57.5. **Licensing: ownership or possession of a firearm to be restricted to those possessing a valid licence. The prerequisites for obtaining a shooter's licence should be those in existing legislation, together with the following:**
- **must be over the age of 18 years**
- **limited to fit and proper persons with good reason**
- **a 28 day cooling-off period between application and grant of the licence, during which time appropriate checks can be made**
- **training, competence and safety consciousness must be demonstrated to the licensing authority**
- **hand gun licences should be restricted to authorised security personnel and members of pistol clubs, with weapons stored on the premises.**

Recommendation 57.6. **Security: mandatory measures to be introduced for the safe-keeping of all weapons in an inoperable condition in secure storage, both by individuals and businesses, with appropriate penalties for non-compliance.**

Recommendation 57.7. **Seizure: in the event of a licensed owner giving reason to believe that he/she is no longer a fit and proper person, for example, by using the weapon in a threatening way, there should be provision for mandatory seizure of all firearms in his/her possession.**

Recommendation 57.8. **Restrictions on private sales: all sales of firearms, including second-hand sales, to be made through licensed gun dealers, and any change of registered owner should be notified through the proposed registration mechanisms referred to in (57.4) above.**

Recommendation 57.9. **Amnesties: a permanent amnesty for the surrender of unauthorised firearms should be implemented, with conditions similar to those provided in the temporary amnesties which have been introduced from time to time in various jurisdictions.**

Mandatory sentencing for offences committed with firearms

The Committee is mindful of the aphorism "firearms don't kill, people do". Whilst the Committee maintains that firearms are inherently dangerous and thus require strict controls, it also feels strongly that those who misuse firearms, with malice or negligence, should especially pay a price.

Among the issues which the Committee considered is the necessity for mandatory minimum sentences for individuals convicted of offences committed with a firearm. Under existing State and Territory laws, crimes of violence committed with firearms already carry severe penalties. In most jurisdictions, the Crown already has the right of appeal against sentences perceived to be unduly lenient. And the Committee can envisage situations where justice might not be served by mandatory sentencing. Consider, for example, a situation wherein a woman, after having suffered years of repeated abuse at the hands of her spouse, finally responds by shooting him to death. Circumstances such as these, assuming they result in conviction, might not warrant the custodial sentence which would be required under mandatory sentencing laws.

The Committee feels that the criminal misuse of firearms requires the firmest and most unambiguous denunciation. At the same time, it is problematic whether mandatory sentences for offences committed with firearms would carry any additional deterrent effect. They could as well induce an armed offender to eliminate witnesses entirely.

Australian evidence on this question is limited. Professor Richard Harding of the University of Western Australia has advised the Committee of his impression that armed robbers might be deterred from using firearms by

such mandatory penalties. Loftin et al. (1989) observed a distinct pattern of reductions in gun homicide in six United States cities following the introduction of mandatory sentencing laws for violent crimes committed with guns. Given the much greater prevalence of firearms and homicides in the United States, however, these findings are not necessarily generalisable to Australia.

The Committee urges sentencing authorities to regard firearm crime as particularly grave.

Recommendation 58. **The use of a firearm in the commission of a crime should be regarded as an aggravating circumstance by sentencing authorities.**

Corporal punishment: spanking

The utility of spanking as a tool of parental discipline is a subject of considerable controversy; whether spanking should be prohibited by law, even more so. One function of the criminal law is to state forcefully that certain forms of behaviour are intolerable. Whether it should be used to lead public opinion or to follow it is a question of more than philosophical interest.

When parents, with the best of intentions, strike their children, they do so to teach a lesson. Unfortunately, they teach unintended lessons as well. As children tend only to be hit by those who love them, they learn at a very early age to associate love with violence. Since spanking is used to demonstrate correct behaviour, children learn that hitting other persons is right. Since the use of physical punishment by parents usually occurs in circumstances of some frustration, the child is implicitly taught that frustration justifies the use of physical force.

Mrs Joan Waters, who is the Director, Anglican Kindergarten Council (Victoria), stated in a submission entitled "Early Influences on Attitudes to Violence":

> When we review the research, beating is the most frequent form of child abuse. Children are beaten with almost anything that comes to hand — sticks, straps, chair legs . . . and of course, hands, fists and feet. These attacks are simply the extension of the ordinary violence that starts as a smack on the hand in many Australian families. While abuse, once it is recognised and labelled, is not approved by the community, the disciplinary style that led up to it often is.

Parents who strike their children are giving those children lessons in the use of violence. Moreover, the distinction between simple discipline and child abuse is often more a matter of degree than a qualitative difference. Australians should repudiate the use of physical force against children, and substitute non-violent means of social control.

The Committee notes that in Sweden, parents are prohibited by law from spanking their children. This does not imply that police officers are stationed

in every home, or that children routinely inform upon their parents. The law is intended not to punish large numbers of parents for trivial offences, but rather to affirm the principle that physical punishment is simply unacceptable. The principles of inviolability of a child and of non-violence are enshrined in Swedish law, the Parenthood Code.

Professor Kim Oates, Professor of Pediatrics at the University of Sydney, advised the Committee:

> My own view is that there would be considerable benefit if Australia introduced this sort of legislation. It should be made clear that the intent of legislation, which made it unlawful for parents to use physical punishment or other humiliating treatment to their children, would not be to punish parents, but to signal very clearly to society that violence is not the way to resolve conflicts. This would include conflicts between parents and children. Although such legislation would be likely to provoke considerable public reaction, I believe we should be looking at legislation which may take a generation to change attitudes. Such legislation should of course be accompanied by imaginative public education as occurred when the Swedish law was introduced in July 1979 (*see also* Newell 1989).

The Committee notes that Sweden is not alone in prohibiting the physical punishment of children. Other Scandinavian countries followed during the 1980s: Finland (1984), Denmark (1986), and Norway (1987). In 1985 a Committee of Ministers of the Council of Europe recommended "Governments of member states should review their legislation on the power to punish children in order to limit or indeed prohibit corporal punishment, even if a violation of such a prohibition does not necessarily entail a criminal penalty (Council of Europe R85/4 1985, *see* EPOCH 1989). The Austrian Parliament voted unanimously in March 1989 to protect its children from all physical punishment.

The Royal Australasian College of Physicians noted in a submission to the Committee that the original intention of this legislation was for a generation of children to grow up knowing that physical punishment of children was unacceptable, the hope being that within a generation there would be some changes in child-rearing attitudes. However, the College stated that since the beginning of the legislation "there has been an early and marked reduction in the incidence of physical abuse. It appears that when guidance is given from the top, societies can be taught that physical violence towards children is unacceptable".

The Committee notes that there has been a dramatic change in Swedish attitudes to hitting children in recent years. Opinion polls showed that the proportion of Swedes believing that "corporal punishment is sometimes necessary" halved from 53 per cent in 1965 to 26 per cent in 1981. And the proportion believing that "parents should manage without physical punishment" doubled from 35 to 71 per cent.

The Committee is aware that educational endeavours are already being made by Australian health and welfare authorities to encourage alternatives to the use of corporal punishment by parents, and the Committee supports these efforts.

Recommendation 59. **The Committee strongly condemns the use of physical violence in disciplining children. The long-term aim should be to abolish such practices. In the interim, this objective is best achieved by education, as already referred to in the context of parent education.**

To assist parents in developing more constructive means of discipline, the Swedish Department of Justice has published a book entitled *Can You Bring Up Children Successfully Without Smacking and Spanking?* The Committee strongly urges Australian education and community welfare authorities to do the same.

Victim impact statements

The Committee's publication *Victims of Violence* (Grabosky 1989) recommended that the agenda for assistance to victims of violence, established by resolution of the United Nations General Assembly, be adopted by all States and Territories of Australia. One provision calls for the views and concerns of the victim to be presented and considered at appropriate stages of subsequent criminal proceedings.

In South Australia, this has been interpreted as providing for a statement disclosing the physical, psychological and financial effects of a crime on the victim, for consideration by the court in formulating an appropriate sentence for the offender.

On 1 January 1989 the *Criminal Law (Sentencing) Act* became law in South Australia. Section 7 of that Act requires the Crown Prosecutor to provide a victim impact statement to the sentencing authority, unless the victim expresses a preference to the contrary.

The Hon. C. J. Sumner, Attorney-General for South Australia, advised the Committee that the new system of victim impact statements is functioning smoothly, and has not been subject to abuse by Crown or defence. Nevertheless, the principle of victim impact statements has not been endorsed by the Victorian Sentencing Committee or by the New South Wales Task Force on Services for Victims of Crime.

Mr Brian Slarke from the Victims of Crime Assistance League, ACT, (VOCAL), told the Canberra community forum that the victim of a crime is injured not only by the criminal but also by the criminal justice system. VOCAL saw victim impact statements as a step towards redressing the imbalance in the criminal justice system. Mr Peter Little, representing the Queensland Victims of Crime Association, made a similar point in relation to the potential for positive change contained in the provisions of the United Nations Charter of Victims Rights.

Whilst the Committee sees considerable merit in the principle of a victim impact statement, it would be loath to recommend transplanting the South Australian model in the absence of a rigorous, objective evaluation of its operation to date. If indeed it is functioning as smoothly as has been suggested, it might still not be amenable to implementation in other Australian jurisdictions, whose legal cultures are arguably more aggressively combative than that of South Australia.

Ideally, there would be safeguards against gratuitous inflation of victim impact statements by the prosecution, and against gratuitous challenge by the defence. If a more severe sentence would in fact rest on the victim's ability to demonstrate the detailed consequences of an assault, the defence might be expected to rebut these assertions. It is essential to guard against artificial amplification of victim impact for purely vindictive purposes. The task of disentangling those elements of victim impact which are attributable to the offender, from those produced or compounded by the lack of adequate therapeutic services, by insensitivities on the part of the victim's family, or by indiscretions on the part of health and/or criminal justice professionals is a most difficult one.

The Committee is concerned about the extent to which the opportunity or invitation to reaffirm the extent of one's suffering may become counter-therapeutic. Beyond this, the extent to which victim impact statements might have the undesirable effect of increasing sentencing disparity remains problematic.

By all means the court should be mindful of the legally relevant effects of an offence. Moreover, offenders themselves should be reminded of the consequences of their actions. Whilst the Committee acknowledges that although not all violent offenders are capable of contrition or empathy, they should at least be confronted with the damage which they have inflicted on other persons.

Experience in the United States and Canada suggests that victim impact statements can be introduced without necessarily jeopardising the rights of the accused or the interests of the victim.

Recommendation 60. **Subject to the inclusion of appropriate safeguards against abuse by either the Crown or the defence, victim impact statements should be introduced in all jurisdictions. They should be closely monitored.**

In its publication *Victims of Violence* (Grabosky 1989, p. 37) the Committee noted the contribution of the United Nations General Assembly in setting standards for assistance to victims of crime. During the life of the Committee, New South Wales has joined South Australia in incorporating the UN standards. The Committee urges other States and Territories to follow suit.

Recommendation 61. **All Governments should formally embrace the principles of justice and fair treatment for victims as set out in the Declaration of the United Nations General Assembly.**

Illicit drugs

As noted in Part Two of this Report, the direct relationship between illicit drugs and violence is less than one might initially suspect. A significant proportion of robbery is committed in order to obtain resources with which to acquire drugs. Beyond this, a considerable proportion of drug-related violence would appear to arise from competition within an illicit market, rather than from the pharmacological properties of the substances themselves. For these reasons, it has been suggested that decriminalisation of substances such as heroin and cannabis might well reduce pressures which contribute to a great deal of robbery and other theft. There are equally strong views to the contrary.

The Committee recognises that policy relating to illicit drugs is an issue of immense complexity and diversity, with implications far beyond the prevention and control of violence. We commend the recent report of the Parliamentary Joint Committee on the National Crime Authority (1989) entitled *Drugs, Crime and Society* and note the continued work of that Committee on the issue of police and organised crime. In the opinion of the National Committee on Violence, priorities for allocating the limited resources available for drug enforcement should emphasise the control of those substances such as amphetamines and PCP whose pharmacological properties significantly enhance the risk of aggressive behaviour on the part of the user.

Criminal assault in the home

The prevalence of domestic violence and its devastating effects are discussed in Parts One and Two of this Report. Health aspects of domestic violence were covered above in Chapter 16 and the police response to domestic violence is discussed below in Chapter 24.

The law relating to domestic violence has been changed within the last seven years in all Australian jurisdictions, which have passed legislation designed to provide a more adequate statutory response to domestic violence. The main features of the legislation are similar in all jurisdictions and is discussed in more detail in the Committee's publication *Domestic Violence* (Mugford 1989, **Violence Today** No. 2).

The Committee is aware that there are differences in the laws in various jurisdictions. The Committee has also been informed that serious difficulties can be caused by the fact that restraint orders do not operate across jurisdictional boundaries. This means that a victim of domestic violence who crosses from one State or Territory to another is unprotected unless she has a restraint order in the second location.

Australian Police Commissioners explicitly called the Committee's attention to the following statement:

> Recognising that domestic violence accounts for the majority of homicides and many serious assaults in this country, the Conference of Commissioners of Police of Australasia and the South West Pacific Region, applauds the legislative initiatives which have been taken in various jurisdictions. However, it is noted that there has been a degree of philosophical divergence in the drafting of legislation. Therefore Commissioners resolved to seek support of the A.P.M.C. in instituting nationally an evaluation of the disparate schemes to achieve the most efficient and effective model possible with a view to adopting a national approach based on proven viability.

The Committee considers that uniform domestic violence legislation is highly desirable. However, the Committee recognises that gaining agreement on the details of such legislation may be time-consuming and considers that a major priority in the interim should be to give restraint orders cross-jurisdictional effect.

Recommendation 62. **The introduction of portability of restraint orders across jurisdictions should be treated as a priority by the Standing Committee of the Attorneys-General.**

Recommendation 63. **Uniform domestic violence legislation should be developed. Such legislation should include the following essential features:**

Recommendation 63.1. **powers for police to enter and remain on premises to deal with domestic violence incidents and breaches of restraint orders, and to arrange assistance for injured parties;**

Recommendation 63.2. **a broadened definition of spouse to include partners from de facto and past relationships as well as traditional Aboriginal relationships;**

Recommendation 63.3. **provision for applications for restraint orders by police officers as well as by the victim;**

Recommendation 63.4. **power for the court to make a restraint order removing or limiting the defendant's access to the family home, whether or not the defendant has a legal or equitable interest in the premises;**

Recommendation 63.5. **parties to the proceedings should be able to apply to the court for a variation or revocation of an order;**

Recommendation 63.6. **the admission of hearsay evidence at the discretion of judicial authority;**

Recommendation 63.7. **the issuing of restraint orders on the balance of probabilities;**

Recommendation 63.8. **breaches of orders to be regulatory offences;**

Recommendation 63.9. **the ability for police to apply for restraint orders over the phone outside normal court hours;**

Recommendation 63.10. the protection of police officers from civil liabilities and costs in normal circumstances; and

Recommendation 63.11. the authority to take offenders into custody where there is a reasonable belief that unless the person is removed, the spouse or a child of the house is in danger of suffering personal injury.

Sidney Nolan **The Triangle** 28 August 1978
*"Three wooden staves, seven feet high, were fastened together in the form of a
triangle. The structure looked not unlike that made by Gypsies to boil their kettles."*
   pastel on paper
      from the series *For The Term Of His Natural Life* based on Marcus Clarke's novel.

24 PUBLIC SECTOR AGENCIES: POLICE

The Committee recognises that the criminal justice system is a very imperfect means of social control, and that the ability of police, courts and correctional agencies to prevent and control violence is limited. These agencies deal largely with the aftermath of violence, and less with its causes. Law enforcement agencies nevertheless have an important role in preventing and suppressing violent crime. Law enforcement agencies are not, however, the panacea for crime prevention and control.

It is important that members of the public should have a realistic appreciation of what police can or cannot achieve . . . so too, it is necessary that police officers' expectations . . . are shaped upon the reality of the present and not upon some imprecise aspiration of perfection based on either past or present phantasies (Newman 1984 cited in Reiner 1986).

Thus, there must be a mutual understanding between the public and the police. Both the public and the police themselves, must be aware of the capabilities and limitations of law enforcement in its ability to combat violent crime.

Crime, including violent crime, is a problem for which the community must accept primary responsibility without delimiting the role of law enforcement agencies. Police recognise that they cannot succeed in achieving their basic goals without both the operational assistance and political support of the community. Conversely, society cannot hope to succeed in constructing decent open and orderly communities without a professional and responsive police force.

Police and criminal assault in the home

Perhaps the greatest contribution which the police are in a position to make is in the area of domestic violence. All jurisdictions in Australia have introduced new legislation in the area of domestic violence. While there are variations between jurisdictions in the legislation, the general effect of the new laws has been, among other things, to give police more powers to deal with domestic violence.

The neglect which previously characterised police response to criminal assault in the home was noted in the Committee's earlier monograph *Victims of Violence* (Grabosky 1989). To be sure, police agencies throughout Australia have made significant progress in the past five years in sensitising their officers to the problem of domestic violence, and in training them in techniques of intervention. But dissatisfaction with police service in this area expressed in a number of submissions received by the Committee during the course of its inquiry suggest that there is more that can be done.

For example, Ms Cathy-Ann Grew from the Domestic Violence Advocacy Service of New South Wales told the Committee that "prompt, efficient

police action is not the norm" and the Domestic Violence Crisis Service (ACT) noted a reluctance on the part of the police to arrest. The Committee's attention was drawn to the plight of women in rural areas, where police may not be adequately trained in dealing with domestic disputes, and indeed may identify closely with unsympathetic attitudes which often prevail in small communities towards women in this situation.

The Victorian Federation of Community Legal Centres expressed the opinion that police still do not regard domestic violence as a crime and are often reluctant to lay criminal charges. According to the Federation, the Police are also reluctant to initiate intervention orders. This point was also raised by Ms Ariel Couchman from the Domestic Violence and Incest Resource Centre (Victoria) who stated that the police had only initiated about 2 per cent of intervention orders since their inception.

However, the Committee is aware that the Victorian legislation only became operational in early 1988 and considers that if one looks at the experience of New South Wales there is room for some optimism in this regard. Ms Jane Mugford notes in the Committee's earlier publication *Domestic Violence* (Mugford 1989, **Violence Today** No. 2) that in New South Wales in 1986 only 5.4 per cent of protection orders were initiated by police compared with 18.9 per cent of a larger number of orders in 1987.

It should also be noted that not all comments were negative. Some police departments were complimented for their efforts in addressing the problem of criminal assault in the home. The New South Wales Domestic Violence Committee commended, for example, the achievements attained thus far by the New South Wales Police.

The Committee recognises that evidentiary problems and the particularly intense emotional nature of criminal assault in the home make this one of the most difficult areas of law enforcement.

The Committee was also impressed by information provided by Ms Marg Orpin from the Family Violence Project Office of the Victoria Police. Ms Orpin told the Committee that to an extent the matter must be seen in an historical perspective, pointing out that until as late as 1986 the normal practice was that the role of police was to "calm people down". Policy instructions now clearly state that members are expected to take action when attending family incidents, although there is still some gap between policy and practice. This is, in Ms Orpin's opinion, due in part to the difficulties of gathering proof and, as noted in her submission, the "apparent reluctance of the courts to treat the issue seriously". Ms Orpin outlined some very encouraging initiatives taken by the Victoria Police in this area, for example, the inclusion of sessions on family violence at all levels of police training and special lectures at district level for operational members, the introduction of Family Incident reports which all members must complete

when they attend incidents involving family members or people living together, and the establishment of a family violence database using the family incident reports.

The Committee notes with concern the findings from a study by the Victoria Law Reform Commission that during the period December 1987–March 1988, no prosecution action was taken in two-thirds of those non-fatal spouse assault cases where a gun was involved. The Committee was advised that each of these cases had become the subject of further analysis and review. The Committee does not have information on this aspect of spouse assault cases in other jurisdictions but considers the information sufficiently worrying to warrant wider investigation, especially in view of the concern expressed in other jurisdictions about firearms use in domestic violence incidents.

Increasingly, Australian police agencies have been called upon to treat criminal assault in the home as they would a criminal assault in a public place. Indeed, many members of the public would favour a policy of mandatory arrest in such cases. There is some evidence that police intervention can reduce repeated incidents of domestic assault. In the United States, the Minneapolis Police Department conducted an experiment which concluded that perpetrators of domestic violence who were arrested were significantly less likely to engage in domestic violence than were those who were simply warned or ordered to leave the premises for eight hours (Sherman & Berk 1984; Sherman & Cohn 1989). The study is currently being replicated in a number of United States cities. Whether the Minneapolis findings will apply elsewhere in the United States, or indeed, in Australia, is an important question.

Rather than blindly embrace such a policy as an act of faith, the Committee would prefer to see a systematic analysis of alternative enforcement strategies, to determine objectively the most efficient and effective policy. The Committee commends the approach of the Victoria Family Violence Project Office which is conducting trials of three approaches in different police districts to determine the most effective police action. Ms Marg Orpin explained to the Committee that the approaches involve police officers engaging in differing procedures in each district and then comparing arrest rates, intervention orders and charges. Ms Orpin told the Committee that it would be desirable to interview families attended in the trial districts and in other districts, but that this would be dependent on funding.

Recommendation 64. **Domestic violence should be targeted for police skills training with police instructed how to recognise domestic violence as criminal behaviour, to detect behavioural warning signs and to take appropriate action.**

Recommendation 65. **Where there is sufficient evidence of criminal assault in the home, police should lay charges.**

Recommendation 66. **Police should have adequate powers to seize, and should in fact seize, any firearms or other weapons which may be present at the scene of an assault.**

Recommendation 67. **Police policy in relation to criminal assault in the home should be publicised widely, both within the force and to the public at large.**

Recommendation 68. **New police initiatives for the prevention and control of domestic violence should be subject to rigorous evaluation.**

Police and youth

The Committee heard from several sources that relations between police and young people are often strained and in some instances actively hostile. For example the Youth Legal Service of Western Australia noted in their submission that "it is not uncommon for our young clients to claim they were physically abused or threatened by police when being arrested or questioned in relation to an alleged offence".

Research conducted by Dr Christine Alder and Mr Danny Sandor on the subject of street kids and violence, indicates that violence by police against young people is a problem. Dr Alder told the Melbourne community forum that there is an urgent need for police and young people to work together on this problem.

