ABOUT EIGHT YEARS AGO I WAS ON THE OUTSKIRTS OF SYDNEY RESEARCHING a documentary I was about to make. I had spent most of the day moving from location to location and conducting interviews. It was now early evening and my research had brought me to a pretty soulless pub for the last interview of the day. The person I was expecting was running late and had requested that I wait.

As a documentary maker, I tend not to have any real 'down-time' when alone—I find myself observing people and listening to conversations that happen to come within earshot. The pub was crowded and noisy, so it was difficult to hear much at all. Nearby though, there was a small group of four or five men. They all seemed pretty close friends and although none of them seemed to be drunk, it was clear that they had all been consuming alcohol for an hour or so.

It was not long before the energy and noise level of their conversation had dropped a notch or two; and it was clear by their lower volume level that they were talking about issues of a more serious nature. As it happened, the general noise level had dropped as well and, as they were quite close, it was not too difficult to pick up parts of their conversation.

It was then that I heard a member of the group say, 'I had to give the missus a bit of a hiding last night'.

There was a long uncomfortable pause as his mates either shook their heads in sympathy or looked towards the floor. It was then that I heard one of them say, 'I'm sorry mate, I didn't realise that you were copping such a hard time'.

For me this conversation was a stark reminder of how deeply ingrained sexual violence is in our culture. It was then that I made a decision to some day make a major documentary on sexual violence and its impact on the lives of women.

Well, it is now eight years later and the documentary has been made. Called Without Consent, it went to air in September 1992, and it is the making of this documentary that brings me here today.
Without Consent certainly has had an impact. Beatrice Faust of The Australian said that: 'Without Consent is making people think, by first making them feel' ('Opinion', The Australian, 25 September 1992).

I have been making documentaries for more than a decade now and in that time, I cannot remember producing anything that has created as much debate or division. Issues and subject areas that have been presented in what I feel is a straightforward and unambiguous way are being questioned or rejected out of hand; where other important issues in the documentary that were begging to be publicly discussed, have been totally overlooked. The style and approach of the documentary have also come under close scrutiny.

It is a little bewildering on one level and satisfying on another, because one of the principal aims of the documentary was to set an agenda for the discussion of sexual violence in Australia. It has now been more than five weeks since Without Consent went to air, and it continues to stimulate discussion. This conference, as we know, was prompted by the series. On this level the documentary has been successful in the way that Out of Sight, Out of Mind and Nobody's Children created debate, a new public awareness and the potential for political action.

Today, I would like to give you an idea of what prompted the making of Without Consent; to reveal some of the insights gained along the way; and to respond to some of the criticisms that Without Consent has attracted.

There is usually an interconnecting thread running through the subject areas of most of my documentaries—while shooting one, the next film is usually taking shape in my mind's eye. In 1986, I spent eighteen months researching and filming inside maximum security prisons across this country. Out of it came a three-hour documentary screened over two nights that examined the punishment of crime in Australia; it was called Out of Sight, Out of Mind.

Aberrant behaviour of adults led me initially to researching the aberrant behaviour of juveniles. But in the months of research, Nobody's Children evolved into much more than simply a documentary on juvenile justice and its implications. The idea developed into another three-hour two-part documentary on youth homelessness and a growing Australian youth underclass. The young victims of sexual assault who appeared in Nobody's Children finally prompted me to start work on a major documentary examining the impact of sexual assault on the lives of Australian women. Without Consent was to be perhaps my most challenging project.

Research began with a fruit box full of relevant literature from the Australian Institute of Criminology; all to be read and re-read—and then the research phone calls began.

Without Consent was similar to Out of Sight, Out of Mind and Nobody's Children in that no filming took place until more than six-months' intensive research had taken place. My associate producer, Amanda Groom, executive producer, Pamela Williams, and myself talked to literally hundreds and hundreds of organisations, institutions, groups and individuals across six Australian states and territories.

A very broad view is needed initially because it is vital that the subject area be allowed to evolve and be coloured by the accounts and opinions of the survivors of sexual violence; by research data; and the views of academics, psychologists, working professionals, and rapists.
When it comes to the participation of survivors who appeared in *Without Consent*, I am indebted to Dannye Moloney of the Victoria Police Rape Squad, the Rape Squad in South Australia, Victim of Crime Associations in South Australia, Queensland and Victoria, and the Centre Against Sexual Assault in Carlton, Victoria, for helping us to make first contact with these courageous women.

In the research phase, what disturbed me most was the appalling reportage rates for women who had been raped—it is estimated that for every ten rapes committed in this country, only one will be reported. I realised that this issue had to be examined in this documentary.

One of the most important insights for me came about four months into our research in 1991. I was listening to a survivor of rape talk about the long-term impact of the sexual assault she suffered a few years before and how it was still intruding emotionally on her daily life and, more specifically, on her personal relationships. She felt that the victims' story had never been fully and accurately told on television and agreed to appear in *Without Consent*.

We were discussing the logistical details of potential filming dates for a few months further down the track when she asked me if I knew when it might go to air. I told her that I thought it would not be scheduled for transmission before August or September of the following year. She replied, 'Oh good, that will give me time to tell my mum about the rape'.

This stunned me, and I was concerned that she did not fully understand the implications of what she was committing herself to do. I said to her, 'Do you realise that you will be appearing on national television?' She said, 'Yes, I do'. 'And do you understand that your face will not be covered, you will be easily recognisable?', I asked. 'Oh yes, you have made that very clear', she said.

'But if you haven't been able to bring yourself to tell your mother, why have you agreed to speak to me, a virtual stranger, on national television?' She replied, 'Well, if I make a commitment now to talk to you, then that will force me to go and tell my mum, and I really think she should know'.