The response to youth crime and violence needs to be eclectic — there is no single "right answer". Strategies must not be haphazard, there must be a coordinated response offering a range of cross-agency services with action from police, corrections, community welfare and other government and non-government agencies to keep youth out of the criminal justice system where possible. The combination of services may need to be individualised with agencies providing remedial education, job training and skill development thereby allowing client youth to participate in decisions and be accountable for their own actions. Police need to become more accessible and acceptable to modern youth. The traditional punitive response should give way to cooperative agency assistance, the use of refuges, counsellors, and drop-in centres.

One example of an innovative police response to youth is school-based policing, which operates in the Northern Territory and has been adopted, at least in limited form, in Western Australia and Victoria. The presence of police officers at all high schools in the Northern Territory, and their involvement in "feeder" primary schools, has been widely supported by teaching staff, parents, and school children alike. The program provides support to many underprivileged or abused youth, and has increased confidence in and respect for police on the part of young people generally.

Recommendation 69. **Police training should incorporate information on non-punitive options for dealing with youth to encourage sensitivity to the negative results of overpolicing.**

Recommendation 70. **All jurisdictions should adopt formal guidelines for the questioning of youth by police.**

Recommendation 71. **All police-community liaison programs should be evaluated.**

The role of the police in reducing fear of violence

It is perhaps ironic that while the capabilities of police in preventing violence may be limited, their potential contribution in reducing the fear of violence is substantial. Considerable overseas efforts have been directed at the development of fear reduction programs, based on such alternatives as foot patrols, community organisation and crime prevention programs, and public information campaigns (Fowler et al. 1979; Police Foundation 1981; Lewis & Salem 1986). Australian police have a role to play in this area as well, as they embrace principles of community-based policing.

Recommendation 72. **In association with other agencies such as transport, public housing, and local government authorities, Australian police departments should develop fear reduction programs, targeting those groups in the community who express the highest levels of insecurity, and experimenting with alternative patrol techniques, public information campaigns, and other fear reduction strategies.**

Recommendation 73. **Fear reduction programs should be subject to rigorous independent evaluation to assess their efficiency and effectiveness.**

Recording of confessional evidence

Confessional evidence currently plays a very important role in the criminal trial process. Despite dramatic advances in forensic technology including DNA profiling, it is likely to continue to play a very important role. It must also be recognised that the most violent criminal behaviour, including sexual assault, and child abuse as well as many homicides, are unlikely to be committed in the presence of any independent witnesses. The implementation of video recording interviewing procedures will substantially remove doubts about the accuracy of police testimony concerning confessions and admissions. This will present the court with the best possible evidence of the questions asked, the answers to them, the circumstances in which the interview took place and the demeanour of all persons present.

Recommendation 74. **Video recording of interviews by police should be introduced in all Australian jurisdictions.**

Police and victims of crime

Research has emphasised the central role of the public (as victims and witnesses) in uncovering and clearing up offences. "Only in a relatively small number of atypical (although prominent) major cases does detective work have any resemblance to popular images" (Reiner 1986, p. 199). Consequently, law enforcement is clearly dependent upon the support of victims of crime and the public at large. Violent crime and its consequences cannot be dealt with if it is not reported. As noted in Part One of this Report the Australian Bureau of Statistics estimates that only 25 per cent of sexual assaults are reported to police. Domestic violence and child abuse are other areas where serious under-reporting occurs.

Police must evolve strategies to ensure the best possible support is available to victims of crime to encourage them to come forward and report the matter and then encourage their participation in any subsequent court proceedings. Inclusion of victim assistance courses in police training programs would improve the information flow from victims and other witnesses to police and would provide immediate compassionate assistance to those in need of support and guidance from people with an interest in the event.

Formal mechanisms can be put in place to facilitate referral by police to appropriate agencies. These may be local instructions to utilise local support agencies and would continue to depend on police/agency liaison. The current system relies on the commitment, knowledge and awareness of individual officers. Formalising arrangements would enable the collective knowledge and experience of different agencies to be shared and would help reduce victim trauma.

Police must assist in the provision of services that reflect the victim's needs. Integration with other agencies will serve a diversity of requirements — housing, legal assistance, emotional support, security information, and practical assistance. This integration should also increase police and community awareness of the vulnerability of various groups — the physically and mentally disabled, the aged, women, the very young, Aboriginals and other ethnic minorities ensuring services are appropriate for the particular group in need.

Recommendation 75. **Police training programs should include curricula on victim assistance as a routine component of all courses, from the initial recruit stage to specialist investigatory courses.**

Recommendation 76. **Formal mechanisms should be put in place to facilitate easy and effective referral by police of victims to appropriate support agencies.**

Police-Aboriginal relations

Another area requiring urgent police attention is that of relations with Australia's disadvantaged minority groups, especially Aboriginal populations.

The Committee recognises that with regard to Aboriginal Australians, these matters are an integral part of the current inquiry of the Royal Commission into Aboriginal Deaths in Custody, and will not dwell upon them at length (Grabosky et al. 1988). Suffice it to say that the perceived lack of sensitivity shown by many Australian police to Aborigines and their problems reflects the racism which prevails in the general community. To change these attitudes presents a major challenge for Australian police management in the 1990s.

In raising this issue, the Committee is by no means referring solely to the tragedy of deaths in custody. The problem of violence within Aboriginal communities was noted above. The ability of police officers in Australia to play a constructive role in the prevention and control of violence in Aboriginal society is dependent upon the development of a degree of trust and confidence in the police on the part of Aboriginal Australians. To this end, Australian police agencies have a great deal yet to achieve. Commissioner Muirhead has commented (Royal Commission into Aboriginal Deaths in Custody 1988, p. 45) that

> Racist attitudes are endemic in Australian society and . . . such attitudes may be found to exist in the whole range of institutions with which Aboriginal people come into contact. However, the danger of tolerating such attitudes among police or prison officers is particularly acute, since whilst society entrusts such officers with the wide powers that they exercise, society has a continuing obligation to ensure that abuses and denials of rights by custodians or denial of their duty of care do not occur.

Perhaps the greatest progress to date may be seen in the Northern Territory, where innovative models of police-community relations are currently under development. Indeed, in some communities visited by Committee members there were requests from residents for a greater police presence.

However, the Tangentyere Council, whose constituency is the 18 Aboriginal town camps in Alice Springs, has described how the rapid breakdown of traditional Aboriginal society has led to overreliance on the police to deal with law and order problems (Hill 1989). Because the police are frequently asked to deal with situations in which they have little power to act - such as control of visitors from the bush or contraventions of tribal law — and because they may lack sufficient knowledge of Aboriginal culture and language, they sometimes respond inappropriately.

An overdependence on the police can increase feelings of powerlessness and cause many frictions and resentments. Attempts to recruit Aboriginal police officers have generally not been successful, for a variety of reasons — many people would prefer to work for their own group rather than perform police duties in the wider community, while others lack the standard of education required for entry.

However, it seems that the police aide scheme, as it has been implemented in the Northern Territory and South Australia, is often the most effective form of policing, particularly in the smaller and more cohesive communities. The key to success appears to be the very careful selection of participants, who are chosen by the communities themselves rather than by the police or other white advisers, together with equally careful selection of the supporting police, who are chosen for their understanding of and respect for Aboriginal people and culture.

The role of police aides should be primarily one of assisting the community to look after itself and to concentrate on crime prevention strategies. For these reasons it is essential that the aides are trusted and can command general respect within the community.

The Committee received evidence suggesting that the special circumstances prevailing in Aboriginal communities may require yet another level of policing, namely the use of Aboriginal police wardens. Several communities have already appointed such wardens, who are responsible to the communities themselves and required to enforce rules worked out by them. These usually relate to issues such as the eviction of overstayed visitors and other family disputes, over which police have little jurisdiction, but which may cause disruption resulting in violence. In some places they are senior guardians of traditional knowledge and are therefore able to deal with transgressions of Aboriginal customary law. They are usually given some sort of identifying uniform and badge and have access to a phone to call the police, ambulance or any other additional assistance. Wardens have been found to be of great assistance to the police and at the same time can help protect their community from inappropriate or unnecessary police action. They can be employed in notifying the families of people arrested, visiting the cells or lockups and in liaison between police, families and the legal service.

Overall it is envisaged that this three-tiered structure of policing in remote communities, and anywhere else where communities see this as an appropriate model, would provide more acceptable and more effective services, better security in the communities themselves, fewer people detained in custody and better relations between police and Aboriginals.

Recommendation 77. **Police training should continue to educate recruits about cultural conflicts, especially within Aboriginal society, and continue to increase the skills and scope of the police aide scheme.**

Recommendation 78. **Traditional Aboriginal input into police education should be increased so as to improve knowledge and understanding of the Aboriginal lifestyle.**

Recommendation 79. **Every effort should be made in every jurisdiction to encourage and support suitably qualified Aboriginals to become fully qualified police officers.**

Recommendation 80. **The Aboriginal police aide scheme, as it operates in the Northern Territory and South Australia, should be introduced in other parts of Australia where similar law enforcement circumstances exist.**

Recommendation 81. **Consideration should be given to the introduction of the warden scheme in Aboriginal communities, where appropriate. As well, ongoing evaluation of the Aboriginal Communities Act 1979 (WA) and similar legislation in the Northern Territory should be carried out to ensure the warden system operates effectively and is supported fully by Governments.**

The police role in the prevention and control of child abuse

Child abuse is an issue which has become very prominent on the public agenda over the past decade. The number of reported cases of suspected child abuse has increased dramatically. This does not necessarily imply that the actual incidence of abuse has increased. Indeed, as we have discussed in detail elsewhere (Dwyer & Strang 1989, **Violence Today** No. 3) it almost certainly reflects increases both in the ability to identify and in the inclination to report child abuse.

Given the extreme sensitivity of the issue, the vulnerability of victims, the necessity of preserving the family unit to the maximum feasible extent consistent with the best interests of the child, and the difficulties involved in the criminal prosecution of alleged child abuse, improved police training in this area is essential. Some Australian police jurisdictions are already giving much greater attention to this area. For example, the Committee learned of changes being made in New South Wales in the training of new recruits and serving police officers in dealing with child abuse, and the Committee endorses the innovative measures being undertaken, which may serve as a model elsewhere.

Recommendation 82. **Police and others in the criminal justice system directly involved with victims of child abuse should receive training in normal child development, in issues relating to disabled children and in special forensic issues.**

Recommendation 83. **Urgent attention should be given to improving procedures in investigating allegations of the sexual abuse of children. This should entail closer liaison between police and other workers concerning interviews with the alleged victim, and the provision of training in interviewing techniques. Consideration should be given to the use of video recording techniques.**

Violence by and against police

The Committee acknowledges that policing can, at times, be a dangerous profession, and deplores acts of violence against police. The health and safety of the more than 35,000 police officers serving around Australia is an issue of great importance to the Committee, and one which calls out for attention (Swanton 1987).

As noted above in Part One of this Report, predatory attacks on Australian police officers, such as the Russell Street bombing and the fatal shooting of Assistant Commissioner Winchester of the Federal Police, are fortunately rare. Of considerable concern, however, are non-fatal assaults against police, most of which occur when suspects, often under the influence of alcohol, are being questioned or taken into custody. Following an analysis of assaults against police in South Australia between 1980 and 1986, the South Australian Police (Wright 1989) advised that a great deal of aggression against police can be neutralised by interpersonal skills. Training and on-the-job experience can prepare police to detect cues of impending conflict and to adjust their strategy accordingly. The South Australian Report concluded that police training should emphasise the importance of courtesy and politeness in dealing with the public, should include revised instruction in human relations and crisis intervention, and should discourage police officers from making physical contact with offenders unless such contact is necessary.

The Committee commends the South Australian insights regarding measures to reduce the risk of assaults against police, and is pleased to note that conflict resolution skills and tactics of protective behaviour are now accorded priority in the training of Australian police officers.

We refer again to the need for such training in general recommendations concerning the police use of force.

The Committee is aware of the very great stress which Australian police officers experience in the course of their work. The traditional means of coping with this stress, reliance on a few drinks and peer support, was not always effective. Increasingly, it has come to be recognised that whether the nature of their stress is chronic or acute, police may from time to time require the services of counsellors or psychologists. The Committee was advised that such services have not always been available when needed.

Recommendation 84. **Counselling and psychological services should be available and accessible to all police officers.**

Police use of force

From time to time the alleged use of excessive force or lethal force by police attracts the critical attention of the media and the general public. In its submission to the Committee, the Flemington and Kensington Community

Legal Service reiterated a call it had made for a judicial inquiry into the use of fatal force by the Victoria Police. In their submissions the Anglican Archdiocese of Melbourne and the Victorian Synod of the Uniting Church also expressed concern about the excessive use of force by police.

During the life of the Committee, two intensive coronial inquiries commenced in relation to incidents arising from the use of lethal force by police in New South Wales and Victoria. The New South Wales incident arose from the fatal shooting of David Gundy, an Aboriginal Australian, during a police raid carried out for the purpose of apprehending a known criminal wanted for the fatal shooting of a police officer when fleeing arrest. In Victoria, the Coroner, Mr Hallenstein, decided to carry out a thorough and wide investigation into a number of fatal shootings by members of the Victoria Police over a period of years.

The Committee accepts that at times, police work can be extremely dangerous, and that on such occasions police will be required to use force in carrying out arrests, preventing the commission of offences, or in circumstances of self defence. Nevertheless, the Committee is of the view that it is appropriate to make some comment on the use of force, especially lethal force, by the police.

The Committee recognises that the excessive use of force by police can be minimised by the establishment of strict guidelines and by improved training. It notes that Australia has already made a significant contribution to the draft of international guidelines on the use of force and firearms by law enforcement officials. These guidelines are currently under development for consideration at the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to be held in 1990 in Havana, Cuba. These guidelines include provisions strictly limiting the use of force by police; on the development and deployment of non-lethal weapons; and on police accountability for arbitrary or abusive force.

The Committee makes the following recommendations, consistent with these draft United Nations proposals, as they apply to Australian circumstances and conditions.

Recommendation 85. **All Governments should recognise and support:**

Recommendation 85.1. **Uniform laws throughout Australia regarding the use of firearms and other lethal force by police. These laws should reflect the principle that lethal force should only be used as a last resort, involving self defence or the defence of others.**

Recommendation 85.2. **The provision of adequate resources (including funding) to ensure police receive adequate training in the use of firearms and non-lethal weapons. This training should also include non-violent restraint and conflict resolution strategies.**

Recommendation 85.3. A requirement that wherever practical, a Coroner personally attends the scene of any fatality involving the use of lethal force by police.

Recommendation 85.4. The provision of funding for the development and deployment of non-lethal incapacitating weapons for use in appropriate situations, bearing in mind the desirability of eventually excluding the use of all weapons capable of causing death or serious injury to persons. The development and deployment of non-lethal weapons should be carefully evaluated, to ensure they minimise the risk of injury to bystanders, suspects, and police.

Recommendation 86. All police administrators should:

Recommendation 86.1. Adopt and implement rules and regulations strictly limiting the use of force and firearms. These should emphasise the principle that the use of force and firearms by law enforcement personnel should be proportionate to the legitimate objectives to be achieved, and commensurate with due respect for human rights. In addition, wherever the use of force or firearms is unavoidable, law enforcement personnel should in all cases minimise damage, respect and preserve human life and ensure that assistance and medical aid is rendered to any injured or affected persons at the earliest possible moment.

Recommendation 86.2. Develop and implement a code of conduct for law enforcement personnel which specifies that personnel may use force only when strictly necessary and to the extent required for the performance of their duty.

Recommendation 86.3. Keep the ethical issues associated with the use of force and firearms continuously under review.

Recommendation 86.4. Adopt a nationally agreed set of guidelines outlining standard operational procedures for police to be deployed in situations assessed as high risk.

Recommendation 86.5. Conduct research on the desirability of psychological screening and on-going assessment of members and prospective members of police special weapons and operational groups.

Recommendation 86.6. Develop national minimum standards relating to the validation and accreditation of firearms training and use of other weapons, including non-lethal weapons.

Recommendation 86.7. Ensure, following incidents where a person has died or been seriously injured through the use of force by police, that there is a thorough investigation of the incident by police independent of those involved in the incident.

Recommendation 86.8. Take appropriate action where arbitrary or abusive use of force or firearms by law enforcement personnel has occurred.

Recommendation 86.9. **Ensure that all police involved in major critical incidents, which include the use of lethal force by police, or where the police have themselves been subjected to or engaged in a violent encounter, be subjected to critical incident stress debriefing.**

The Committee recognises that the likelihood of improved training and adherence to appropriate guidelines can be reinforced by civil liability in the event that police abuse their powers. This liability may also assist innocent victims of such abuse in obtaining compensation for injury or damages which they may have sustained. At the same time, there must be safeguards against frivolous or vexatious litigation, and against unreasonable constraints on police operations.

Recommendation 87. **In the event that police abuse their powers, issues relating to the liability of the Crown are complex. These issues should be reviewed by Federal, State and Territory Law Reform Commissions.**

25 PUBLIC SECTOR AGENCIES: COURTS

Evidence of vulnerable victims and witnesses

The distress experienced by victims of violence who may have occasion to attend court or to testify as witnesses was noted in the Committee's Monograph *Victims of Violence* (Grabosky 1989). In the course of its inquiry, the Committee was most impressed with the work of the Victoria Court Information Network, which has been established to provide information and support to those having to negotiate the judicial process.

Recommendation 88. **Where they have not already done so, State and Territory Governments should establish counselling and support services for victims and witnesses along the lines of those provided by the Victoria Court Information Network.**

The Committee is well aware that there may be circumstances when the involvement of particularly vulnerable individuals in court proceedings can pose great problems, for the administration of justice as well as for the individual in question. Victims of violence generally, but especially child victims, may be acutely distressed at the prospect or reality of confronting the accused in open court. This can be psychologically damaging, and may also inhibit the child's testimony. This may be compounded by the arcane and bewildering ritual which characterises the Australian criminal trial (Brennan & Brennan 1988). For instance, the Committee received a submission from the Arndell Public School Parents and Citizens Association (School for Specific Purposes, located in North Ryde, New South Wales) expressing concern about several aspects of procedures before and during a case involving alleged sexual assault of students at the school.

The Association was particularly troubled about the length, duplication, type and frequency of interviews, questioning and cross-examination. The Association stated that some of the victims were

> questioned for up to five hours at a time over many weeks of full court days during the committal hearings before the long court case even began. Because the victims were small and the court chairs too low they were forced to remain standing throughout the long ordeal and several of the children fainted. We feel that steps need to be taken to streamline procedures for the victims, from the initial interviews by different Government Departments, police, lawyers etc. to the completion of court proceedings.

The Committee considers that a process which not only compounds trauma to the victim but impedes the fact-finding process as well is far from desirable. It has thus been suggested that in some cases, the testimony of a vulnerable witness be electronically recorded, and that the witness be excused from appearing in open court. The Committee recognises that such a proposal is perceived by some as an invitation to the theatrical manufacture of evidence, and therefore poses some risk. It is dangerous to

base the legal process on the assumption that all victims are innocent and truthful, and require insulation from cross-examination. Under appropriate safeguards, however, a system of pre-recording of portions of a victim's testimony may be appropriate for use with children.

The recording of a child's statement as soon as possible after an alleged assault can be advantageous in a number of ways:

- The recording can be made soon after the incident, when the circumstances are fresher in the child's mind;
- It may obviate the necessity, and the trauma, of recounting the incident on numerous subsequent occasions;
- It may minimise the risk of testimony being tainted by repeated rehearsal and suggestive questioning;
- It may assist both the prosecution and the defence in preparation for trial;
- It may assist the accused in deciding whether or not to plead guilty, and thereby avoid the time and distress to the victim/witness likely to flow from a full trial.

Whether such a recording might be admissible in criminal proceedings is a vexed question, and would depend, among other things, on assurances that the context of such recorded interviews be standardised in a manner which avoids opportunity for coaching or rehearsals.

Whether a child victim should be free from cross-examination is another matter. The Committee recognises that one of the fundamental rights in western civilisation is the right of an accused person to confront witnesses against him or her. This has been described by the High Court of Australia as "one of the fundamental guarantees of life and liberty" (Whitehorn v. R. [1983] 152 CLR 657) and is enshrined in Article 14 of the International Covenant on Civil and Political Rights, to which Australia is a signatory.

To address the difficult issues entailed by the cross-examination of children, the Australian Law Reform Commission (1989) has proposed the introduction on a trial basis of a procedure which would allow a child witness to give evidence to the court from an adjoining room via video link. The scheme is being tested in the Magistrates Court of the Australian Capital Territory during 1989-90, special legislation having been enacted for that purpose.

Transmission will be live, and at the discretion of the Court, may entail two-way video and audio communication, or one-way communication, wherein the child can hear, but not see, the events in the courtroom. A consultative committee, drawn from the judiciary, child welfare services, the defence bar, law enforcement, prosecutors, and court staff, will advise on the project. After a 12-month trial, a report will be prepared under the auspices of the Australian Law Reform Commission. The report will evaluate the

technology and the statutory changes to evidence and procedure, and will recommend whether the program should continue.

The Committee regards it as premature to pass judgment as to the merits or otherwise of this pilot program. It does, however, unreservedly support the experimental approach taken by the Law Reform Commission, and the steps taken in the careful planning and piloting of the program. The methodology employed is an excellent model for the introduction of law reform, and the Committee eagerly awaits the outcome of the evaluation.

Amendments to the Western Australian Child Welfare Act proclaimed in July 1989 set up a pilot scheme in that State similar to the one in the ACT. The Western Australia procedure does differ, however, in that the defendant rather than the child witness is removed from the Court. In addition, there are minor technical and equipment differences. An evaluation must be presented to the Attorney General after two years of operation.

Recommendation 89. **Jurisdictions should undertake pilot testing of their respective law reform proposals involving the testimony of child witnesses. These should include video-links, screens, and other modifications to the courtroom environment, to reduce the stress and trauma experienced by the child witness, and to enhance the accuracy and reliability of a child witness' testimony.**

Court administrators and judicial officers

Like everyone else in our community in a time of changing attitudes, police, lawyers, magistrates and judges may bring their own biases to any consideration of violent behaviour. However, those in the criminal justice system have a particular need to be well informed about the cases over which they have such influence.

Much has already been set in train to assist police in the difficult role of being on the frontline in cases of domestic violence and sexual assault. However, those legal personnel who become involved at a later stage in these matters need to become much more aware of the dynamics of family violence and sexual assault victimisation. Magistrates in particular need to have the opportunity to become much better informed through exposure on a continuing basis to professionals and researchers who are working in these difficult areas, so that they are fully aware of the options available to them. Such a task could be performed by the Australian Institute of Judicial Administration. The Committee is also concerned over the apparent failure of some court officers, where such powers do exist, to evict the perpetrators of domestic violence from the family home.

Recommendation 90. **The Australian Institute of Judicial Administration should provide for the continuing education of judicial officers in matters relating to victims of violence generally, and victims of domestic violence, sexual assault and child abuse in particular.**

(Additional recommendations relating to the legal profession appear below in Chapter 32.)

Dispute settlement

A great proportion of violence flows from the escalation of disputes between persons in an ongoing relationship with each other. When a conflict arises between persons involved in such a relationship, be they neighbours, workmates or spouses, there is a potential for violence. Trivial disputes may simmer for years, poisoning the relationship between participants, and detracting from the quality of their lives. They can also escalate dramatically, leading to the permanent rupture of a relationship, or to violence. The escalation of such disputes is by no means inevitable. Measures which can resolve such disputes before they escalate may thus prevent violence and preserve social harmony.

Intervention by police and subsequent court proceedings can lead to polarisation of the issues and those involved, create further bitterness, resentments, tension, and financial hardships. The law and the legal process are not always the only or the best way to resolve those personal disputes which give rise to most violence in our society. Madiation has been shown to be capable of resolving quite bitter and potentially explosive diputes. Additionally, resolution of disputes outside of enforcement and the court system can reduce any further loss of pride and digniuty suffered by those involved in the conflict.

In previous times, communities often had within them respected members who were available to assist disputants in resolving their differences. With the disintegration which has characterised many communities in Australia today, such services are not always available. A number of States and Territories have thus seen fit to establish "alternative dispute resolution" facilities. Agencies offering mediation services have been established both overseas and in several States of Australia. These agencies can be used as a diversion from or as an alternative to court, or may actually be the subject of referral from the courts.

As noted in the publication *Violence, Disputes and their Resolution* (Hazlehurst 1989, **Violence Today** No. 7), a variety of types of dispute resolution facilities exist in Australia. These include centres for the resolution of family disputes such as the Noble Park Family Mediation Centre in Victoria. In addition, part of the Federal Government's program to assist homeless youth, announced in the 1989 federal budget, will include the development of mediation services to achieve reconciliation, where possible, between homeless children and their parents.

Approximately 25 per cent of disputes referred to the New South Wales Community Justice Centres in 1987-88 entailed complaints of actual or threatened violence. In some instances, dispute resolution through mediation

may be an appropriate alternative to the criminal process. The Committee's publication *Violence, Disputes and their Resolution* contends that the prosecution of one party to a dispute may lead to embitterment and to a subsequent escalation of the conflict through retaliatory action.

Recommendation 91. **Governments should provide alternative dispute settlement services as widely as possible.**

26 PUBLIC SECTOR AGENCIES: PRISONS AND CORRECTIONS

In Part One of this Report, we noted that Australian prisons are violent places. Fights and even riots occur from time to time. The issue of Aboriginal deaths in custody is the subject of an ongoing Royal Commission.

The popular political maxim that there are no votes in prisons has been borne out over the past twenty years in Australia. Traditionally reluctant to spend any more on prisons than was absolutely necessary, Australian Governments continued to make do with antiquated mid-19th century facilities: it was considered that modifications necessary to conform with international standards of humane confinement would seriously detract from the heritage value of the buildings themselves.

This dilemma was overtaken in the 1980s, when as a result of public outrage over increased crime rates, more frequent and longer sentences of imprisonment contributed to serious prison overcrowding and necessitated the construction of new prisons around Australia.

The Committee has two major concerns relating to imprisonment in Australia. First, there is an unfortunate lack of programs for the rehabilitation of violent offenders. Second, inadequate measures exist to protect prisoners from themselves becoming the victims of violence whilst in prison.

As the Committee's monograph *Society's Response to the Violent Offender* (Grabosky & Lucas 1989) observed, Australian prisons can only make a limited contribution to the prevention and control of violence in society. To be sure, there are some individuals who pose such a danger to society that they must be isolated and confined. But the utility of imprisonment as a means of reducing violence through the incapacitation of chronic violent offenders is limited in practice by the inability to predict violent recidivism with much precision. Analyses conducted overseas, where considerable resources have been invested in efforts to predict violent behaviour, have concluded that a dramatic increase in prison populations, at an equally dramatic increase in cost, would achieve only a marginal reduction in violent behaviour. Longer sentences of imprisonment appear to be both an inefficient and relatively ineffective means of controlling violence in Australia.

The Committee notes that chronic violent offenders, who pose a real threat to society, must remain in custody. Fortunately, these are few in number and represent but a small proportion of violent offenders generally.
The Committee recognises that there are additional cases of individuals who, whilst they might not pose a risk of future violence, have committed acts so heinous that they require the formal denunciation which imprisonment exemplifies.

The effectiveness of Australian correctional systems in rehabilitating violent offenders may also be called into question. Rehabilitation is no easy task. Not only may it entail considerable expense, but may also be fruitless in the face of the economic and social pressures which prevail "on the outside". The Committee recognises the prison environment itself as inherently brutal. We are in strong agreement with the statement made by Mr Bob Mulholland, QC at the Brisbane community forum that "there must be a better way than the present system which returns many people to the community angrier and of worse character than when they left it". This sentiment was echoed by Mr Bernie Matthews, a former prisoner who addressed the National Conference on Violence.

The Committee does not regard this state of affairs as either essential or inevitable. We were particularly impressed with the presentation at the National Conference on Violence by Professor Tony Vinson, Dean of the Faculty of Professional Studies at the University of New South Wales. Professor Vinson described the penal systems of Sweden and the Netherlands as non-violent and minimally coercive, and much better equipped than Australian correctional agencies to restore their clients to positions as responsible, contributing members of society.

Professor Vinson did acknowledge that the use of excessive force by Australian prison officers is much less frequent today than it was two decades ago, when systematic beatings were inflicted by prison officers on prisoners in New South Wales who were classified as "intractable".

The Committee is pleased to note that the Australian Conference of Correctional Administrators (1989) has developed a set of standard guidelines for corrections in Australia. Among these are the following which pertain to the use of force:

> 5.40 A prison officer may, where necessary, use reasonable force to compel a prisoner to obey a lawful order given by the prison officer. Where such force is used, the prison officer must report the fact to the Manager of the prison.

> 5.41 Prison officers should be given training to enable them to restrain aggressive prisoners. Such training must emphasise techniques which allow aggressive prisoners to be restrained with minimal force.

> 5.42 Prison officers must only use weaponry approved by the Administering Department in circumstances approved by the Administering Department. A prison officer must not be issued weaponry unless trained in its use. Except in special circumstances, prison officers performing duties which bring them into direct contact with prisoners must not be armed.
> (Australian Conference of Correctional Administrators 1989).

Other guidelines address the classification of prisoners, the identification of vulnerable prisoners, their safety and security, and prisoners' access to health services in the event of illness or injury.

According to submissions received by the Committee, programs for the rehabilitation of violent offenders in Australia are rare. Most Australian corrections agencies have embarked on at least some programs for the rehabilitation of prisoners. These may be general programs, such as those to improve the literacy of prisoners, or specific interventions, such as those designed for the rehabilitation of sex offenders. Some of these were touched upon briefly in *Society's Response to the Violent Offender* (Grabosky & Lucas 1989). The Committee is nevertheless convinced that efforts and resources currently devoted to rehabilitation programs in Australia are inadequate. The efficiency and effectiveness of those programs which do exist for adult violent offenders, and of those programs introduced by State and Territory welfare agencies for juvenile offenders, remain to be demonstrated.

As noted in *Society's Response to the Violent Offender* (Grabosky & Lucas 1989) the cost of imprisoning persons convicted of violent crime in Australia is approximately $200 million per year. The Committee nevertheless suspects that prisons fail to reduce the propensity to violence of many offenders.

The Committee recognises that improved correctional programs will entail additional expenditures, over and above the very substantial costs of simple incarceration. The current cost of maximum security imprisonment in Australia is approximately $80,000 per prisoner per year.

The added expense of new programs for violent offenders notwithstanding, we believe that such investments may prove beneficial in the long run. Failure to pay the costs of new programs now may well impose higher costs in future, when ex-prisoners re-offend and are returned to prison at considerable additional cost to Australian taxpayers. The choice may well be one of paying now or paying later.

Recommendation 92. **All correctional agencies should continue to develop programs for the rehabilitation of offenders, and should subject these programs to rigorous evaluation. Those programs which show promise should be refined and introduced elsewhere; those which do not should be abandoned.**

Recommendation 93. **Correctional authorities should provide more support for ex-prisoners subsequent to their release from custody.**

Correctional agencies need to develop their ability to predict chronic violent offending. Only then can Governments, who have come to regard the use of imprisonment as a last resort, begin with some confidence to reserve the penalty for cases where its use is not gratuitous.

As is the case with police agencies, the Committee recognises that the likelihood of improved training and adherence to appropriate guidelines by prison authorities can be reinforced by civil liability in the event that prison

officers abuse the powers entrusted to them. Such a course of action may also assist innocent victims of such abuses in obtaining compensation for injury or damages which they may have sustained.

As noted above in the discussion of the use of force by police, issues relating to liability of the Crown are complex, and the Committee regards them as appropriate for review by Federal, State and Territory Law Reform Commissions.

Sidney Nolan **Untitled** (Sarah Purfoy with warder flogging skeleton) 26 August 1978
pastel on paper
from the series *For The Term Of His Natural Life* based on Marcus Clarke's novel.

27 PUBLIC SECTOR AGENCIES: MISCELLANEOUS REGULATORY AUTHORITIES

Consumer affairs

It has been suggested that children's attitudes to violence can be shaped by the nature of the toys with which they play. Many citizens regard the free availability of toy guns or "war toys" as sending messages to children that violence is acceptable human conduct (National Action Against War Toys 1979).

In addition, there are those dolls and effigies which portray physical deformities and grievous injuries, in a manner which subjects these conditions to ridicule. Toys of this kind are more likely to brutalise children than to nurture feelings of compassion. They enable a child to dehumanise and devalue persons different from him or herself.

Anti-social toys in general and "victim" toys in particular have been the subject of inquiries at both Federal and State levels (Australia 1987; Victoria 1988). The Committee's recommendations relating specifically to the toy industry are set out below.

Recommendation 94. **The Committee applauds the steps taken by the Federal Minister for Consumer Affairs in banning "victim toys" under the Trade Practices Act, and by the Western Australian Minister for Consumer Affairs in following suit under State legislation. Other Australian States and Territories should follow their lead.**

The Australian Broadcasting Tribunal

Of all the aspects of violence considered by the Committee, the issue most frequently raised in submissions from the general public was that of violence and the media. The general consensus of submissions on the topic held that there was too much violence depicted through Australian media, primarily television and video recordings. Research conducted by the Australian Broadcasting Tribunal and summarised in one issue of the Committee's **Violence Today** (Wright & Aisbett 1989) suggests that the general public subscribes to this view as well.

The Committee concludes that in the light of its limited resources, its broad Terms of Reference, and its brief life, it would be inappropriate to endeavour to replicate the concurrent efforts of the Australian Broadcasting Tribunal, or the recently completed efforts of the Federal Parliament's Joint Select Committee on Video Material. The Committee feels that, in terms of investing limited resources for the prevention and control of violence, media depictions of violence are of relatively low priority. Any risk which they may pose can be substantially neutralised by the family support initiatives proposed above.

Objections to depictions of media violence entail one or both of two themes: that violence in the media is a nuisance, or an annoyance; or that media violence contributes to violence in real life through one or more of the means discussed in Part Two of this Report.

Values, tastes and standards embraced by Australians today are widely diverse. Many of us are escapists, and wish only to partake of images of sweetness and harmony. Others are morbidly curious. That the variety of television fare satisfies the vast majority of these appetites, at least in the aggregate, is reflected in the near universal presence of television in Australian homes, and in the thousands of millions of dollars enthusiastically invested in the broadcast industry.

Parents, however, are in a position to exercise a degree of censorship, at least with regard to their own children. Evidence suggests that parents may be abdicating this responsibility. A survey conducted on behalf of the Australian Broadcasting Tribunal (Wright & Aisbett 1989, **Violence Today** No. 6) found that only 29 per cent of adolescents reported that their parents have actively prevented them from watching programs with violent or sexual content. The minority of Australian children who spend thirty to forty hours per week in front of a television screen are not compelled to forego other activity; their irresponsible parents allow them to do so.

Professor Brent Waters of the Department of Child and Adolescent Psychiatry, Prince of Wales Hospital, believes that many more parents should be trying to shape their children's viewing behaviour, and not just blaming the media.

Young children (1–5 years) are just beginning to establish viewing patterns. As with most other aspects of children's development, parents are in a crucial position to influence the direction which that development will take. In other words, parents are ideally situated to influence their children's film and television viewing towards the values which they themselves hold. Unfortunately, too few parents see the mediation of childrens' viewing as an important part of parenting.

Several submissions to the Committee pointed out that very often parents have no idea of the content of a particular program. To assist parents in exercising their responsibility, and to assist all television viewers in selecting what they may wish to watch, more clarity and detail in program classification and description would appear appropriate. These may include clear warnings about such content as explicit language, or violence.

Recommendation 95. **The Australian Broadcasting Tribunal should consider requiring more detailed classification and program description to enable television viewers to exercise informed choice of programs, and to enable those responsible for children to exercise responsibility for children's viewing practices.**

Office of Film and Literature Classification

The Committee believes in principle that adults in a free society should be allowed to see what they wish, and artists to depict what they please, without intervention by the state. At the same time, the Committee recognises that children and youth should be protected from material likely to harm them, and that all Australians should be free from having offensive materials thrust upon them without warning or against their will.

The Office of Film and Literature Classification is an agency of the Federal Government which examines and classifies films and videos according to clearly defined standards. Responsibility for regulating the sale, rental or display of films and videos remains the responsibility of State and Territory Governments.

The Office of Film and Literature Classification will refuse classification to materials which include any of the following:

- depictions of child sexual abuse, bestiality, sexual acts accompanied by offensive fetishes, or exploitative incest fantasies;
- unduly detailed and/or relished acts of extreme violence or cruelty; explicit or unjustifiable depictions of sexual violence against non-consenting persons
- detailed instruction or encouragement in
  - the use of terrorist-type weapons and terrorist acts
  - the abuse of prescribed drugs.

With regard to the harmful effects of media depictions of violence, the Committee recognises a degree of risk. This has been discussed above in Part 2 of this Report. The Committee also recognises the vulnerability and impressionability of children. This does not imply, however, that media content should be restricted to those materials deemed suitable for consumption by children, psychopaths, or other individuals who may experience difficulties in controlling anti-social impulses.

Senator Brian Harradine called the Committee's attention to research which purported to demonstrate the adverse effects of non-violent erotica (Australia 1988a, Vol II, p. 744). Other submissions, such as from Stop the Rock, claimed that rock music produced violent behaviour in some of its listeners. Whilst the Committee concedes that a state of physiological arousal which may be induced by these and a variety of other stimuli can in turn facilitate aggression by some individuals, in certain circumstances, this does not of itself justify the prohibition of any stimulus with a tendency to evoke arousal, sexual or otherwise.

The Committee deplores sexism and the denigration of women. It feels, however, that values such as these, no less than other anti-social thoughts, are best combated not by censorship, but by criticism, censure and stigmatisation in the marketplace of ideas.

The Committee endorses Federal, State and Territory initiatives which protect children from consuming, and participating in the production of erotic materials, violent or otherwise.

The Committee notes that the Office of Film and Literature Classification has developed new requirements for cinema and video advertising, which became effective from 1 May 1989. These requirements deal with advertising on the front and back of video covers, video cassettes, posters, newspaper advertisements, and other material advertising films or videos. The basic classification symbols, age information, and category descriptions are as follows:

G For General Exhibition
PG Parental Guidance Recommended for Persons Under 15 Years
M 15+ Recommended for Mature Audiences 15 Years and Over
R 18+ Restricted to Adults 18 Years and Over
X 18+ Restricted to Adults 18 Years and Over

A great deal of misconception surrounds precisely what these classifications imply, particularly the R and X ratings. We quote directly from an information bulletin of the Office of Film and Literature Classification (1989):

R Restricted (18 years and over)
Material considered likely to be harmful to those under 18 years and possibly offensive to some sections of the adult community warrants an "R" classification.
Language: There are virtually no restrictions on language in "R" films.
Sex: Sexual intercourse or other sexual activity may be realistically implied or simulated. Depictions of sexual violence are acceptable only to the extent that they are necessary to the narrative and not exploitative.
Violence: Highly realistic and explicit depictions of violence may be shown, but not if unduly detailed, relished, or cruel.
Other: Drug abuse may be depicted, but not in an advocatory manner.
Extreme "horror" special effects usually warrant an "R".

X Non-Violent Erotica (18 years and over)
No depiction of sexual violence, coercion or non-consent of any kind is permitted in this classification. Material which can be accommodated in this classification includes explicit depictions of sexual acts between consenting adults and mild non-violent fetishes.

The Standing Committee of Ministers Responsible for Censorship Matters, comprised of representatives of the Federal, State and Territory Governments, perceived a need for clear consumer advice regarding the content of classified materials. The Office of Film and Literature Classification thus requires that, in addition to the appropriate symbol, non-G materials must bear specific reasons for classification. Such descriptions will include such information as "Violence and Coarse Language" or "Frequent Nudity". The Committee regards this new classification regime as

sufficient to permit adult Australians to exercise informed choice in their viewing practices, and as sufficient to permit parents to exercise responsibility for the viewing practices of their children.

(Additional recommendations relating to the media industry appear in Chapter 30. A minority statement on the media appears at the end of this Report.)

Liquor licensing authorities

Liquor licensing in Australia is a State or Territory responsibility, with considerable variation between jurisdictions as to the extent of their powers and the flexibility of their policies. Generally speaking, the granting of an application for a liquor licence is based on community need and can be challenged by individuals or the community which will be affected by the granting of the licence. Liquor licensing authorities tend to feel that it is not their role to become involved in the rights and wrongs of the granting of a licence, often leaving this to the licensing courts to decide upon, despite the fact that they sometimes possess considerable powers in this area.

Although some licensing authorities are concerned at the social impact of the existence of a large number of liquor outlets in particular areas, or rowdy and drunken behaviour in or around licensed premises, they are generally not involved in server intervention programs. However, in Queensland the Licensing Commission is particularly interested in dealing with problems of under-age drinking and drunkenness, and works with the State Department of Health's Patron Care unit by referring to them licensees whose premises have problems with unacceptable behaviour. Licensees are given a lecture and video to assist them in identifying intoxicated clientele and in dealing with them.

In some jurisdictions there is provision for communities to declare themselves "dry". For example, this has happened in two townships in South Australia, following alcohol-related violence in those communities. However, there is doubt about the effectiveness of such a move, which may not reduce the amount of alcohol consumed but merely force it out of licensed premises and into drinkers' homes with repercussions on family life.

Also in South Australia, Aboriginal communities can restrict alcohol use on Aboriginal lands. For example, the *Pitjantjatjara Land Rights (Control of Alcoholic Liquor) Regulations 1984* and the *Maralinga Tjarutja Land Rights Act 1984* are used to regulate the use of alcohol, and penalties are in place for contravention of the law.

In Queensland, Aboriginal communities in deed of trust areas can set restrictions of various kinds on the availability of alcohol in their canteens, and are free to declare their areas "dry" if they wish. In these areas, the Licensing Commission will not issue a licence without the approval of the Aboriginal Council concerned.

In most jurisdictions it is possible for the licensing authority to require that special conditions be attached to the granting of particular licences, for example, that certain kinds of liquor cannot be sold or that plastic containers should replace glass. However, it is rare for such special conditions to be made.

In the Northern Territory, the Committee heard evidence relating to the availability of liquor and the capacity of Aboriginal communities to declare themselves "dry" or restricted areas. Since the passing of a new *Liquor Act* in 1979, more than 50 communities, including most of the more populous ones, together with their associated outstations, have become restricted areas. These mostly lie outside urban settlements, although some Aboriginal town camps are also subject to restrictions.

The *Northern Territory Liquor Act* appears to be a very flexible piece of legislation, allowing the Commissioner to restrict sales in several ways beside actually refusing a licence: for example, by prohibiting sales of bulk fortified wine by roadhouses or by restricting a licence to sales for on-premises consumption. However, the Committee heard several submissions concerning problems posed to dry communities by the granting of unrestricted licences to premises adjacent to these communities, against the expressed wish of the communities themselves. It is an extremely expensive and prolonged procedure to register a formal objection to the issuing or renewal of a licence and it apparently is not uncommon for individual Aboriginal communities to have to deal with several applications each year, almost invariably without success.

It appears to the Committee that the licensing situation in the Northern Territory is symptomatic of a broader national problem. Licensing authorities tend to be primarily concerned with economic and related matters in the issuance of licences, and less with social considerations. The Committee feels strongly that this situation should change. Liquor licensing authorities, in the exercise of their discretion, should consider the potential for social damage and adverse health consequences. This is particularly the case with locations in the vicinity of Aboriginal communities which may be fragile or vulnerable to alcohol-related problems.

Violence by and against security personnel or "bouncers" employed by proprietors of licensed premises is discussed in Chapter 30. Precautions against this violence can and should be incorporated as part of the licensing process.

Recommendation 96. **All liquor licensing authorities should act flexibly and in close consultation with Aboriginal communities, and should consider the potential social consequences of their decisions in order to minimise the adverse impact of alcohol.**

Recommendation 97. **Conformity with server intervention programs should be a condition of liquor licence renewal.**

Recommendation 98. **Liquor licensing authorities should promulgate guidelines for the recruitment, training and conduct of bouncers as an integral part of server intervention programs.**

Recommendation 99. **Liquor licences for sporting venues should include requirements for server intervention to discourage excessive consumption of alcoholic beverages.**

(Additional recommendations concerning alcohol advertising are included in Chapter 16 above and recommendations concerning licensed premises are included in Chapter 30 below.)

28 INFORMATION AND RESEARCH AGENCIES

As Part One of this Report has indicated, the availability of information on the incidence and epidemiology of violence in Australia is abysmal. This knowledge gap is unfortunate, given the degree of public concern about violence in Australia. Inadequate information also precludes an estimate of the costs of violence, an essential ingredient in any rational formulation and assessment of public policy. Given the extraordinary costs attributable to police, courts and correctional agencies alone, this is unfortunate. The costs of criminal justice in Australia currently exceed three billion dollars per year. The issue at stake, the public safety of Australians, is near the top of the public agenda. No self-respecting businessperson in Australia would conduct his or her operations under such circumstances of ignorance.

Australian Bureau of Statistics

A program of regular national crime surveys by the Australian Bureau of Statistics could provide further information on the extent and distribution of unreported crime, and on levels of public insecurity. Results from a recent British crime survey, for example, have shed particular light on the problem of the vulnerability of the elderly to criminal victimisation. These findings suggest that the elderly indeed face a much lower risk of becoming the victims of crime, and that this lower vulnerability cannot be explained by any suggestion that elderly people may have become "prisoners in their own home". According to survey findings, irrespective of frequency of going out, means of travel, destination, and activity, elderly citizens face but a fraction of the risk faced by younger persons (Clarke et al. 1985). Whether these findings would apply in Australia as well as in England is unknown. Meanwhile, Australia's senior citizens will continue to live in fear, perhaps unnecessarily.

Recommendation 100. **The Australian Bureau of Statistics should conduct national crime surveys regularly on a biennial basis.**

The lack of uniform statistics of crime reported to police has precluded meaningful comparison of statistics between States and Territories, and indeed, even in a given State or Territory over time. This has given rise to occasional misconception and misunderstanding, and has made rational discussion of policy issues more difficult. The Committee notes the progress made by the Police Commissioners Uniform Crime Statistics sub-committee, and the decision by the Australian Bureau of Statistics to establish a uniform crime statistics section.

As noted in Part One of this Report, systematic information on the incidence of racially motivated violence and on the victimisation of vulnerable groups in Australian society is simply not available. Whilst the Committee received substantial anecdotal evidence regarding the victimisation of Aboriginal Australians, Asian Australians, attacks on some citizens because of their

apparent sexual preference, and abuse of others because of illness or disabilities, we were unable to make any definitive assessments. Whilst we acknowledge that the enumeration of assault against certain vulnerable groups may prove to be intractable, we urge the Australian Bureau of Statistics to illuminate these areas of violence and victimisation as best it can.

Recommendation 101. **The Australian Bureau of Statistics should devote special efforts to identifying the incidence and prevalence of violence against specific minority groups in Australia.**

National Injury Surveillance and Prevention Project

At present, the National Injury Surveillance and Prevention Project (NISPP) exists only on a trial basis. An expanded National Injury Surveillance and Prevention Project could provide detailed information on the level and epidemiology of injuries occasioned by assault. Given the degree to which assaults, even those occasioning substantial bodily harm, go unreported in Australia, an expanded NISPP could provide important information to complement that in police records.

Recommendation 102. **The National Injury Surveillance and Prevention Project should be established on a permanent basis.**

Australian Institute of Criminology

The Australian Institute of Criminology has served as the Secretariat for the National Committee on Violence. Over its sixteen-year history, the Institute has made significant contributions in a number of areas. The Institute convened the first national conference on victimology, and has hosted major conferences on domestic violence and child abuse. Institute researchers have done pioneering work in fields such as sentencing of violent offenders, sexual assault law reform and juvenile justice. For over a decade, it has published the results of national prison censuses, and works closely with correctional administrators across Australia.

More recently, the Institute is contributing a crime victims component to the National Social Science Survey (NSSS) conducted annually by the Research School of Social Sciences at the Australian National University. This undertaking, endorsed by the Standing Committee of Attorneys General, will permit refinement of survey methodology, and will generate important information about fear of crime and about knowledge, attitudes and practice relating to crime prevention.

The Institute is also in a position to play an important role in the development of baseline and monitoring data relating to crimes of violence. Among the Committee's Terms of Reference was a requirement to assess the vulnerability to violence of particular groups. To do so, the Committee has had to rely on fragmentary data.

Homicide is the most serious offence under Australian law. It is the subject of widespread public concern and persistent media coverage. This coverage may give rise to considerable misconceptions regarding the overall extent of homicide in Australia, changes in the level and patterns of homicidal violence over time, and variation in the risk of becoming a victim of homicide. Although analyses of patterns and trends in homicide have been undertaken on an occasional basis by some jurisdictions within the Australian federal system (South Australia: SA Office of Crime Statistics 1981; New South Wales: Wallace 1986; Bonney 1987; Victoria: Law Reform Commission of Victoria 1988), there is no ongoing monitoring system operating in any State or Territory. There are no national baseline data, and uniform national homicide statistics remain elusive.

As a result, information about the characteristics of homicide victims is simply not available. Basic descriptive statements on an Australia-wide basis about the rate of Aboriginal homicide mortality, the proportion of homicides occurring within the family, the proportion committed by juveniles, the proportion committed with firearms, and the proportion committed in the course of other offences such as robbery or sexual assault, cannot be made. Approximations can only be inferred from fragmentary information. By way of illustration, the Committee considered the issue of firearms registration policy. To assist in formulating its recommendations, the Committee sought to determine the proportion of those homicides occurring within the family which were committed with firearms. The required information was simply unavailable.

The desirability of systematic information about the most extreme form of violence in Australia is obvious not only to provide for basic public understanding and reassurance, but also to serve as the foundation for the rational formulation and implementation of public policy in such areas as family law, child protection, and firearms regulation. The Committee recommends the establishment of a national homicide monitoring system.

The data base should permit more precise identification of those characteristics which place individuals at risk of homicide victimisation and of factors which enhance homicide mortality risk. It would also permit identification of risk factors associated with homicide offending.

Over time, this data base would permit an analysis of trends in subsets of homicide, for example those committed in the course of other criminal activity such as sexual assault or robbery. It should provide information with which to assess the relative efficiency and effectiveness of preventive interventions, including those relating to firearms and family violence.

Recommendation 103. **A national homicide monitoring system should be established within the Australian Institute of Criminology.**

Such information systems could be extended in the future to cover robbery and other violent offences, resources permitting.

Criminology Research Council

The Criminology Research Council is a jointly funded Federal-State body which awards grants for research in crime and criminal justice throughout Australia. The limited funds available for grants barely exceed $250,000 per year, less than the cost of one police patrol car operational on a round-the clock basis.

With its limited resources, the Criminology Research Council has been able to support a number of important research projects on violence. Among these are a study of domestic violence in Aboriginal communities, jointly funded by the Northern Territory Government; an evaluation of casualty response to domestic violence victims presenting at a major metropolitan hospital; a study of situational factors giving rise to violence in and around licensed premises, conducted in collaboration with the New South Wales Police, and a survey of victims' satisfaction with the criminal justice system in South Australia. A number of research reports emanating from Criminology Research Council projects were of great assistance to the Committee in the course of its deliberations. These include the work of Wallace (1986) on homicide in New South Wales, Brennan and Brennan (1988) on the problems confronting children as witnesses in criminal proceedings, and the Victorian Public Advocate (Johnson et al. 1988) on the vulnerability of disabled people to criminal victimisation.

Research of this kind, carefully chosen for maximum relevance to the needs of Australian policy makers and often commissioned at their request, will more than pay for itself in the long run. The Committee believes that an increase in funding for applied research on violence would yield considerable benefits.

Recommendation 104. **Federal, State and Territory Governments should increase their contributions to the Criminology Research Council.**

29 LOCAL GOVERNMENTS

Local governments in Australia, whose activities were traditionally confined to "rates, roads and rubbish", have in recent years expanded their functions considerably. As the level of government closest to the Australian citizenry, local governments are in an important position to contribute to the prevention and control of violence. Street lighting and design of public buildings can have important implications for public safety. The availability of child care facilities for families in general, and for families under stress in particular, can help prevent child abuse. Graffiti and vandalism can instil fear in community residents, and may invite further criminal conduct. Recreational facilities for young people may reduce the likelihood of delinquent behaviour, and improved services for the elderly may reduce their social isolation and fear of crime. Each of these functions is within the scope of local government.

Virtually all local government bodies in Australia are concerned with at least some of these activities. Indeed, a number of local councils have begun developing programs for the explicit purpose of improving community safety. To identify the most constructive projects currently in place or soon to be implemented by Australian local governments, the Committee contacted each local government body in Australia, a total of 911. The Committee received some very interesting contributions from councils across Australia.

Among the proposals received by the Committee and one which the Committee endorses, is that local governments, particularly those with a large number of young residents, sponsor a variety of after-hours, alcohol-free recreation and entertainment activities. Another proposal was that local governments should consider the implications for public safety of those planning decisions with which they are involved. In particular, they should be mindful of the principles of crime prevention through environmental design (Geason & Wilson 1989).

Many of the comments that the Committee received from local government authorities were thoughtful and well reasoned. Responses to problems of vandalism and violence ranged across a wide spectrum, but included many innovative ideas for coping with these problems, even though a number of councils remarked that they were constrained by funding difficulties. Indeed, the Shire of Flinders (Mornington Peninsula, Victoria) spoke for many when it commented that "preventive strategies are not difficult to conceive, but have been difficult to fund". Flinders Shire illustrates this problem by describing its unsuccessful request for a grant to set up a child maltreatment program, the need for which arose because of the perceived inability of Community Services Victoria to deal with the volume of abuse cases reported to them by the courts.

Flinders, like many councils, sees itself as being on the frontline of social problems like child abuse and domestic violence and, while making it clear that they regard these issues to be State not local government responsibilities, believe that some level of preventive planning and service delivery must be accomplished at the local level. Flinders has attempted to overcome funding difficulties in providing a respite house for victims of domestic violence and a worker to support the families involved, by combining with two neighbouring councils and pooling their resources.

Such sentiments are echoed by the City of Prospect (South Australia) which comments in its submission:

> your Committee must regard provision of services for child care and for families under stress as a priority . . . (and) stress the demonstrated link between early childhood neglect or abuse and future violent behaviour. There is also the link between unemployment and violent behaviour which must be considered. It is for these sort of reasons that local government involvement in human services is essential.

The Council of the Shire of Burke (Queensland) was one of several in country areas that recognised the desirability of providing improved recreational facilities, child care programs and other measures designed to lessen some of the pressures which may lead to violence and vandalism, but commented that "local government in the remote parts is hard pressed to provide water and roads, let alone social services . . . A real need exists . . . these problems exist in the Bush too".

As well as being concerned with the provision of services to families under stress, many councils are actively involved in programs aimed at young people. These youth activities are widely believed by councils to be the most effective strategy for preventing problems of vandalism and violence. However, there seems to have been considerable variation in the effectiveness of such programs. For example, one council related that it had tried a drop-in centre for youth "at risk", but had encountered numerous difficulties, especially vandalism, and was forced to close it down because of ratepayers' concerns. This seems to confirm findings of more successful councils that it is essential to consult and communicate closely with the potential users of such facilities, and ensure that they have a genuine input into what is being planned. The other lesson appears to be that, no matter how well intended, it is not effective to plan activities or provide facilities specifically for youth "at risk". Young people thus identified are not likely to respond positively to the perceived stigma.

The City of Croydon (Victoria) has been one of the most active in the provision of services to young people, and employs a Youth Development Officer to oversee the seven programs it has in operation, the broad aims of which are to provide information and enjoyable, safe entertainment. All its initiatives have been given detailed consideration in terms of costings and

what they hope to accomplish, and, importantly, have incorporated in the design of these programs an evaluation component. Funding for these initiatives is provided by the Good Neighbourhood Program, which the Victorian Government is running in 16 councils at present. This is a crime prevention program, inspired by the French Bonnemaison scheme, and is aimed at youthful offenders.

The Municipality of Kingborough (Tasmania) is similarly enthusiastic about its youth activities. As well as supporting the regular running of alcohol-free and drug-free concerts, it also provides a Youth Resource Centre for social contact, information and the planning of activities in cooperation with adult volunteers. Kingborough comments that evening activities planned this way "provide an excellent outlet for a large number of young people who are alienated, disaffected and distressed. It gives them a 'safe' place where they can express their feelings without being violent".

Several councils have been imaginative in channelling potentially negative youthful behaviour in positive directions. Some councils, for instance, allow the painting of graffiti art murals on certain buildings, while another, faced with constant damage to council property by skateboarders, cooperated with the riders themselves to clear an area for their use, erect safety signs and so on.

Some councils whose municipalities contain substantial Aboriginal populations have begun to tackle problems these communities face in other than punitive ways. Several have employed Aboriginal liaison officers to encourage better communication and consultation with Aboriginal communities within the municipality. The Council of the Shire of Central Darling, based in Wilcannia, where the majority of the population are of Aboriginal descent, has said that "Council is of the view that in order to reduce violence in Wilcannia in the long term, it will be necessary to improve both the economical and social structure in the Aboriginal community by creating long-term employment". It goes on to describe a proposed substantial construction project, which will be operated and managed by the Aboriginal community, assisted by Council where appropriate.

These responses received by the Committee demonstrate the range of possible responses local government authorities can make to problems of violence within their communities. The Committee notes that the South Australian Government's crime prevention program includes a role for local governments, and would encourage other State and Territory Governments to enlist the support of local government in crime prevention.

Recommendation 105. **Local governments should consider the implications for public safety of those planning decisions with which they are involved. In particular, they should be mindful of the principles of crime prevention through environmental design.**

Recommendation 106. **Town planners should incorporate security measures in design and when considering planning proposals.**

Recommendation 107. **Federal, State and Territory Governments should assist councils in providing services to families under stress.**

Recommendation 108. **Local governments should develop programs which provide a variety of high standard alcohol-free recreation and entertainment activities, planned in consultation with the intended users, where young people can express themselves freely in a safe place, removed from those who are likely to be irritated by displays of exuberance and energy.**

Recommendation 109. **A national conference of local governments should be convened to enable local government officials from around Australia to share their insights on crime prevention.**

Sidney Nolan **Untitled** (The torture of Rufus Dawes) 26 August 1978
"If he allowed his head to hang, the blood rushed to his brain and suffocated him."
  pastel on paper
    from the series *For The Term Of His Natural Life* based on Marcus Clarke's novel.

30 PRIVATE ENTERPRISE

Employers generally

More astute employers are coming to recognise that the health and well-being of their enterprise is consistent with, indeed, dependent upon, the health and well being of their employees.

The role of health authorities in the identification and control of stress was noted above. Employers in both public and private sectors have responsibilities in this area as well, and their concern need not be entirely altruistic. A healthy workforce is a more productive workforce. Employer investment in the identification and control of stress can be profitable, in addition to contributing to the prevention and control of violence.

Recommendation 110. **Employers should provide a range of counselling and support services to assist employees with personal problems. These should include stress management, drug and alcohol rehabilitation, and domestic violence counselling.**

The Committee recognises that only the largest organisations will be able to afford full-time, specialised services. In smaller employer organisations, competent managers should be able to recognise when their employees might be in need of personal advice, and should assist their employees by referring them as appropriate.

The issue of employee security, addressed in the Committee's publication *Violence and Public Contact Workers* (Swanton 1989, **Violence Today** No. 5) is of course an important part of occupational health. Employers should be mindful of the risks which their workers face, and should train and protect them as appropriate.

The role of government in developing employment training programs was noted above in Chapter 18. The Committee recognises the importance of productive employment, and notes that employers have a responsibility to contribute to a better Australia by cooperating with employment training initiatives, including affirmative action. Employers need not simply respond to government initiatives; creative managers should be encouraged to devise special initiatives suited to their own enterprises.

Employers may also reduce the risk of payroll robberies by minimising the amount of cash on hand on pay days. Payment by means of bank credits, where this does not constitute an inordinate inconvenience to employees, can be a constructive crime prevention measure. Such practices can and should be encouraged by Government policy.

Recommendation 111. **Governments should offer payroll tax reductions to employers who pay their employees by bank credits.**

Specific industries: media

Promotion of non-violent and pro-social values

The power of the mass media to influence human behaviour cannot be minimised. The viability of the Australian advertising industry is testimony to such power.

Given the role that the media play in shaping our values and behaviour, it is tragic that they have not been employed more constructively to deal with violence. The Committee hopes that recognition of social responsibility, and not pressures for censorship, will bring about an improvement in media programming. Television could promote adaptive alternatives to violence, and emphasise non-violent means of conflict resolution.

Recommendation 112. **The media generally, and the television industry in particular, should demonstrate a commitment to programming which promotes pro-social conduct and non-violent values.**

One aspect of media coverage which is cause for some concern is gratuitous intervention into the privacy of victims and their families (Grabosky & Wilson 1989, Chapter 9). Anecdotal examples of bereaved relatives of homicide victims beseiged by batteries of film crews, and the regular appearance in tabloid newspapers of photographs of the deceased on the anniversary of the criminal incident or on the occurrence of any subsequent judicial proceeding, cannot begin to convey the anguish which such people almost certainly experience. The Victims of Crime Service in South Australia called the Committee's attention to the counter-therapeutic implications of such intrusive reporting. Whilst the Committee strongly embraces the principles of press freedom, it encourages news editors to exercise better ethical judgment — to ponder just how much the public's right to know is served by the repeated publication of the deceased's photograph, or by recounting the lurid details of a crime, and whether this outweighs the additional grief which it may impose on the bereaved.

The news media have also been criticised for portrayal of criminal violence in a manner which borders upon glorification. The Commonwealth Bank Officers' Association and Australian Bank Employees Union, many of whose members have looked down the barrel of a gun, and thus have more than a passing interest in the issue, have argued for greater exercise of taste and responsibility in the reporting of armed hold-ups. They argue that whilst a robbery itself may be accorded front-page coverage, and the robber described as "cheeky" or "daring", subsequent capture, prosecution and sentencing of offenders usually attracts very little media attention. The Association is critical of what it perceives as irresponsible sensationalism in the coverage of violent crime. The Committee could not agree more. More than a century has passed since the death of Ned Kelly, and the Committee regards it as preferable that future Australian heroes be celebrated for altruistic deeds.

Recommendation 113. **Media organisations should develop a code of conduct aimed at reducing gratuitous intrusions upon victims' and alleged offenders' privacy and dignity; avoiding glorification of violence; and avoiding portrayals which may encourage the commission of similar offences.**

Media coverage of sport

Another area in which the media can contribute to the promotion of non-violent values is in its coverage of sport. Whether or not the degree of violence (as distinct from hard, but fair, play) on Australian playing fields has increased in recent years (and the Committee has been advised that it has not), it seems apparent that technological innovations have facilitated the televised recording and rebroadcasting of violent incidents. The Australian Broadcasting Tribunal (1989) has called attention to the depiction of violent sporting incidents in promotions of televised sporting events. With regard to the broadcast of the events themselves, it is a lamentable fact that in some instances, commentary on violent incidents has entailed a degree of glorification.

The Committee strongly urges a change in the manner in which the Australian media report sport, particularly violent aspects of sport, whether they occur on the playing field or amongst spectators. As was noted in the **Violence Today** discussion of violence in sport (Wenn 1989), rugby league commentators have been known to broadcast such remarks as "There is nothing wrong with two prop forwards standing toe to toe and throwing a few — it's a man's game". Such comments are reprehensible, and provide a disgraceful example for young players. The Committee regards it as absolutely essential that media commentators refrain from any comments which would have the effect of glorifying or legitimising violence. The media should take the initiative by avoiding the use of violent imagery in the promotion of broadcast and print coverage of sport, by condemning violence when it does occur, and by shaming the perpetrators of violence as much as possible.

Recommendation 114. **Media coverage of sporting events should avoid the gratuitous re-play of violent incidents.**

Recommendation 115. **Media commentators on sporting events should avoid glorification of violence and should forcefully condemn violence when it occurs, and should shame the perpetrators of violence.**

Recommendation 116. **Media advertising of sporting events should avoid metaphors of violence and should emphasise themes of fair play.**

Alcohol advertising

The Committee is mindful of the importance of alcohol to the Australian economy. At the same time, it regards some forms of alcohol advertising as irresponsible. The Committee has in mind what might be described as "lifestyle" advertising, that which seeks to project an image of alcohol

associated with athletic prowess, sexual gratification, wealth, prestige, or general personal fulfilment. Advertisements aimed at adolescents are particularly inappropriate.

(The Committee's recommendations relating to the advertising of alcoholic beverages appear in Chapter 16 above).

Specific industries: licensed premises

Server intervention programs

The introduction of server intervention programs to modify the context of drinking on licensed premises, with a view towards discouraging underage drinking and the abuse of alcohol generally, can have benefits well beyond the prevention and control of violence. Indeed, the idea of server intervention has been accorded considerable discussion as a means of preventing alcohol related road accidents (Homel & Wilson 1987).

Server intervention can entail a number of elements, including changes to lighting and decor, the promotion of non-alcoholic beverages and food, procedures for intervening in the event of violent altercations between customers. A basic principle is to increase the professionalism of servers.

A well designed and implemented server intervention program can achieve the desired modification of drinking behaviour, while improving staff morale and maintaining or improving profits.

The Committee has formed the impression that principles of server intervention have yet to be widely embraced throughout the Australian alcohol industry. Peter Garrett, lead singer of Midnight Oil, has had considerable personal experience with issues relating to disorderly behaviour and security at concerts. He advised that on a number of occasions he requested that publicans institute server intervention programs to discourage the irresponsible use of alcohol, only to be told to mind his own business.

The Queensland Patron Care program, discussed above, has been operating in Queensland since early last year. An evaluation is currently being carried out on its effectiveness. It appears that although publicans and their bar staff have found it useful, a more extensive training course is required to tackle this difficult problem. One way in which this may be achieved is through tourism and hospitality training courses. The National Tourism Industry Training Committee, which accredits all such courses throughout Australia, has recently decided that a Patron Care module should be a compulsory component of all bartending courses, and all such TAFE courses now contain this unit. The Committee applauds this example of responsibility within the industry.

Recommendation 117. **State and Territory Governments should prepare codes of conduct for the operation of licensed premises, enforceable under**

fair trading legislation. These codes should be flexible enough to deal with circumstances applying to particular communities, including Aboriginal areas. They should also include segments on server intervention and bouncer employment.

Bouncers

The survey of serious assault conducted by the Victorian Ministry of Police and Emergency Services (1989) observed an increasing proportion of reported serious assaults occurring around pubs and clubs. In the two-year period under review, 21 per cent of the reported incidents involved bouncers, overwhelmingly as alleged perpetrators. The Committee also received anecdotal evidence about alleged assaults by bouncers in Queensland.

Proprietors of licensed premises should exercise great care in the recruitment of their security personnel. It would seem most inappropriate, for example, to retain the services of a bouncer with a previous criminal conviction for assault.

The idea that proprietors of licensed premises should be liable for injuries arising from negligent service is relatively new to Australia. In the United States, damages have been awarded against proprietors of licensed establishments whose intoxicated customers have subsequently become involved in motor vehicle accidents resulting in death or injury to a third party.

There seems little doubt that in Australia, negligence on the part of proprietors of licensed premises in the recruitment, training and deployment of security personnel can result in injury to customers. Such injury, when it occurs, should render both the licensee and the bouncer liable for civil damages. Where the elements of a criminal offence exist as a result of a bouncer's actions, the bouncer should be charged as appropriate.

Recommendation 118. **Negligence in the recruitment, training, and supervision of security personnel which results in injury to the public should render the proprietor of licensed premises liable for civil damages.**

(Additional discussion and recommendations relating to the alcohol industry and licensing authorities appear in Chapters 16 and 27 above)

Specific industries: toy retailers

The Committee received submissions from a number of concerned citizens objecting to toys relating to war and violence. Their objections were based on the assumption that such toys were harmful, in that they engendered an aggressive disposition in children which can manifest itself in subsequent violence, or that they engendered a callousness and insensitivity to the feelings or suffering of others. The basic tenet of the group called National Action Against War Toys is that play is the way children learn; toys, games, and television are children's windows on the world. If that world is perceived

to be one of violence and conflict, then that becomes the reality which they expect and subsequently hope to shape. The group argues that children's play does indeed instil violent values, and that this play is now largely directed by adults whose sole motive is profit. The group estimates that each year, the average 4-8 year old will see 250 episodes of war cartoons and 1,000 advertisements promoting war toys.

A review of anti-social toys was conducted by the Victorian Consumer Affairs Committee (1988). Whatever the state of scientific fact regarding the effect of war toys, it appears to be the consensus of child psychologists that such toys confer no possible benefit, and may be harmful to some children under some circumstances.

The Victorian Committee provided some interesting insight on overseas experience with war toys. At the behest of the Swedish Parliament, the Swedish National Board for Consumer Policies and the Play Environment Counsellor began negotiations with relevant trade organisations in 1978. These bodies reached a voluntary agreement that toys and games relating to modern war (after 1914) not be sold. Model kits would be available on a restricted basis, with discreet packaging which would avoid pictorial representations of war scenes and shootings.

According to the Victorian Committee, the agreement functioned satisfactorily with regard to military toys, but appeared to require modification to incorporate a new generation of toys depicting futuristic conflict in outer space. The Committee further reported that the Government of Malta had decided to prohibit the import of war toys, and the Greek Government has banned the television advertising of war toys.

In 1982, the European Parliament recommended that the production or sale of war toys should be progressively reduced, and be replaced by toys of a constructive nature which are designed to develop creativity.

Recommendation 119. **Toy retailers should embrace a code of practice and display a sign indicating that the store does not sell toys relating to violence and war.**

Recommendation 120. **An independent body should be established in consultation with the toy industry, governmental consumer affairs agencies, and the consumer movement for the identification and promotion of pro-social toys. It should develop an endorsement scheme whereby such toys are clearly identifiable to prospective purchasers.**

31 OTHER NON-GOVERNMENT ORGANISATIONS

Religious organisations

In the colonial era, and indeed, well into federation, many of the basic welfare functions in Australia were performed by religious organisations. Although the role of religion in Australian life has declined in recent years and Government has taken on many of these welfare functions, the Committee believes that religious organisations have an important role to play in the prevention and control of violence.

A significant proportion of marriages in Australia today are performed by ministers of religion, who are thereby strategically situated to provide prospective marriage partners with pre-marital counselling. Religious organisations have a role to play as moral exemplars. Traditionally, many religious bodies have reinforced values of patriarchy. In contemporary Australia, it is incumbent upon religious organisations to reinforce gender equality.

Religious organisations are in a position publicly to denounce violence, to repudiate the use of force in interpersonal relations and to urge non-violent means for the resolution of conflict. Indeed, churches are in a position to provide vehicles for the immediate resolution of interpersonal conflict through counselling and pastoral care. They are also well situated to provide such support services as child care, where Governments fail to fulfil their responsibility in that area.

The Social Responsibilities Division of the Victorian Synod of the Uniting Church in Australia has been very active in promoting debate and discussion on the subject of violence, holding numerous seminars and talks. The Division has concentrated particularly on issues such as firearms control, police powers, prisons and peace and disarmament and has done much to bring issues in these areas to public attention.

In its submission, the Division requested that the Committee consider broader issues of structural violence, stating that "any attempt to deal with community violence must recognise the ways in which our culture diminishes the humanity of some sectors of the population in terms of sex, race, mental and physical capacities and economic status".

The Committee congratulates the Anglican Archdiocese of Melbourne in its efforts to develop a strategy for a positive response by the Church to victims of domestic violence. Among the aims of the Church are to:

- identify the extent of domestic violence to women within parishes;
- initiate a preventive educational program in parishes about domestic violence;

- increase understanding about the structural and ideological bases of domestic violence in patriarchal traditions of church and society and to encourage action for change;
- find ways of encouraging violent men to understand and to take responsibility for, their behaviour;
- investigate ways of empowering women who are victims;
- develop alternative forms of ministry by women for women who are victims of violence.

Ministers of religion and laypeople involved in religious organisations may often come into contact with victims of domestic assault, or other crimes of violence. The role which members of religious organisations are in a position to play in alleviating the suffering of victims of violence can be significant. But in order to play that role most constructively, they must be aware of the social and psychological circumstances of victimisation. Rarely is it sufficient for a victim to be told to pray. Clergy and laypeople should be able to recognise when a victim might be in need of professional counselling; they should also be knowledgeable about various support services for victims, and be able to make the appropriate referrals as appropriate.

The Anglican Archdiocese of Melbourne advised the Committee that religious organisations have an active role to play in developing community support for those vulnerable to violence, and that the Archdiocese itself was developing strategies to enhance links of support within the community.

In addition to pastoral counselling of domestic violence victims, among the activities in which the Archdiocese is involved are the following:
- child protection and family support services
- alcohol and drug programs
- foster care programs
- counselling and support of AIDS victims
- youth accommodation programs and support to young people running away from violence at home.
- community mediation by parish clergy and laity.

Community services operated by the Church or its agencies work closely with other voluntary services and with government departments.

Moreover, religious bodies have a role to play in restoring a sense of dignity and worth to their constituents. The statement of the Anglican Archdiocese is exemplary:

> The Anglican Church believes that this is God's world, and that humans function best and most harmoniously when they share work, skill and wealth, when every person lives in dignity, and when they act towards others with compassion and justice. Governments have the responsibility not only to maintain law and order, but also to make legislative provision for the ordering of a good society, and to

redistribute opportunity and services so that they are accessible to all (Anglican Archdiocese of Melbourne 1988).

Recommendation 121. **Religious organisations should continue to foster non-violent values by encouraging the peaceful resolution of conflict and by denouncing violence when and where it occurs.**

Recommendation 122. **Religious organisations should review training curricula for members to ensure that counselling which they may provide is consistent with current professional practice relating to child abuse and domestic violence.**

Sporting authorities

Spectator violence

Violence on the part of spectators at Australian sporting events, while insignificant in comparison to that which has taken place in England over the past ten years, is still cause for concern.

Sporting authorities may take a number of measures to minimise the risk of spectator violence. Those spectators who are at greatest risk of misconduct at sporting events are young, single males. Authorities may reduce the risk of spectator misconduct through the control of alcohol at sporting fixtures. Spectators may be forbidden from bringing alcoholic beverages onto the premises. The sale of alcohol on premises may be restricted to low alcohol beverages served in paper or plastic containers, and sold at a substantial price mark-up. Certain locations of sporting fixtures may be designated as "dry" or "wet" areas, with security presence deployed accordingly. (Additional discussion of matters relating to alcohol may be found above in Chapter 27, the section on liquor licensing authorities.

The design and upkeep of sporting venues can have a significant effect on crowd behaviour. There is now compelling evidence that the risk of aggressive behaviour by spectators can be reduced significantly by the introduction of fixed seating and by regular upkeep of facilities. Fixed seating is more conducive to good behaviour than are terrace areas. Spectators are less likely to engage in acts of vandalism and to behave aggressively towards each other in surroundings that are well maintained. By contrast, dilapidated facilities tend to elicit antisocial behaviour: 19th century facilities may have some heritage value, but unless they are immaculately maintained, they constitute an invitation to violence.

Sporting authorities can also improve crowd control by better training and deployment of stewards.

Sporting bodies have an important contribution to make in the prevention and control of violence. They must denounce without reservation or hesitation, any violence on the part of participants or spectators which might occur under their auspices.

As noted above (Sport and Recreation, Chapter 21), they can take appropriate steps to ensure that the design and upkeep of stadium facilities do not encourage anti-social behaviour on the part of spectators.

The Australian Sports Commission has made an important contribution to the promotion of sporting conduct in Australia, by publishing codes of conduct for various types of participant, including administrators, officials, parents, spectators, coaches, teachers and the media. The Committee commends these efforts.

Beyond this, Australian sporting bodies are in a position to take a number of steps to prevent and control violence. They can penalise teams for violent behaviour by any of their players. Awards for individual performance could be made conditional upon a record of fair play and good sportsmanship. For example, players who have been found guilty of misconduct are ineligible to receive the prestigious Brownlow Medal, awarded annually by the Victorian Football League.

Recommendation 123. **Sporting organisations should assist in the prosecution of players who commit criminal assault on the playing field. This should include referring matters to the police for prosecution, and assisting the Crown in the collection of evidence.**

Recommendation 124. **Regardless of whether or not the criminal process may be invoked, sporting authorities should impose harsh penalties upon individual players for violent play.**

Recommendation 125. **Sporting organisations should disqualify players found guilty of misconduct from eligibility for awards for individual achievement.**

Recommendation 126. **Sporting organisations should revise their rules to penalise clubs which do not control improper behaviour by players. Such penalties should include loss of premiership and match points.**

Recommendation 127. **Sporting organisations should increase penalties for foul play by penalising individuals more heavily than in the past.**

Recommendation 128. **Sporting organisations should ensure that the terms of playing contracts do not provide any buffer or indemnification against penalties for foul play.**

Recommendation 129. **Coaches and officials should reserve the most severe and public reprimands for players who engage in violence.**

Recommendation 130. **Younger players, and their parents, should be taught good sportsmanship. Provision should be made for penalties against the team when parents of young players engage in disrespectful conduct as spectators.**

Recommendation 131. **Sporting organisations should devote attention and resources to those aspects of stadium and facility design and maintenance,**

such as fixed seating and proper upkeep, which are likely to discourage violence by spectators.

Recommendation 132. Sporting organisations should discourage irresponsible consumption of alcoholic beverages by spectators, through such means as restriction on bringing alcohol into sporting venues, beverage pricing policies, and the use of light plastic or paper containers.

32 PROFESSIONS

Medical profession

The medical profession plays an important part in caring for the physical and psychological well-being of victims of crime and in the assessment, care and treatment of violent offenders. In addition, medicine, and especially psychiatry, has a role in the prevention of violence by the diagnosis and treatment of medical and psychiatric disorders predisposing their sufferers to violent conduct. The prediction of violence, a controversial procedure, is of frequent concern to psychiatrists practising in mental hospitals and in the criminal justice system.

Despite advances in knowledge and practice, adverse comments are still made about medical practitioners, especially with regard to their handling of victims of crime. The insensitivity on the part of some public health practitioners to the difficulties experienced by victims of violence was noted earlier in this Part of the Report, in the discussion of public health agencies. Some of these same criticisms (those of failing to identify the cause of an injury inflicted in the course of an assault; treating the injury but not the patient; and neglecting the patient's need for further counselling and support) may be directed at private medical practitioners as well. Medical educators and professional colleges can make significant contributions by disseminating appropriate information on the wider context and circumstances of victimisation.

General practitioners in particular need to be sensitised to the needs of patients who are victims of physical abuse. Many domestic violence victims regard their General Practitioner (GP) as their first, and in many cases only, refuge, and seek advice from the family doctor beyond the realm of medical assistance. Too many GPs appear reluctant to become involved with family violence, becoming confused about the ethics of the situation. GPs should be given more training, both at the undergraduate and continuing education levels, on how to react when patients present as victims of family violence, whether adults or children, and should be assisted in every way to keep well informed about the various avenues of help available to these patients and what their obligations are to them, both legal and ethical.

The particular problems presented by offenders with psychiatric and behavioural disorders are of concern. The Social Development Committee of the Parliament of Victoria is currently conducting an investigation into mental illness and violent crime. As noted above in the discussion of correctional agencies, the National Committee on Violence is concerned that appropriate treatment and rehabilitation programs be provided in the community and in institutions for violent offenders with psychiatric problems.

There is a more general role for the medical profession. Through medical schools, postgraduate training programs and professional bodies and colleges, it can influence not only the knowledge, skills and practices of its members, but also public attitudes and behaviours. The Committee notes the strong persistent campaigns pursued by the profession on matters such as smoking and road safety, as well as statements on issues such as firearms control. The Committee believes that the adoption by the profession and its organisations of violence, in all its aspects, as an issue worthy of continuing professional examination, would be of great value.

Recommendation 133. **Professional medical organisations and colleges should assist their members in the diagnosis and referral of victims of violence, especially victims of sexual assault, domestic violence and child abuse.**

Recommendation 134. **Medical education, undergraduate, postgraduate and continuing, should include components dealing with all aspects of violence. There should be special emphasis on the care of victims, the prevention of violent behaviour and the treatment of violent persons.**

Recommendation 135. **The medical profession, its professional organisations and colleges, should pursue the problems of violence in the community as a major public health issue.**

Legal profession

Members of the legal profession have occasion to come in contact with victims of violence under a variety of circumstances. Victims of criminal assault in the home may require the services of a lawyer in proceedings before the Family Court of Australia. Victims of violence generally may be represented in hearings related to criminal injuries compensation. And of course, victims of violence who are to be called upon to testify in criminal proceedings may have contact with lawyers representing the prosecution and the accused.

Regardless of the particular role which the legal professional is playing, his or her career training may have contributed to the development of a certain detachment from clients or witnesses which may be perceived by them as lack of concern or even hostility. The Committee concedes that lawyers are not counsellors or therapists, and that there are other professionals available to perform those functions. At the same time, basic ethical principles and standards of courtesy are not always honoured.

Crown prosecutors, who are often dependent upon the cooperation of victim/witnesses to make a case, should treat the victim with the courtesy they deserve. Defence counsel should avoid gratuitous or insulting remarks in the course of cross-examination of a victim/witness. When they fail to do so, it is the responsibility of Crown prosecutors and judicial officers to object (Woods 1982).

The Committee applauds contributions such as those of Bartley (1989) who has written for practising lawyers on "conferring with a crime victim sensitively". The Committee is similarly impressed with the South Australian Government's policy which reaffirms the victim's right to be treated with dignity and respect by Crown law officers, and indeed, all officers of Government. These principles should be embraced by all practising lawyers.

Recommendation 136. **Members of the legal profession should, through in-service training or by means of continuing education, develop greater sensitivity to the needs of victims generally, and should routinely accord victims courtesy and respect.**

Planners and architects

As noted above, principles of crime prevention through environmental design can contribute to reducing crime and violence in Australia. The Committee believes, moreover, that these principles are entirely consistent with principles of aesthetics, efficiency, and other aspects of building safety. Beyond this, we are of the view that principles of crime prevention through environmental design could be more widely disseminated in the architectural and planning professions. We encourage such wider dissemination, in both the initial professional training and in the continuing professional education of architects and planners.

Recommendation 137. **Members of the architectural and planning professions should, through their initial professional training and in continuing education programs, develop greater awareness of the principles of crime prevention through environmental design.**

33 OTHER GROUPS

Trade unions

The raison d'etre of trade unions is the well-being of their members. This is no longer limited to the traditional concerns of wages, hours and working conditions. Indeed, trade unions, whose collective membership comprises nearly half of the Australian workforce, are in a position to make a significant contribution to the prevention and control of violence in Australia.

The issue of violence in the workplace is one which should be of concern to many trade unions. As the Committee's publication *Violence and Public Contact Workers* (Swanton 1989, **Violence Today** No. 5) has shown, proper training of workers can significantly enhance their protection from physical assault.

Recommendation 138. **Where employers provide insufficient training and protection for their public contact workers, trade unions should call this to their attention.**

Individual citizens

The fact that the bulk of this Part of the final Report dwells on the responsibilities of governmental organisations should in no way be read as absolving individual Australians of responsibility for the prevention and control of violence, and for assisting the victims of violence. To be sure, some tasks, such as those of police, courts and correctional agencies, are more appropriately performed by governmental authorities. But responsibilities as fundamental as the socialisation of our children will always lie with parents.

The neighbourhood network scheme proposed by the National Association for the Prevention of Child Abuse and Neglect (NAPCAN) was discussed above. The Committee also heard about schemes to assist young people who are for some reason under stress.

Mr David White, from "Big Brothers, Big Sisters," an organisation based in Melbourne, told the Committee in some detail about the principles and practical aspects of the scheme. Its basic aim is to support young people who lack adequate adult support. The program links a young person and an adult who commits himself or herself to spending 2–6 hours per week with the young person. Volunteers are rigorously screened before commencing on the program. Mr White told the Committee that, with appropriate safeguards, there is enormous potential in the community to support young people. A similar organisation, "Aunties and Uncles," operates in Sydney.

The Committee commends initiatives such as the Aunties and Uncles organisation in Sydney and Big Brothers and Big Sisters in Melbourne.

The Anglican Archdiocese of Melbourne reaffirmed that neighbours and members of the general community have responsibilities toward their fellow citizens. Their submission spoke of community reaction in the aftermath of the Hoddle Street shootings:

> In Hoddle Street, police joined with Churches to arrange community meetings and a Sunday afternoon service of "atonement" to assist people of the Clifton Hill community to cope with the fact not only that the shootings occurred there, but that the perpetrator was a local resident. This kind of initiative is to be encouraged. It does not need government resources or legislation. It is the kind of thing communities should simply be encouraged to do for themselves (Anglican Archdiocese of Melbourne 1988).

34 CONCLUSION

The Committee has done its best, with limited time and resources, to make constructive suggestions for the prevention and control of violence in Australia. We are confident that implementation of the above recommendations can make a difference, and would transform Australia into a less violent place than it is today.

By contrast, to allow history to unfold without any attempt at constructive intervention suggests a grim scenario: Australian youth are still relatively free of the anger, indeed the rage, harboured by many young people in Britain today. People who live in Australia's large cities are not besieged by beggars and defended by 24-hour security guards as are their counterparts in the United States. Unlike middle class and more affluent citizens of the third world, Australians are not yet prisoners in their own homes.

At the same time, the Committee recognises that implementation of the above recommendations would entail greater expense than Governments may wish to incur. Given the enormous financial burdens which current levels of violence impose on contemporary Australia, and which were briefly canvassed in Part One of this Report, Australian Governments are faced with a stark choice - either to pay now, and make Australian society less violent; or to pay later, and suffer the costs amounting to hundreds of millions of dollars per year, and cause Australians to endure the pronounced deterioration in the quality of life which the aftermath of violence imposes on our society.

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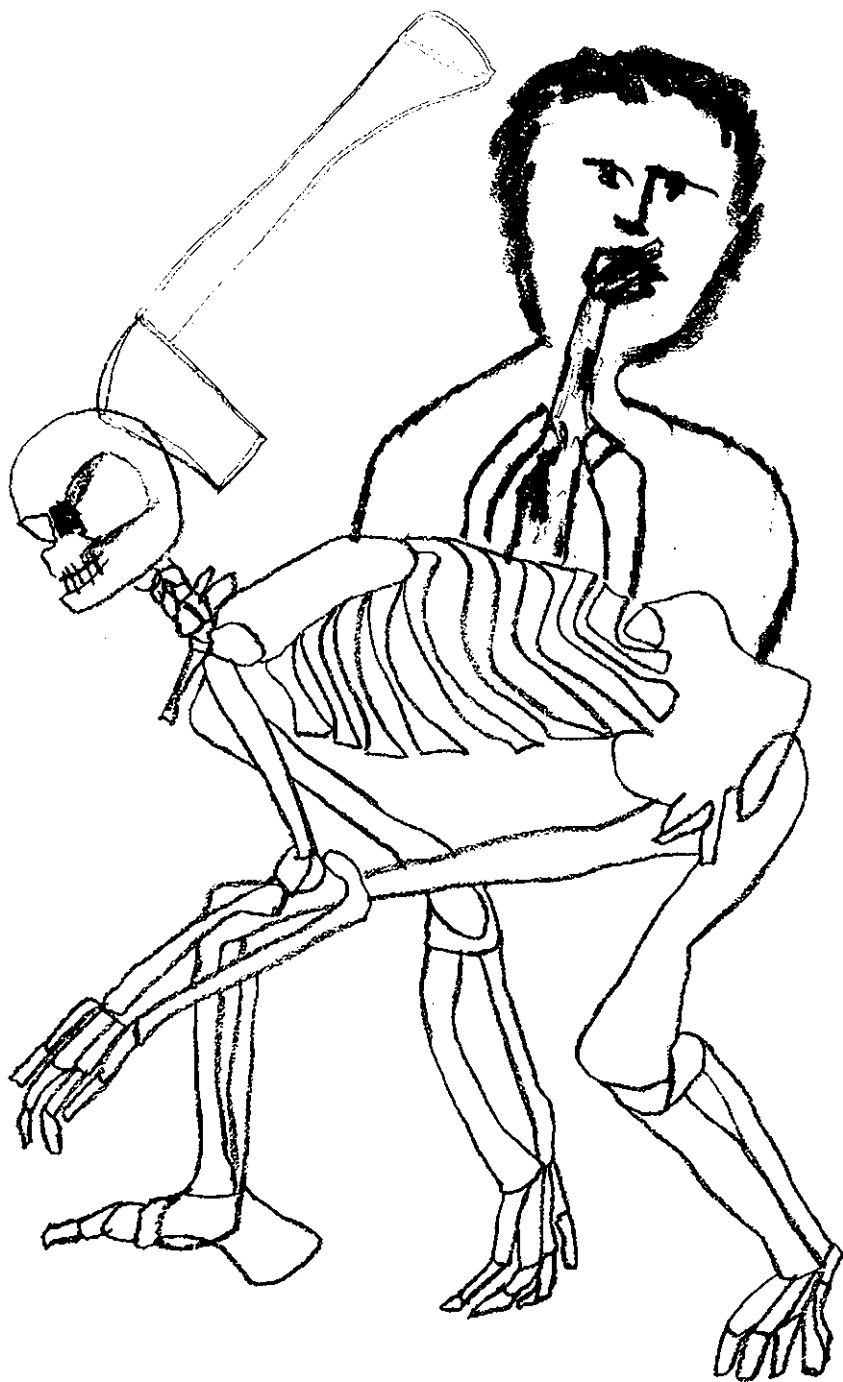
Sidney Nolan **Untitled** (Gabbett, The Cannibal) 26 August 1978
"That savage pair, however, make a fire, fling ghastly fragments on the embers, and eat the broil before it is right warm. In the morning the frightful carcass is divided."
pastel on paper
from the series *For The Term Of His Natural Life* based on Marcus Clarke's novel.

MINORITY REPORT I: BOXING

W.E. Lucas

P.E. Quinn

D. Chappell

We believe the issue of boxing requires further comment in opposition to the majority decision on boxing.

In October 1983 at the 35th World Medical Assembly the World Medical Association issued the following statement on boxing (*Medical Journal of Australia,* March 31, 1984)

Recommendations Concerning Boxing

Boxing is a dangerous sport. Unlike other sports, the basic intent of boxing is to produce bodily harm in the opponent. Boxing can result in death and produces an alarming incidence of chronic brain injury. For this reason, the World Medical Association recommends that boxing be banned. Until the goal is achieved, the following recommendations should apply to boxing:

1.   Request National Medical Associations (NMAs) to encourage the establishment of a "National Registry of Boxers" for all amateur and professional boxers, including "sparring mates", in their country. The proposed functions of the registry would be to record the results of all licensed bouts, including technical knockouts, knockouts, and other boxing injuries, and to compile injury and win/ lose records for individual boxers.

2.   Request NMAs to plan and conduct conferences with interested members of the medical profession, medical representatives of various government boxing commissions, and representatives of organised professional and amateur boxing organisations, to review criteria for the physical examination of boxers, to determine other comprehensive medical measures necessary for the prevention of brain injury in the sport, and to develop specific criteria for the discontinuance of a bout for medical reasons.

3.   Recommend to all boxing jurisdictions that the ring physician should be authorised to stop any bout in progress, at any time, to examine a contestant and, when indicated, to terminate a bout that might, in his opinion, result in serious injury for either contestant.

4.   Urge boxing jurisdictions to conduct frequent medical training seminars for all ring personnel.

5.   Recommend to all boxing jurisdictions that no amateur or professional boxing bout be permitted unless:

(a)   the contest is held in an area where adequate neurosurgical facilities are immediately available for skilled emergency treatment of an injured boxer;

(b)   a portable resuscitator with oxygen equipment and appropriate endotracheal tubes are available at ringside; and

(c)   a comprehensive evacuation plan for the removal of any seriously injured boxer to hospital facilities is ready.

6.   Inform boxing jurisdictions that unsupervised boxing competition between unlicensed boxers is a most dangerous practice that may result in serious injury or death to contestants, and should be condemned.

7.   Urge all boxing jurisdictions to mandate the use of safety equipment such as plastic safety mats and padded cornerposts and to encourage continued development of safety equipment.

8.   Urge all boxing jurisdictions to extend all safety measures to sparring partners.

9.   Urge all boxing jurisdictions to upgrade, standardise, and strictly enforce medical evaluations for boxers.

A review of medical literature since 1984 reveals a continuing medical concern about boxing and mounting evidence about serious injuries to boxers, particularly to the brain (Lishman 1988; Enzenauer & Mauldin 1989; Enzenauer et al. 1989; Giovinazzo et al. 1987). Enzenauer et al. (1989) suggested that the promotion of boxing by the United States military needed to be addressed. Little appears to have changed in the control of boxing in the United States since the WMA statement (Ross et al. 1987). What has occurred in Australia requires review.

Lishman's valuable 1988 review examines the psychiatric consequences of brain injury in boxers, noting paranoid illnesses (including psychosis), morbid jealousy and rage reactions — all conditions associated with serious violence. Amateur boxers have no immunity to brain damage — they have less occupational exposure and some protective gear — and neuropsychological testing is the most sensitive method of detecting early impairment (McLatchie et al. 1987).

The arguments commonly used to support boxing are that it is an art of self-defence, amateurs are not at risk, and that it provides a social and financial ladder for disadvantaged young. All these arguments are seriously flawed. The final one is sad in that it allows for disadvantaged youth to be exposed to the risk of further handicap in the, for most, illusory hope of advancement.

Boxing is a minor sport in Australia but it has medical, social and symbolic significance in the context of an investigation into violence. Brain injury is a major public health problem in young Australians. The Committee has made statements against the condoning of any form of violence and recommends that violence in sport not be glorified. Not to support the eventual banning of boxing in Australia, is in our opinion inconsistent.

Our minority recommendations are:

1.   We endorse the 1983 statement on boxing of the World Medical Association, in which it recommends that boxing be banned. We further endorse the Association's recommendations for action until the goal of banning is achieved.

2. We recommend that in view of the lapse of time since the statement of the World Medical Association the appropriate bodies, medical and sporting, review the situation in Australia regarding the control of boxing and its elimination as a sport.

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MINORITY REPORT II: THE IMPACT OF THE MASS MEDIA ON THE INCIDENCE OF VIOLENCE

P.E.Quinn

Under its Terms of Reference the Committee was required to examine "the impact of the mass media on the incidence of violence" and the majority view of the Committee in relation to that term of reference is set out in Chapters 27 and 30 of the Report.

I do not disagree with the specific recommendations of the majority of the Committee set out in these two Chapters, but feel that stronger recommendations are warranted.

Question of overlap with the Australian Broadcasting Tribunal

To a significant extent, the task of the Australian Broadcasting Tribunal and the National Committee on Violence overlap in this area and given the much more extensive resources available to the Tribunal, the Committee was clearly not in a position to match the Tribunal's efforts, at least in research capacity. On the other hand the term of reference in the Committee's task, that is, "the impact of the mass media on the incidence of violence" was a considerably wider brief than that given to the Australian Broadcasting Tribunal which was asked to look only at the television medium. Also, the Committee is not an actual participant in the television forum in quite the same way as the Tribunal is. Therefore, it is simply not tenable to leave any substantial comment in this area to be made by the Tribunal, even though this was apparently the preference of the majority of the Committee. Even the view that the National Committee on Violence should not have too much to say about television, leaving the bulk of the task to the Australian Broadcasting Tribunal is only tenable if there is agreement as to the outcome. As it happens, the Tribunal has not yet completed its task but there has been a good deal of liaison between the two bodies and although the majority of the National Committee on Violence may feel satisfied with the likely findings of the Tribunal, I did not share that majority view. There were also comments which were relevant to the operations of the Tribunal itself which needed to be made.

Importance of media violence

In opening the National Conference on Violence held in Canberra on 10 October 1989, it was interesting that His Excellency, the Governor General of the Commonwealth of Australia, the Honourable Bill Hayden, made these remarks: "As a matter of personal observation, the one subject more than any other that people volunteered to me in conversation as I travel around Australia in this job, is their concern with television violence".

It is also a matter of record that, of the subjects dealt with by the Committee, the one on which there was most public comment was that of media violence. The majority of these submissions were voicing concern at the incidence of violence in the media. Apart from the written submissions, the topic was raised at every one of the public forums held by the Committee throughout Australia and a reasonable overall interpretation of the comments would indicate that there is a significant segment of the Australian population which is expressing concern about this topic. The general consensus was that there was too much violence depicted through Australian media, especially television and video.

The Joint Select Committee on Video Material which reported to the Federal Parliament on 28 April 1988 after a most exhaustive investigation lasting some three years recommended that films that are both violent and pornographic should be banned.

On 4 July 1988 in a comment on decisions announced by Commonwealth and State Ministers responsible for censorship matters as a sequel to the report of the Joint Select Committee on Video Material, the Melbourne *Age* reported that "the public is concerned about the growing level of violence in films and its affect on young and impressionable minds".

In summary, there can be little doubt that the responsible parents of Australia, and many other people as well, are saying that there is too much violence on television and that their wishes are entitled to be listened to.

Priorities for use of limited resources

The majority of the Committee has expressed the view that "in terms of investing limited resources for the prevention and control of violence, media depictions of violence are of relatively low priority" and that "any risk which they may pose can be substantially neutralised by the family support initiatives proposed" elsewhere in the Report.

This is not a view that I share and moreover it is patently inconsistent with other views taken by the Committee as a whole. For example, the Committee unanimously agreed, as a fundamental aspect of its approach to the whole question of violence, that it was quite wrong to condemn some forms of violence and condone others. In according media violence "low priority" it has, in my view, not taken sufficient account of the well-documented views of ordinary Australians. Nor has it taken sufficient account of the fact that the media has an absolutely enormous effect on attitude formation in Australian society. It is undoubtedly the most influential medium, it enters nearly every home, and the very nature of the medium itself — its realism and instancy give it an impact that no other medium can match. It is also, unlike other mediums and socialising forces, always available in that it conveys its message, whatever that message happens to be, virtually 24 hours a day.

Relationship of media violence to actual violence

The question of whether media violence produces violence in ordinary life is an extraordinary difficult one to answer. Much of the research evidence is conflicting but this may well be simply because it is so difficult in such an area to ever demonstrate any cause/effect relationships. However, a great deal is known about the socialisation of children and how much children are influenced by figures in their lives whom they respect: parents, cult figures, rock music heroes and so on. Can anyone seriously deny there is no influence at all, when millions of teenagers all over the world model their clothes, hairstyles and other characteristics on the basis of these role models? Why should television be any different?

Even though the question would seem to defy definitive findings, a number of organisations have expressed views, based on extensive experience on the issue.

The Office of Film and Literature Classification, in its guidelines for classification of films and video tapes, has concluded that "the attention given to acts of violence in modern society, especially sexual violence, has created a justifiable concern among many people that the depiction of violence in popular entertainment will encourage acts of imitation".

The Victoria Police, in a submission to the Victorian Inquiry into Strategies to Deal with the Issue of Community Violence argued that "there is sufficient evidence of harmful effects to support action in restricting its (sexually violent media material) availability to the public".

In my view, therefore, although one cannot prove a causal association, it is very probable that such an association does exist and that what we know of the psychology of the socialisation of children suggests that certain types of media violence will have a detrimental effect, especially on young and impressionable children.

Media violence and children

The National Committee on Violence publication *Violence in Australia* published early in 1989, made the following points:

- Almost every Australian household owns a television set.
- By 1986 almost one half of all Australian households owned or rented a video recorder.
- A recent report by the National Health and Medical Research Council in 1988 estimated that Australian children watch between 3 and 5 hours of television daily.

It is now widely accepted that most children in Australia spend very extensive periods of time watching television. It has been said that many children now spend longer in front of the television than they do at school lessons or in communication with their parents. Even these statistics are almost certainly an understatement. In a recent survey conducted by A. G.

B. McNair, it was found that 33 per cent more children aged between 5 and 12 years were watching television than was shown in the more conventional ratings surveys.

One of the claims that is made about television is that no one is forced to watch it and that the vast majority of Australians are eminently capable of switching channels or they are free to turn off their television set entirely. This is of course only partly true. It is certainly true for most adults that they are capable of switching channels or switching off but it is just as certainly not true for most children. It is a fact of life that in a great many households, television is an effective minder of small children. When they sit in front of it and watch it, they are quiet. Whatever one may think about this practice, it is a fact of life and probably likely to become even more so as more and more children are part of families where both parents work.

Older children, who do not need to be "minded", are free to choose whatever they like during times when their parents, for whatever reason, are not present in the home.

When those responsible for media programming are criticised by the general public about general programming standards and the sort of material that appears on television, another standard response is that viewers get what they want. It is said that companies which fail to respond to viewer preferences would in fact not last in business very long. There is of course a modicum of truth in that view but it fails to take into account the fact that viewers are not really choosing what they want in the sense of any movement towards an ideal but they are simply recording their preferences as between available material from a fairly limited number of choices. Even making allowances for that, if the vast majority of Australians do regard television as too violent, why then is it that if viewers are supposed to get what they want, there is not a reduction of the violent content of programs generally? In other words, why is there no response to the preference, clearly indicated in surveys by the mainstream of the Australian viewing public, that they want less violence?

Instead of a reduction, there seems little doubt that violence on film and television is undoubtedly increasing in both volume and graphic detail according to the eminent authority on children's television, Dr. Patricia Edgar.

It cannot seriously be said that the paramount consideration for commercial television channels is what viewers want, but instead it is much more likely to be what will attract viewers. After all, commercial television does not operate in some esoteric cultural vacuum but is driven by the same factors that affect other commercial undertakings. As the Victorian Committee pointed out, the industry "is every bit as competitive and entrepreneurial as any other commercial enterprise".

The Victorian Committee also pointed to the fact that there was "a large body of research, both in this country and overseas which establishes that news coverage is selective" (page 34). Grabosk and Wilson made much the same point in their work *Journalism and Justice; How Crime is Reported*, Pluto Press, Sydney 1989.

If one really wants evidence of the selling power of violence, one only has to look at the huge success that television has brought to the war toys industry. It is, for example, stated that the sale of war toys has climbed by 350 per cent in the United States of America since 1982 as a direct result of television advertising.

Would anybody seriously suggest for example that viewers support the advent of non-rating periods which extend for a considerable part of the summer holiday period? Viewers do not have any real choice in matters of this kind. They are simply subjected to a system under which, from a cost point of view, it suits the operators of television stations to go into recess for a lengthy period over Christmas.

The Committee did receive evidence from a number of sources to the effect that "violence does not rate". I find that to be totally inconsistent with the undoubtedly high incidence of violence on television. If violence did not rate it simply would not be so constantly before us on the screen. It seems clear that this kind of bald assertion is not supported at all by facts. On the contrary it is quite clear that violence does in fact rate. The Chairman of the Australian Broadcasting Tribunal, Ms. D. O'Connor effectively said so to the Victorian Committee when she gave evidence in 1988.

What are we to make of all this? On the one hand responsible elements in the community are saying there is too much violence in the media but viewing patterns demonstrate that violence does indeed rate and is therefore a commercial plus. Sadly, our children are the losers in this conflict.

Duty of state to protect its children

As for those children whose parents are not, for whatever reason, in a position to exercise responsible control over what their children look at, it is the responsibility of Governments to help safeguard the upbringing of those children. Such an approach of course inevitably means that there will be a conflict between the interests of adults who want to watch things that are unsuitable for children as against the interests of those who wish to protect the children. But that type of conflict is not new and it has been the practice in a very wide range of situations right throughout society to resolve such conflicts by having paramount regard to the welfare and interests of the child. Stated simply, society at large has a duty to protect its young people where their parents fail, for whatever reason, to do so.

Classification system

A good deal of the submissions made to the Committee revealed a high degree of dissatisfaction with the classification system.

One of the things about the existing classification system for television is the fact that it appears to be out of touch with contemporary children's viewing patterns. The restriction on the showing of some types of material which applies from 8.30 p.m. in the evening, completely fails to take into account the fact that viewing patterns have changed considerably since introduction of television into Australia in 1956 and that vast numbers of young and impressionable children watch television long after 8.30 p.m. in the evening. Also there is no alteration to the restricted viewing time during summer daylight saving when it is a fact of life that many children do stay up later simply because their parents find it impossible to get them to go to bed.

It must be of particular concern that films like *Dirty Harry* which contained a sequence showing aggravated and unnecessary infliction of pain on a disabled victim by a law enforcement officer should be screened at a time when it is common knowledge that tens of thousands of young Australians will be watching.

It also appears to be a self-evident fact that the Australian television channels which rely to an enormous extent on American material, are prepared to endorse, apparently, in an uncritical way, the much higher levels of acceptability of violent material that obtain in the United States.

Television and video are often seen as two entirely separate mediums but that view must yield to the inevitable fact that the majority of homes in Australia are now equipped with video machines and this means that the two mediums are increasingly becoming part of the same marketing and viewing systems and therefore should be part of the same classification and licensing systems. There is little point in restricting, say, adults only movies late at night when the same material can readily be obtained by children for viewing anyway from the local video shop.

It is beyond doubt that many of the videos available to the public at large are more violent and more erotic than would be screened in cinemas or available on television. Just why this is so is not readily understandable. There is of course an argument that more questionable material should be available on video compared with television or in the cinema because video is not mass viewing in the same sense. That might be a tenable view if there were realistic controls on access but to the ordinary member of the community, such controls would appear to be virtually non-existent. It is true that it is always difficult to control access to "forbidden fruit" like alcohol, cigarettes, dirty movies and so on, if the basis of the control is one of age. But all the same, age restrictions do have some limited success in some situations.

Up till now much of the government strategy for coping with standard setting in television and video material has centred on distancing itself from the actual setting of standards by entrusting the task to bodies like the Australian Broadcasting Tribunal and the Film Censorship apparatus. The Australian Broadcasting Tribunal seems to me to be not a particularly effective mechanism for dealing with the problems that are the subject of such widespread apprehension among the Australian community. True it has the power to review the performance of television stations at the licence renewal hearing stages but this is a pretty unequal contest. The television channels have sufficient resource backing to brief the best legal counsel that money can buy to represent them at the hearings but where are the advocates appearing for the silent majority of Australians? They do not have the resources to match those of the television companies and the Tribunal cannot discharge this task effectively because its role as the licensing authority or the quasi-judicial body adjudicating in these matters is really inconsistent with the kind of advocacy that is required.

Also the concentration on the licence review hearings as the medium for assessing the performance of television stations is not really a satisfactory way of coping with individual breaches which occur. It would be much more satisfactory, for example, if individual Australians or perhaps some form of public advocate could initiate prosecutions of television companies for alleged breaches of standards.

The Victorian Committee made the point that it had become aware in the course of its inquiry of the "overwhelming perception on the part of concerned members of the public of their powerlessness in the face of media organisations". The Committee believed that "there is no genuine forum in which public concerns about the mass media in our lives can be effectively presented".

Finally, it is, I think, a matter of shame that in the Australian Capital Territory, the seat of the nation's Government, the laws are such that their people have access to degrading video material that would not be permitted anywhere else in Australia.

Recommendations

1. That the Federal Government establish an office of Public Media Advocate to:

   (a) represent the views and aspirations of ordinary viewers, especially parents and children, in hearings before bodies such as the Australian Broadcasting Tribunal which have the responsibility of determining media standards; and

   (b) initiate prosecutions of particular breaches of standards.

2. That the Federal Government step up its surveillance and prosecution of the illegal importation of violent and pornographic film and video material.

3.   That film and video classifications be changed to adopt more responsible attitudes, as an attempt to reflect more closely the widely held view of ordinary Australians that there is too much violence and pornography available on both television and videos.

4.   That the prevailing standards which prohibit the showing of material unsuitable for children be changed so that:
   (a)   they more closely reflect the wishes of parents;
   (b)   they are varied during daylight saving;
   (c)   they take into account the known viewing patterns of children of primary school age;
   (d)   in cases of doubt, the paramount consideration be the welfare and interests of the child.

5.   That the Federal and ACT authorities take the necessary steps to ensure that offensive video and film material is not freely available in the ACT.

APPENDIX A

The Process of Community Consultation

The Committee's limited budget meant that it was not possible for the Committee to hold formal public hearings. However the Committee felt that it was important to undertake consultation with members of the public, policy makers, professionals and representatives of interested organisations, in order to gain the broadest possible perspective of the issue of violence and in particular its manifestations and effects at the grassroots level.

To achieve this aim, the Committee held a series of community forums around Australia. A forum was held in each capital city and in Alice Springs. In addition, Committee members visited four Aboriginal communities in the Northern Territory. Mr Peter Ward and Ms Kim Dwyer visited the Milikapiti community on Melville Island and Professor Chappell and Ms Dwyer visited communities at Imanpa, Yuendemu and Papunya in Central Australia.

In each State, individuals and organisations, including government bodies, academia, the police, trade unions and community groups were invited to address the Committee. Representatives of the major political parties were also given the opportunity to speak. Advertisements were placed in the local press inviting interested members of the community to attend and participate. To facilitate the exchange of information, participants were asked to keep formal presentations brief and at most of the forums there was an opportunity for discussion after the speakers.

Over two hundred people, representing a wide variety of organisations, elected to give a presentation at the forums, and numerous others attended and took part in discussion.

The scedule of community forums and a list of the participants who addressed the Committee forums and meetings is at Appendix B.

The Committee received over four hundred written submissions which are listed at Appendix C.

The Committee, in conjunction with the Australian Institute of Criminology, the Australian Broadcasting Tribunal and the Human Rights and Equal Opportunity Commission, hosted a National Conference on Violence in Canberra in October. The Committee also sponsored, again in conjunction with the Australian Broadcasting Tribunal, a seminar entitled "Reporting Crime and Violence", which was held in Sydney in May. A list of the speakers who participated at the Seminar and the Conference is at Appendix D.

APPENDIX B

Speakers at Community Forums

Australian Capital Territory

 Mr John Bissett (ACT Community and Health Service)
 Chief Magistrate Cahill (Magistrate's Court of the ACT)
 Ms Sue Doobov (ACT Council on the Ageing)
 Mr Chris Eaton (Australian Federal Police Association)
 Mr Richard Eckersley (CSIRO)
 Ms Valerie Forsyth (Victims of Crime Assistance League)
 Senator Robert Hill (then Liberal Party spokesman on ACT)
 Senator Jean Jenkins (Australian Democrats)
 Ms Jan Langford Smith
 Ms Evy Lovstad (Toora Single Womens Shelter)
 Ms Heather McGregor (Domestic Violence Crisis Service ACT)
 Mrs Anne Murray (ACT Schools Authority)
 Ms Katia Pearl (Homeless Youth)
 Ms Robyn Rooney (Mothers and Others for Peace)
 Mr Leo Ryan (Community and Health Services)
 Mr Brian Slarke (Victims of Crime Assistance League)
 Ms Jacklynn Tait (Doris Women's Refuge)
 Mr John Tomlinson (ACT Council of Social Service)
 Superintendent Euan Walker (Australian Federal Police)
 Mr Malcolm Whyte (Lifeline Canberra)

South Australia

 Mr Reg Brand (Domestic Violence Service)
 Mrs Sally Castell-McGregor
 Superintendent Phil Cornish (SA Police)
 Mr Glenn Cupit (SA Council for Children's Film & Television)
 Mr Geoff Goodfellow
 The Hon. Trevor Griffin (Opposition Spokesman on Legal Affairs)
 Ms Kate Hannaford
 Mr Peter Jensen
 Ms Erinna McNeil (The Second Story Youth Health Centre)
 Mr Gerard Menses (SA Council of Social Services)
 Dr Ngaire Naffine (University of Adelaide)
 Ms Carmel O'Loughlin (Domestic Violence Prevention Policy Unit)
 Mr Jim Standley (Aboriginal Legal Rights Movement)
 The Hon. Christopher Sumner (Attorney-General SA)
 Ms Val Tassell (Adelaide Rape Crisis Centre)
 Mr Rodney van Wegen (Australian Peoples Representative Council)
 Judge A.B.C. Wilson (District Court of SA)

Western Australia

Commissioner Brian Bull (WA Police)
Ms Diana Cornish (Citizens Advice Bureau)
Mr George Davies, (Director, Perth Inner City Youth Coordinating Committee)
Ms Vera Farr (Sexual Assault Referral Centre)
Mr Stuart Flynn (Department of Health)
Ms Val French (Special Magistrate, Perth Children's Court)
Mr Bill Hassell (Shadow Attorney-General and Opposition Spokesman on Health and Protection of Rights)
Mr Robert Jackson (Perth Transcendental Meditation Centre)
Mr J. Jegathesan (Satha Sai Central Council of Malaysia)
Judge Toni Kennedy (District Court of WA)
Dr John Reid (Education Department)
Ms Ivy Rogerson (Incest Survivors' Association)
Ms Jennifer Searcy (Campaign for the Prevention of Custodial Deaths)
The Hon. Ian Taylor (Minister for Police)
Mr Bob Taylor (Citizens Against Crime)
Ms Donna Taylor (Youth Accommodation Group)
Mr B. van Luyn (National Viewers and Listeners Association)
Dr Judyth Watson, MLA (Chair, Domestic Violence Service)
Sister Joan Winch (Perth Aboriginal Medical Service)

New South Wales

Commissioner John Avery (NSW Police Department)
Ms Judith Bennett (Law Reform Commission)
Mr Vaughan Bowie (MacArthur Institute)
Mr David Buchanan (Gay & Lesbian Rights Lobby)
The Hon. Virginia Chadwick (Minister for Family & Community Services)
Mr Peter Garrett
Ms Joy Goodsell (Australian Council of Social Service)
Ms Sue Graham (Blacktown Women's Health Centre)
Ms Cathy-Ann Grew (Domestic Violence Advocacy Service)
Ms Lynn Kellert (MacArthur Institute)
Ms Ludo McFerran (NSW Domestic Violence Committee)
Sergeant Christine Nixon (NSW Police Department)
Ms Judith Ryan (NSW Legal Aid Commission)
Ms Jo Spangaro and Ms Clare Vernon (Sexual Assault Education Unit, Department of Health)
Mr Alan Staines (Salvation Army Crisis Line)
Ms Julie Stewart (NSW Domestic Violence Committee)
Ms Jill Sutton (NSW Domestic Violence Committee)
Ms Alison Wallace (NSW Legal Aid Commission)
Senior Constable Margaret White (NSW Police Department)

Queensland

Representative of Al-Anon Family Groups (name not published at speaker's request)
Mr David Andrews (Joint Churches Ecumenical Council)
Ms Judy Atkinson (Office of Aboriginal Women)
Sergeant Jill Bolen (Qld Police Department)
Mr Jef Clark (Alcohol and Drug Foundation)
Dr David Donaldson
Mr Huan Fraser, MLA (Member for Springwood)
Mr Greg Lauman (Commonwealth Bank Officers' Association)
Mrs Brenda Lewis (Women's International League for Peace and Freedom)
Mr Peter Little (Queensland Victims of Crime Service)
Mr R.A. Mulholland, QC
Mr Peter O'Brien (Qld Association of Teachers in Independent Schools)
Professor Beverley Raphael (Department of Psychiatry, University of Qld)
Ms Gwen Roberts
Ms Pamela Spaull (Qld Centre for the Prevention of Child Abuse)
Mr Wally Stratford (Joint Churches Ecumenical Council)

Northern Territory: Darwin

Deputy Mayor John Antella (Darwin City Council)
Superintendent Tom Baker (NT Police)
Ms Roseanne Bonson (Assistant Director, Northern Land Council)
Mr Peter Conran (Department of Law)
Department of Health and Community Services
    Ms Pamela Bazin (Acting Director, Professional Services)
    Dr Peter D'Abbs (NT Drug and Alcohol Bureau)
    Ms Julie Ellis (Family Youth and Children's Services, Policy Branch)
    Dr Warwick Konopacki (Mental Health Services)
    Dr Kevin Lee (Director of Pathology)
    Mr Doug Owston (Correctional Services)
    Dr Iain Ping (Accident & Emergency)
Mr David Parish (Education Department)
Ms Joanna Pendlebury (Dawn House Women's Refuge)
The Hon. Marshall Perron (Chief Minister of the Northern Territory)
Mr Graham Phegan (Office of Local Govt)
Mr Stuart Philpott (Office of Local Govt)
Mr Terry Smith (Leader of the Opposition, NT)
Ms Sue Smolke (NT Women's Consultative Council)
Mr Geoff Spring (Department of Education)
Dr Keith Suter (Trinity Peace Research Institute)
Ms Jean Young-Smith

Northern Territory: Alice Springs

Mr Doug Abbott (Tangentyere Council)
Ms Betty Carter (Central Land Council Congress)
Ms Marilyn Davies (Institute for Aboriginal Development)
Ms Pamela Ditton
Ms Barbara Flick (Institute for Aboriginal Development)
Ms Maggie Kavanagh (Pitjantjatjara Council)
Ms Merle Thomas (Central Lands Council Congress)
Ms Maria Thomson (Nganampa Health Service)
Ms Elna Williams (Department of Aboriginal Affairs)

Chief Inspector Maurie Burke (NT Police)
Alderman Michelle Castegna (Alice Springs Council)
Mr Ivan Christian (Finke River Mission)
Ms Pip Duncan (Alukra)
Department of Health and Community Services
   Ms Kate Egan (Regional Director, Community Services)
   Mrs Jenny Mills (Director of Nursing, Rural)
   Ms Lillian Stevens (Director of Nursing, Alice Springs Hospital)
Ms Di Shanahan (representing Mr Warren Snowdon, MHR)
Ms Esme Tyson (Women's Community House)

Victoria

Dr Christine Alder (Melbourne University)
Revd Anne Amos (Uniting Church)
Mr Paul Bartholemew (Community Services, Victoria)
Ms Gwen Blake
Mr Ben Bodna (Public Advocate of Victoria)
Dr Di Bretherton (National Action Against War Toys)
Ms Julia Cabassi (Federation of Community Legal Centres, Victoria)
Revd Wes Campbell (Uniting Church)
Ms Robyn Clark (Community Services, Victoria)
Ms Kirra-Jai Clunne-Long (Melbourne University)
Ms Ariel Couchman (Domestic Violence and Incest Resource Centre)
Mr Murray Cree
Mr Geoff Dalziel (Aust. National Association for Mental Health)
Ms Gwenda Davey
Mr Vaughan Duggan (Community Services, Victoria)
Ms Joy Flannigan (Attorney-General's Department)
Mrs Babette Francis (Endeavour Foundation)
Ms Kate Gilmore (Centre Against Sexual Assault)
Mr Tom Griffiths (Melton Community Health Service)
Ms Margo Guest (Chisholm Institute of Technology)

Revd Alan Hardie (Uniting Church)
Ms Martha Headey (Crime Prevention Education Consultancy Group)
Mr Dayle Hurst (Melton Community Health Service)
Ms Vicki Jenvey
Ms Marisa Kemp (Melbourne University)
Kim (Women's Refuge Referral Service)
Mrs Bev Long (Anglican Diocese of Melbourne)
Ms Jude McCulloch (Federation of Community Legal Centres, Victoria)
The Hon Andrew McCutcheon (Attorney-General)
Mr Alan Murnane (Domestic and Social Violence Service)
Archdeacon Alan Nicholls (Anglican Diocese of Melbourne)
Ms Marg Orpin (Victoria Police Family Violence Project)
Mr Martin Peake (Ministry of Education)
Ms Diana Pittock
Ms Sandra Plant (Zelda's Place Young Women's Refuge)
Ms Elida Radig (Peninsula Women's Information Service)
Mr Michael Rodrequez
Ms Pat Smith (Georgina Women's Refuge)
Dr Don Thompson (Australian Psychologists Society)
Mr David White (Big Brothers, Big Sisters)

Tasmania

Det. Inspector Tony Anstey (Tasmania Police)
Mr Les Batchelor (City Mission)
Ms Priscilla Berkery (Domestic Violence Action Group)
Mr Roland Brown (Tas. Coalition for Gun Control)
Mr Paul Chatterton (Men Overcoming Violence)
Ms Janine Combes (Sexual Assault Support Service)
Mr Les Drelich (Child Protection Assessment Board)
Mr Carl Gledhill (The Religious Society of Friends)
Senator Brian Harradine
Mr Peter Maloney (Department of Justice)
Mr Reg Marron (Hobart Community Legal Service)
Ms Carol McLean (The Religious Society of Friends)
Mr Dougald McLean (The Religious Society of Friends)
Ms Angie Pate (Hobart Women's Shelter)
The Hon Hank Petrusma (Legislative Council)
Mr John Presser (Forensic Pathology and Biology Unit)
Ms Denise Rathbone (Domestic Crisis Intervention Unit)
Mr Philip Richardson (Counselling Team, Don College)
Ms Jacky Russell-Green (Stepping Stones/Streetwork)
Ms Healther Sculthorpe (Department of Justice)
Ms Bronilyn Smith (Defence Dynamics)
Senator The Hon Michael Tate (Federal Minister for Justice)

Ms Lynn Townsend (State Govt Task Force on Child Assault)
Mr Michael Voumard (Child and Family Services)
Ms Aileen Walters (National Council of Women)
Mr Les Whittle (Anglicare)

Speakers at Committee Meetings

First Meeting, Canberra, 19 to 20 November 1988

No speakers

Second Meeting, Canberra, 11 to 12 February 1989

- Ms Irene Moss, Human Rights and Equal Opportunity Commission
- Ms Janet Ramsay, Office of the Status of Women
- Mr Michael Ramsden, Australian Broadcasting Tribunal
- Dr Don Stewart, Mrs Margaret Ray and Mr G. Connard, Victorian Parliament Social Development Committee

Third Meeting, Adelaide, 1 to 2 April 1989

- Chief Superintendent John Beck, Deputy Director, National Police Research Unit
- The Hon. Chris Sumner, Attorney-General, SA
- Dr Wray Vamplew, Flinders University
- Dr Graham Vimpani, National Injury Surveillance and Prevention Project

Fourth Meeting, Sydney, 27 to 28 MAY 1989

- Mr Simon Foster, Passenger Security, CityRail
- Mr Irene Moss and Mr Stephen Nugent, Human Rights and Equal Opportunity Commission
- Mr Michael Ramsden, Australian Broadcasting Tribunal

Fifth Meeting, Melbourne, 22 to 23 July 1989

- Mr and Mrs Phil and Judy Brown, Shooting Sports Council of Victoria
- Dr Don Edgar, Australian Institute of Family Studies
- Dr David Neal and Ms Bronwyn Naylor, Victorian Law Reform Commission
- Mrs Margaret Ray, Victorian Parliament Social Development Committee
- Ms Carolyn Worth, Mr Steve Hastings and Mr John Crook, Gun Control Australia

Sixth Meeting, Canberra, 14 to 15 October 1989

- The Hon. Rosemary Follett, Chief Minister of the ACT
- Mr Ross Jones, ACT Govt Law Office
- Ms Pat Turner, Department of Aboriginal Affairs
- Mr Richard Webb, Chief Minister's Office

APPENDIX C

Submissions and Responses to Requests for Information

The following is a list of organisations and individuals who made written submissions. It includes those who responded to requests for information sought by the National Committee on Violence. Organisations and inviduals who gave presentations at community forums and Committee meetings are listed in Appendix B.

Non-government organisations

Organisations, Authorities, Institutions

ACT Association for Mental Health
ACT Council on the Ageing
Adelaide Rape Crisis Centre
Al-Anon Family Groups (South Qld)
Alcohol and Drug Foundation (Qld)
Annie Kenney Young Women's Refuge, Hobart
Anti-Violence Project, NSW
Arndell Public School Parents and Citizens Association
Australian Children's TV Action Committee
Australian Council for Children's Films and Television
Australian Federation of University Women
Australian Montessori Society
Australian National Association for Mental Health
Australian Peace Education & Research Association
Australian Women's Self Defence Academy
Barnardo's Australia
Bethany Child & Family Support (Victoria)
Betsy Women's Refuge, Bankstown, NSW
Big Brothers, Big Sisters, Victoria
Campaign Against Sexual Exploitation, NT
Campaign for Prevention of Custodial Death (WA)
Canberra Parents and Citizens Association for Deaf Children
Central Council of Australia Sathya Sai Organisation Centre
Centre Against Sexual Assault, Victoria
Church and Trade Unions Committee (Vic.)
Citizens Advice Bureau of WA Inc
Citizens Against Crime (WA)
Combined Churches Ecumenical Council
Commonwealth Bank Officers Association and Australian Bank Employees Union (Qld)
Crime Prevention Education Consultancy Group
Dawn House Women's Refuge, Darwin
Defence Dynamics Pty Ltd

Domestic & Social Violence Service of Victoria
Domestic Violence Advocacy Service, NSW
Domestic Violence Crisis Service, ACT
Endeavour Forum
Federation of Community Legal Centres (Vic.)
Flemington and Kensington Community Legal Service, Vic.
Full Salvation Fellowship
Geelong Community Legal Centre
Greater Union
Gun Control Australia
Hobart Regional Meeting of Religious Society of Friends
Hobart Women's Shelter
Hobart Community Legal Centre
Humanist Society of Victoria
Hyperactivity Association of SA Inc
Hyperactive Help (WA)
Imanpa Community, Northern Territory
Intellectual Disability Rights Service (NSW)
Karinya Young Women's Shelter (Launceston)
Marriage Guidance Council of Victoria
MediaSwitch
Melton Community Health Centre (Vic)
Men Overcoming Violence (Tas)
Minors' Rights
Mothers and Others for Peace (ACT)
National Action Against War Toys
National Association for the Prevention of Child Abuse and Neglect
National Women's Consultative Council
Northern Land Council
Obsessive-Compulsive Neurosis Support Group (SA)
Peninsula Women's Information Service
Perth Aboriginal Health Service
Perth Inner City Youth Service
Perth Transcendental Meditation Centre
Presbyterian Women's Association of Australia
Resurrection Association of Parents
Ruby-Gaea House, Darwin Centre Against Rape
Salvation Army
Schizophrenia Australia Foundation
Sexual Assault Support Service, Hobart
Shooting Sports Council of Victoria
Social Responsibilities Committee, Anglican Diocese of Melbourne
South Australian Council for Children's Television

South Australian Council of Social Services
Sporting Shooters' Association of Australia (Inc.)
St Stephen's Anglican Church, Mt Waverley
St Stephen's Anglican Church, Penrith
Stop the Rock Action Group
Tangentyere Council (Alice Springs)
Tasmanian Coalition for Gun Control
The Church of Scientology
The Mothers Union in Australia (Anglican Church)
The Royal Australian College of General Practitioners
The Royal Australasian College of Physicians
The Royal Australian and New Zealand College of Psychiatrists
The Uniting Church in Australia (Melbourne)
The Victorian Council for Children's Films and Television
Trinity Peace Research Institute
Unemployed People's Embassy
Victims of Crime Assistance League (VOCAL) (ACT)
Victims of Crime Association (Qld)
Victims of Crims Service (SA)
Victorian Council of Churches
Victorian Court Information & Welfare Network
Victorian Federation of Catholic Parents Clubs Inc.
Wesley Central Mission (Victoria)
Western Australian Feminist Youth Workers Network
Women's Christian Temperance Union (WA Inc)
Women's Community House (Alice Springs)
Women's International League for Peace and Freedom (Qld)
Women's Refuge Referral Service, Victoria
Writers Group and Members of Eastwood Leisure Learning Centre
Youth & The Law Project (NSW)
Youth Accommodation Group (ACT)
Youth Legal Service (WA)

Individuals

Ms Judy Atkinson
Ms Joy Bailey
Mr Philip A. Baker
Superintendent T.A. Baker
N. & J. Barnett
Mrs L. Bates
Mr Eric Benjamin
Ms Gwen Blake
Ms Lynda Blundell
Sergeant First Class Jill Bolen

Mr Richard Bolt
Dr William Bor
Dr Allan Borowski
Mr Vaughan Bowie
Mr D. Boyd
P. Brauer
W. Braycer
Mr John A. Bracey
Mrs J. Brooke
Mr John Brown
Mrs Marie Brunning
Ms Roberta Burke
Dr Jim Cairns
Ms Jan Carroll
Mrs Sally Castell-McGregor and Mrs Anne Scheppers
Ms Joan Chalmers
Mr V.P. Champion de Crespigny
Ms Marianne Christmann and Ms Cristina Ricci
Mr Brian Collingburn
Mrs Marie Colman
Revd. Ivan Conder
Mr Bernard Conlon
Professor R.W. Connell
Mrs J. Coombs
Superintendent Phil Cornish
Mr Murray Cree
Ms Lorraine Crighton
Ms G. Dhorn
Dr David Donaldson
R. Dorman
Mr R.P. Dowle
Mrs Barbara Dutton
Mr George Eaton and Ms Charlotte Sayer
Mr Richard Eckersley
R. Edwards
Mr and Mrs J. Elliott
Ms Pamela Fitz Gerald
Mrs S. Flaherty
Dr Margo French
Mrs Gem Gallen
Mr Peter Garrett
Mr Geoff Goodfellow
Mr Mike Goodwin
Mrs M. Gordon

Mrs M.H. Grace
Misses Margherita and Betty Griffin
Ms Margo Guest
Mrs M. Hammond
Ms Kate Hannaford
Mr Tim and Mrs Maggie Hargreaves
Senator Brian Harradine
Mrs N. Hawkins
J. Hawkins
Ms Maria Heaney
Ms Alice Hennessy
W.G. Hesketh
Mr Ted Hill
Ms Sandra Hill
E.J. Hodge and others
Hoppers Crossing School, Year 10 Students
Ms Judith Hutchings
Mr D. Indermaur
Mrs Gwen James
Mr G.J. James
Senator Jean Jenkins
Mr G. Kay
Mr Gordon King
Mr John G. Lunn
Ms Desiree Magress
Mr Daribor Mareovic
Mr Reg Marron
Mr A. Martin
Mr A.E. Martin
Mr and Mrs Doug and Jan McIver
Mr Karl McLaughlin
Ms Erinna McNeil
A.W. Mehlert Dip. Th.
Mr R.A. Mulholland QC
Mr Edward Musgrave
The Hon. Justice Alastair Nicholson
Mr Tony Paynter
Ms Katia Pearl
Mrs Audrey Pennefather
The Hon. Mark Petrusma, MLC
Mrs Beth Phillips
Ms Cathy Picone
Mr Phil Pinder
Ms Diana Pittock

Mr E. Placer
Mr Phillip Pocock
Mr and Mrs Allan and Donella Polley
Mr John Presser
A. Prince, M. Taylor, R. Walton, S. Young
Dr Alex Proudfoot
Mr Pierre Rakus
Mr Sidney Raper
Mr Richard M. Read, Prosecutor
Mrs Lynn Reid
Mr A. Riddell
Ms Lois Roberts
Ms B. Robertson
Mr M. Rodrequez
Mr Keith Ross
Ms Charlotte Sayer and Mr George Eaton
Rev. Les Scarborough
Mrs Kathleen Schneiders
Mr D. Ian Smith
Mr William Solly
Dr Ron Spielman
Ms Patricia Stabler
Mrs N. Steele
Ms Elizabeth Steinhoff
Ms Hilary Stread
Ms D. Strickland
Dr Lucy Sullivan
Ms Pam Sutton
Professor Colin Tatz
Mrs Margaret Taylor
M.K. Taylor
Mr John Tomlinson
Mr Geoff Touta
Ms P. Upward
Senator Jo Vallentine
Mrs G. van der Moolen
Mr Justice Frank Vincent
Mr Paul von Stroheim
Mr Robert Wallace
Mrs Elsie Walsh
Mr J. Walter
R.J. Walton
Professor Brent Waters
Mrs Joan Waters

Mr John Watt
Mr Peter Webb
Ms Helen Wenham
Mr J.F. White
Mr Norman Wiggett
Ms D. Williams
Mr A. Wilmington
Ms Lois Wright
The Hon. Michael Yabsley MLA
S.J. Young
Ms Valerie Yule

Government agencies by State

Australian Capital Territory

ACT Community and Health Service

ACT Schools Authority

New South Wales

Department of Family & Community Services
- Domestic Violence Co-ordinating Committee

Department of Health
- Ambulance Service
- Blacktown Women's and Girls' Health Centre
- Sexual Assault Education Unit

Police Department

Premier's Department

Northern Territory

Department of Education

Department of Health & Community Service
- Correctional Services
- Drug & Alcohol Bureau
- Family Youth & Children's Services Policy Branch
- Forensic Pathologist
- Mental Health Services
- Director of Nursing (Rural)
- Director of Nursing (Alice Springs Hospital)
- Royal Darwin Hospital, Accident & Emergency

Department of Law

Northern Territory Police

Department of Transport and Works

Queensland

Department of Education

Department of Family Services
- Queensland Centre for the Prevention of Child Abuse

Queensland Police

Department of Sport and Recreation

Department of Family Services
- Westbrook Youth Centre
- John Oxley Youth Centre

South Australia

Department of Correctional Services

Health Commission of South Australia
- Child and Adolescent Mental Health Service, Adelaide Children's Hospital
- Sexual Assault Referral Centre, Queen Elizabeth Hospital
- Domestic Violence Service

South Australia Police

Department of Recreation & Sport

Tasmania

Department for Community Welfare

Department of Sport & Recreation

Tasmania Police

Western Australia

Western Australia Police

Department of Health
- Armadale Kemscott Health Service
- Sexual Assault Referral Centre

Victoria

Ministry of Education
- Peace Education Resource Centre

Attorney General's Department
- Family Violence Prevention Committee

Health
- Children's Court Clinic

Department of Sport & Recreation

Victoria Police
- Family Violence Project Office
- Research & Development Department

The Good Neighbourhood Program

Federal

Office of Film & Literature Classification

Australian National Railways Commission

New Zealand

New Zealand Family Violence Prevention Co-ordinating Committee,
Department of Social Welfare

Local councils

Town of Albany	(WA)
Council of the City of Albury	(NSW)
Alice Springs Town Council	(NT)
Shire of Arapiles	(VIC)
City of Ararat	(VIC)
City of Ballarat	(VIC)
Shire of Bannockburn	(VIC)
District Council of Barmera	(SA)
City of Bayswater	(WA)
Botany Municipal Council	(NSW)
Beaudesert Shire Council	(QLD)
City of Berwick	(VIC)
Booringa Shire Council	(QLD)
District Council of Blyth — Snowtown	(SA)
Council of the Shire of Bowen	(QLD)
Shire of Bulla	(VIC)
Canterbury Municipal Council	(NSW)
District Council of Cleve	(SA)
Council of the Municapility of Concord	(NSW)
Council of the Shire of Coonamble	((NSW)
Bundaberg City Council	(QLD)
Burdekin Shire Council	(QLD)
Council of the Shire of Burke	(QLD)
Carbonne Shire Council	(NSW)
Caboolture Shire Council	(QLD)
Council of the Municipality of Concord	(NSW)
Cootamundra Shire Council	(NSW)
Crow's Nest Shire Council	(QLD)
City of Croydon	(VIC)
Council of the Shire of Central Darling	(NSW)
Darwin City Council	(NT)
Shire of Deakin	(VIC)
Municipality of Deniliquin	(NSW)
City of Devonport	(TAS)
Dubbo City Council	(NSW)

Dungog Shire Council	(NSW)
Town of East Fremantle	(WA)
Council of the Shire of Esk	(QLD)
Shire of Flinders	(VIC)
City of Fremantle	(WA)
Shire of Goomalling	(WA)
Great Lakes Shire Council	(NSW)
Greater Taree City Council	(NSW)
Council of the Shire of Gunning	(NSW)
Guyra Shire Council	(NSW)
Hay Shire Council	(NSW)
Heathcote Welfare Co-ordinating Committee	(NSW)
City of Henley and Grange	(SA)
City of Horsham	(VIC)
Ipswich City Council	(QLD)
Shire of Kaniva	(VIC)
Kiama Municipal Council	(NSW)
Kempsey Shire Council	(NSW)
Kingaroy Shire Council	(QLD)
Municipality of Kingborough	(TAS)
Shire of Kowree	(VIC)
Shire of Kyneton	(VIC)
Lachlan Shire Council	(NSW)
District Council of Lameroo	(SA)
Shire of Laverton	(WA)
Shire of Lexton	(VIC)
Council of the City of Lismore	(NSW)
Livingstone Shire Council	(QLD)
Maclean Shire Council	(NSW)
City of Marion	(SA)
Municipality of Marrickville	(NSW)
City of Maryborough	(VIC)
City of Melbourne	(VIC)
The Council of the Shire of Merriwa	(NSW)
Shire of Minhamite	(VIC)
Shire of Mortlake	(VIC)
Council of the Municipality of Mosman	(NSW)
Shire of Mount Morgan	(QLD)
Mulgrave Shire Council	(QLD)
Shire of Murray	(NSW)
Narrandera Shire Council	(NSW)
Town of Narrogin	(WA)
North Sydney Municipality	(NSW)

Nymboida Shire Council	(NSW)
Council of the Shire of Paroo	(QLD)
Penrith City Council	(NSW)
Pioneer Shire Council	(QLD)
Port Stephens Shire Council	(NSW)
City of Portland	(VIC)
City of Prospect	(SA)
Randwick Municipal Council	(NSW)
Shire of Rochester	(VIC)
City of Sale	(VIC)
City of Salisbury	(SA)
Shoalhaven City Council	(NSW)
Singleton Shire Council	(NSW)
City of South Barwon	(VIC)
Town of Stawell	(VIC)
City of St Kilda	(VIC)
Shire of Swan	(WA)
Shire of Swan Hill	(VIC)
Shire of Warrnambool	(VIC)
Widgee Shire Council	(QLD)
Wingecarribee Shire Council	(NSW)
Shire of Wyndham — East Kimberley	(WA)
Wyong Shire Council	(NSW)

APPENDIX D

List of speakers who participated in the Reporting Crime and Violence Seminar, Sydney, 17 May 1989

Welcome   Professor Duncan Chappell, Director, Australian Institute of Criminology, Canberra

News coverage of crime and violence

Dr Paul Wilson Assistant, Director, Australian Institute of Criminology

Mr Gerard Henderson Director, The Sydney Institute

Ms Christine Rau Journalist, The Age, Melbourne

Mr Darren Goodsir Crime Journalist, Daily Telegraph, Sydney

Legal issues: Defamation, Contempt, Censorship, Sources, etc.

Mr Tom Molomby, Barrister at Law, Sydney

Professor Michael Chesterman, Law School, University of New South Wales

Mr David Anderson, Radio Journalist, Lecturer in Media Law, Queensland

Mr Richard Ackland, Lawyer/Broadcaster, representing the NSW Free Speech Committee

Classification of material for broadcast

Ms Deidre O'Connor, Chairman, Australian Broadcasting Tribunal

Mr John Wilson, Controller, Editorial Policy, Policy and Planning, British Broadcasting Commission, London

Book Launch

Journalism and Justice by Dr Peter Grabosky and Dr Paul Wilson, Pluto Press, Sydney

Media Ethics: Investigative Journalism, Accuracy, Responsibility etc.

Dr Peter Grabosky, Principal Criminologist, Australian Institute of Criminology

Mr George Negus, "The Today Show", Nine Network

Ms Jane Singleton, Australian Journalists' Association, Sydney

Mr David Brown, Senior Lecturer in Law, University of NSW

Mr Bernie Matthews, Prisoners Action Group, Sydney

Mr Ray Whitrod, Victims' Associations of Australia

Public Perception of Television Violence

>   Mr Michael Ramsden, Australian Broadcasting Tribunal
>
>   Professor Peter Sheehan, Academic Director of Research,
>   University of Queensland
>
>   Mr Robert Whelan, Managing Director, Public Policy Research Centre

List of Speakers who Participated in the National Conference on Violence, Canberra, 10–13 October 1989

Welcoming Remarks

>   Professor Duncan Chappell
>   Director, Australian Institute of Criminology
>   Chair, National Committee on Violence

Keynote Address

>   His Excellency Mr Bill Hayden
>   Governor-General
>   Commonwealth of Australia

I. Violence in Australia: Contemporary and Historical Perspectives

Chair: Mrs Anne O'Byrne
National Women's Consultative Council

HOW VIOLENT IS AUSTRALIA?	Dr Don Weatherburn Director and Mr Christopher Devery Research Officer New South Wales Bureau of Crime Statistics and Research
VIOLENCE IN AUSTRALIAN HISTORY	Professor Henry Reynolds Department of History James Cook University, Queensland
VIOLENCE AND PUBLIC POLICY: INFORMATION NEEDS	Dr David Neal Commissioner Law Reform Commission of Victoria
POLICE STATISTICS, VICTIM SURVEYS, AND INJURY SURVEILLANCE DATA: SYMPOSIUM ON THE MEASUREMENT OF VIOLENCE	Mr Tim Skinner First Assistant Statistician Social and Labour Branch Australian Bureau of Statistics Canberra
	Ms Jane Mugford Project Manager Australian Institute of Criminology

Chief Superintendent Jeff Jarratt
Office of Policy Planning and
Evaluation, New South Wales Police

Ms Marjorie Cuthbert
Deputy Director of Nursing
St Vincent's Private Hospital
New South Wales

II.   Australian Violence: An International Perspective
Professor Albert J Reiss, Jr.
Department of Sociology, Yale University
and National Academy of Sciences Panel
of the Understanding and Control of Violent Behaviour, USA

and

Professor Hans Joachim Schneider
Department of Criminology
University of Westphalia
Federal Republic of Germany

III. The Epidemiology of Violence in Australia
Chair: Dr Peter Grabosky
Principal Criminologist
Australian Institute of Criminology

PATTERNS OF VIOLENT DEATH   Dr Kenneth Polk
IN VICTORIA   Department of Criminology
                             University of Melbourne

THE NATIONAL INJURY   Dr Graham Vimpani
SURVEILLANCE AND PREVENTION Department of Paediatrics,
PROJECT   Flinders Medical Centre
                             and
                             Ms Elizabeth Boyle
                             Executive Officer
                             Child Accident Prevention
                             Foundation
                             Canberra

PATTERNS OF REPORTED   Dr Tom Robb
SERIOUS ASSAULT   Research Manager
                        New South Wales Bureau of
                        Crime Statistics and Research

Commentator: Dr Patricia Easteal
              Visiting Fellow
              Australian National University

IV.　The Causes of Violence

　　Chair:　Mr Peter Quinn
　　　　　　Director, Management Services
　　　　　　Department of Family and Community Services, New South Wales

THE PSYCHOLOGICAL BASES OF VIOLENCE	Dr Mary Sheehan Dept of Social and Preventive Medicine. The Medical School University of Queensland
SOCIO-ECONOMIC DETERMINANTS OF VIOLENCE	Dr Christine Alder Senior Lecturer Department of Criminology University of Melbourne
THE CAUSES OF PUBLIC VIOLENCE: SITUATIONAL "VERSUS" OTHER FACTORS	Dr Stephen Tomsen and Professor Ross Homel School of Behavioural Sciences Macquarie University New South Wales

V.　MITIGATING THE EFFECTS OF VIOLENCE ON ITS VICTIMS

　　Chair:　Ms Julie Stubbs
　　　　　　Lecturer, Faculty of Law
　　　　　　University of Sydney

PSYCHIATRIC ASPECTS OF PREVENTIVE INTERVENTION WITH VICTIMS OF VIOLENCE	Professor Beverley Raphael Department of Psychiatry University of Queensland
REFORMS TO THE CRIMINAL JUSTICE SYSTEM	Hon. C.J. Sumner Attorney-General for South Australia

Workshops/Panels

　　1.　Domestic Violence
　　　　Convenor:　Ms Janet Ramsay
　　　　　　　　　　Director, National Domestic Violence
　　　　　　　　　　Education Program
　　　　　　　　　　Office of the Status of Women,
　　　　　　　　　　Dept of Prime Minister and Cabinet
　　　　　　　　　　Canberra

　　　　　　　　　　Mr Reg Brand
　　　　　　　　　　Director, Domestic Violence Service
　　　　　　　　　　South Australia

　　　　　　　　　　Ms Sally McNamara　Solicitor
　　　　　　　　　　Domestic Violence Advocacy Service
　　　　　　　　　　New South Wales

2. The Prediction of Violent Behaviour
   Convenor: Chief Superintendent John Murray
               Prosecution Services
               South Australia Police
3. Violence and the Criminal Justice System
   Convenor: Ms Jude McCulloch
               Project Officer
               Federation of Community Legal Centres
               Victoria

               Mr Bernie Matthews
               Ex-prisoner, New South Wales

Workshops/Panels

1. Domestic Violence (Continued)

2. Psychopathology and Violent Offending
   Convenor: Dr Ian Miller
               Co-ordinator, Psychological Services
               New Zealand Police

3. Community-based Strategies for the Control of Violence
   Convenor: Dr Art Veno
               Lecturer, School of Social Sciences
               Institute of Advanced Education
               Gippsland, Victoria

   Co-convenor: Dr Di Bretherton
               Senior Lecturer, Psychology
               Institute of Education
               University of Melbourne

   Special Session: 'State of Shock'
   followed by discussion led by Mr David Bradbury

AUSTRALIAN BROADCASTING TRIBUNAL TELEVISION VIOLENCE INQUIRY

NEWS AND CURRENT AFFAIRS   Mr Michael Ramsden
                                Member
                                Australian Broadcasting Tribunal

                                Mr George Negus
                                Journalist/Associate Member ABT
                                TCN Channel Nine
                                New South Wales

COMMISSIONED RESEARCH   Professor Peter Sheehan
                                Academic Director of Research
                                University of Queensland

	Ms Kate Aisbett
	Head of Research
	Australian Broadcasting Tribunal
POLICY REGULATIONS	Ms Deirdre O'Connor
	Chairman
	Australian Broadcasting Tribunal

HUMAN RIGHTS AND EQUAL OPPORTUNITY COMMISSION RACIALLY MOTIVATED VIOLENCE IN AUSTRALIA

Chair: Professor Stephen CASTLES
Director, Centre for Multicultural Studies
University of Wollongong

OVERVIEW OF RACIST VIOLENCE   Ms Irene Moss
Race Discrimination Commissioner
Human Rights & Equal
Opportunity Commission

Ms Robyn Iredale
Director of Research
Human Rights & Equal
Opportunity Commission

Workshops

1. Racism and Racist Violence
   Convenor: Dr Jan Pettman
   Research Fellow
   Peace Research Centre
   Australian National University

2. Legislation — Does It Help?
   Convenor: Ms Irene Moss
   Race Discrimination Commissioner
   Human Rights & Equal Opportunity Commission

3. The Position of the Police
   Convenor: Senior Sergeant John Honeysett
   New South Wales Police

4. Strategies for Change
   Convenor: Professor Stephen Castles
   Director, Centre for Multicultural Studies
   University of Wollongong

PLENARY SESSION AND CLOSE OF HUMAN RIGHTS SEGMENT
Chair: Ms Robyn Iredale
         Director of Research
         Human Rights & Equal Opportunity Commission

Workshops/Panels
1. Victims of Violence
    Convenor: Dr Marsha Leeman-Conley
                Senior Psychologist
                Commonwealth Banking Corporation
                New South Wales

                Mr Danny Sandor
                Manager, Active Thinking Training
                Consultancy, Victoria

2. Child Abuse
    Convenor: Ms Rosemary Sinclair
                President
                National Association for the Prevention
                of Child Abuse and Neglect

3. Firearms and Violence
                Chief Supt John Murray Prosecution Services, SA Police

VI. Treatment of the Violent Offender: How should society respond?
     Chair: Mr David Biles
              Deputy Director, Australian Institute of Criminology
              and on secondment to the Royal Commission into Aboriginal
              Deaths in Custody

SENTENCING OF VIOLENT OFFENDERS: Janet Chan
WHERE DOES TRUTH LIE?   Research Director
                                  Judicial Commission
                                  of New South Wales

ISSUES IN THE CLINICAL TREATMENT   Dr William Lucas
OF VIOLENCE OFFENDERS   Director, Forensic Psychiatry
                                  South Australian Health
                                  Commission

THE ROLE OF AUSTRALIAN CORRECTIONAL   The Hon. Michael Yabsley
SYSTEMS IN THE PREVENTION AND   Minister for
CONTROL OF VIOLENCE   Corrective Services
                                       New South Wales

OVERSEAS EXPERIENCE IN THE   Professor Tony Vinson
INSTITUTIONAL TREATMENT OF   Dean, Faculty of Professional Studies
VIOLENT OFFENDERS   University of New South Wales

VII. The Prevention and control of Violence in Australia:
Exploring Policy Options
Chair: Ms Helen L'Orange
Office of the Status of Women
Department of the Prime Minister and Cabinet

PROMOTING NON-VIOLENT VALUE IN AUSTRALIA	Mrs Quentin Bryce, AO, Sex Discrimination Commissioner Human Rights & Equal Opportunity Commission

Exploring Policy Options (Continued)

THE ECOLOGY OF COMMUNITY VIOLENCE	Dr Don Edgar Director Australian Institute of Family Studies
THE ROLE OF LAW ENFORCEMENT AGENCIES IN THE PREVENTION AND CONTROL OF VIOLENCE	Commissioner Michael Palmer Northern Territory Police
VIOLENCE PREVENTION IN THEORY AND PRACTICE	Dr Adam Sutton Director, Crime Prevention Policy Unit Attorney-General's Department South Australia
POLITICAL PRAGMATISM VERSUS INFORMED POLICY: ISSUES IN THE DESIGN, IMPLEMENTATION AND EVALUATION OF ANTI-VIOLENCE RESEARCH AND PROGRAMS	Mr Rick Sarre Head, Law School College of Advanced Education, South Australia

Summary and Conclusions
Rapporteur: Dr Kenneth Polk
Department of Criminology
University of Melbourne

Professor Albert J. Reiss, Jr
Department of Sociology, Yale University
and National Academy of Sciences Panel
of the Understanding and Control of
Violent Behaviour, USA

Professor Hans Joachim Schneider
Department of Criminology
University of Westphalia
Federal Republic of Germany

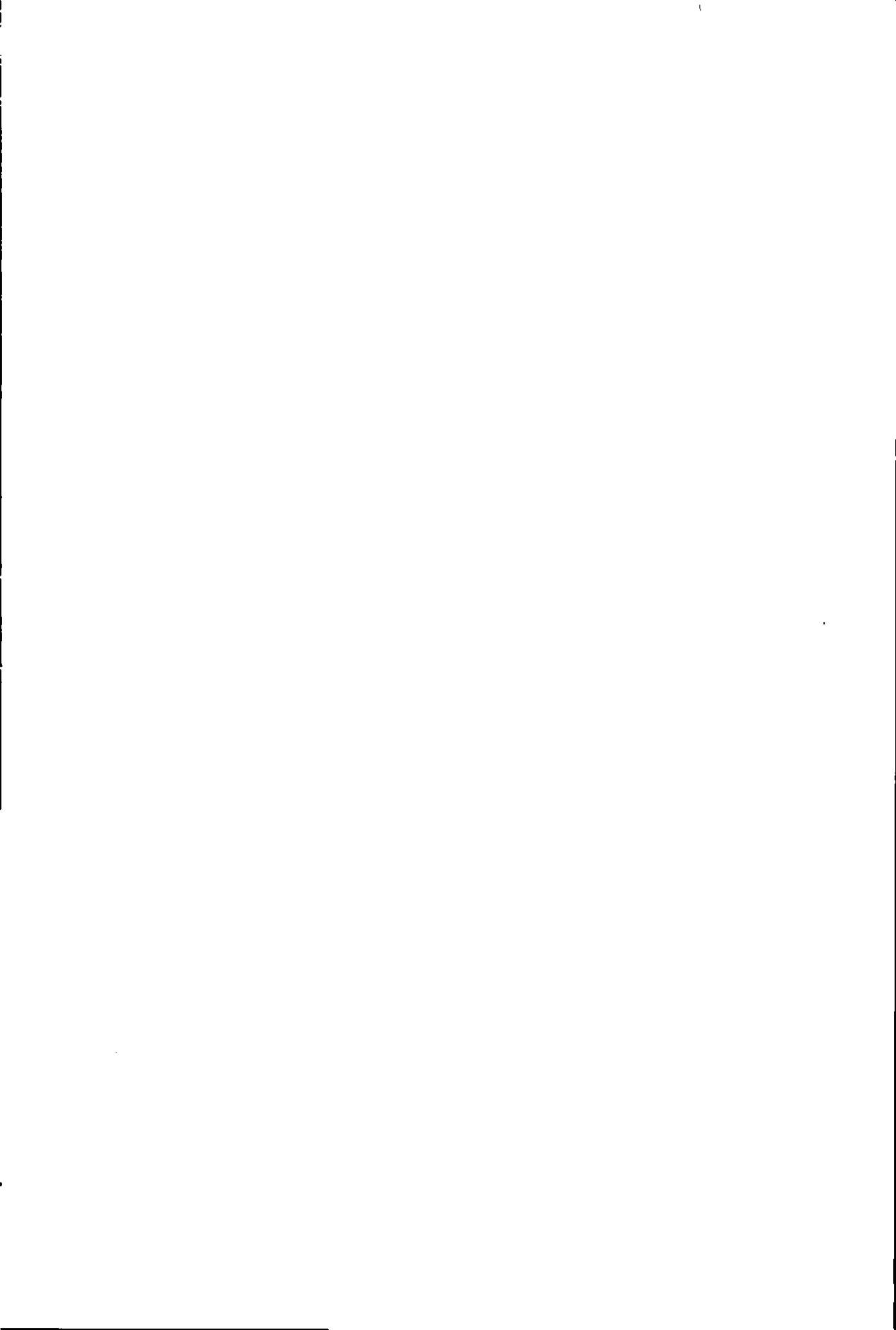Closing Remarks   Professor Duncan Chappell

Sir Sidney Nolan's series of 31 drawings *For The Term Of His Natural Life* are a personal response to Marcus Clarke's novel of convict life in early Australia. More than just illustrations of incidents in the novel, they are a poetic reflection on and evocation of Australia's tempestuous past. Typically Nolan gestures towards an aesthetic duality—abstract beauty paralleled by a fascination with the macabre. The images become metaphors for poetic concerns of love and destruction.

Sidney Nolan *Untitled* (Murdered convict and axe) 21 August 1978
    pastel on paper
        from the series *For The Term Of His Natural Life* based on Marcus Clarke's novel.