I was greatly disturbed by this conversation because it revealed just how difficult it is for a person to talk to anyone, even a close family member, about their sexual assault.

The making of *Without Consent* became even more important to me when a counsellor who works with survivors of rape succinctly described sexual assaults on women as 'this country's best kept secret'. Almost without exception, each 'survivor' who spoke to me of their experience on camera told me or my associate producer that, after the interview, she felt more positive, more in control of her life than before. I asked why and was told that (for the first time for some of them) they were allowed to speak of their experience without constant interruptions from someone criticising them, or telling them that they had been stupid. I was told, by the 'survivors' themselves, that I allowed them to say as much or as little as they wanted—and unlike the police, friends or family, I was not judgmental.
Without Consent prompted John Mangan, of The Age, to say:

The victims describe the act and, more important, the impact rape has had on their lives. They are strikingly composed as they carefully, patiently describe the violence and, more significant, the humiliations of their experience ('Age Green Guide', The Age, 10 September 1992).

It was most important for me to communicate to those viewing the appalling human impact of this brutal and violent crime and also that a broad range of 'survivors' be gathered together, not just simply to enable us to touch on a variety of issues but to confront the victim stereotype as well.

But why is it that such a high percentage of women do not come forward to report rape? Why is it that so many women prefer to remain isolated and not attempt to seek justice? Kate Gilmore described the main reason to me as a 'crisis of confidence in the criminal justice system'.

Research also tells us that women list 'personal reasons' to explain their non-reportage. From our own research interviews, these 'personal reasons' included a good deal of residual shame and guilt.

Claire, who appears in Without Consent, is a survivor of acquaintance rape. She was subjected to a brutal attack that lasted several hours and was also badly physically assaulted. The police officer who discovered Claire immediately after the rape could see injuries to her face and body, and blood on the floor and walls. He was naturally 'concerned about her physical well-being' and inquired, 'How are you feeling?'. 'Stupid,' Claire replied.

Why is it that in forty years of television in this country, Without Consent is the first major examination of the impact of sexual violence on the lives of Australian women? Because sadly, we as a society are not genuinely interested in the victim. The subject, up to now, has been discussed within short four-minute sequences in current affairs and news programs. Often these 'interviews' have been driven by curiosity and arguably voyeurism, rather than a genuine concern to examine the broad social issues. There has also been a tendency for them to imply that the victims somehow brought the rape on themselves or consented in some way . . . or if this has not been implied, the short treatment makes it easier for the viewer to infer this.

A cloud of doubt is never too far away from a survivor of rape in this country—and we wonder why they are so critical of themselves.

In more than a year of research and filming, we did not meet one 'survivor' who did not express, in some way, shades of personal guilt or shame for what happened to them. The brutality, the violence and the degradation of the act of rape is something that we wanted to represent clearly and unambiguously in our documentary.

I might say that this was also an expectation on the part of the courageous 'survivors' who with great dignity told their story. It was vital that they be allowed to say as much or as little as they wished, with little intrusion from me. Television critic Debi Enker of The Age comments:

Goldie adopts an approach that is the antithesis of the screaming, spruiker style of tabloid television. His work is quietly penetrating and shockingly revealing. He deals with potentially sensational subjects, but eschews sensation, knowing that these topics—when they are handled with intelligence and sensitivity—can be
invested with a power and substance that transcends shock value (Sunday Age, 13 September 1992).

The decision to allow rapists to appear in Without Consent was made to attack the stereotypical view of 'the rapist' and to gain an insight into the motivation of the rapist; also, the rapist was included to add understanding and another dimension to the survivor's horror by humanising it. This was the most controversial decision of all.

the message is further compromised by interviews with rapists who talk about the power trip of rape; the buzz, the high. So whose benefit is the graphic detail? (Barbara Hooks, TV critic, The Age, 16 September 1992).

Barbara Hooks is not alone. Others join her when it comes to criticism of the inclusion of rapists in Without Consent. I was disappointed that, in their haste to condemn and narrowly focus on this aspect of the documentary, they missed other important issues. The first was a golden opportunity to acknowledge something that women's groups have been saying for years: that rape is about power and not sex; that it is driven by a desire to humiliate and degrade and has little to do with a desire for sexual release.

The rapists I presented in my documentary made their motives quite clear. One stated, 'I just felt this big urge of power'; another said that, as he was about to commit his rape, 'It was just a total feeling of power, of the total domination of somebody else'. A third said that 'in the suffering there was power, in the suffering there was dominance'. And so it went on.

Every rapist, without exception, made reference to the 'power trip'. Sexual desire as a motivation was never mentioned in the documentary. At no stage did the rapists suggest that they were seduced, or wantonly led on, or forced beyond their sexual control by a temptress who should know better. They did not present excuses. They simply gave us an insight into why they committed their violent crime.

The rapists stated clearly and categorically that their motivation for the rape was the control, the humiliation and the degradation of a woman. I could not have made this point more obvious in Without Consent and yet no-one that I am aware of has further discussed this vital issue.

I first became aware of this aspect of rape while making Out of Sight, Out of Mind. In the documentary's research period, I spoke to hundreds of prisoners, some of them were rapists. Others had not been gaol for rape, but had raped other men while in gaol, while others who spoke to me had been the victims of rape in gaol.

What I found interesting was that most of the male rapes that occurred in gaol were committed by heterosexuals against other heterosexuals. 'Getting their rocks off,' as they told me, was not the purpose of the attack. Rapists inside gaol use the violation of a sexual assault to exert power over another individual in the same way that male rapists do when they attack a woman in the general community.

In a recent paper, Dr Jocelynne Scutt was critical of me for allowing the rapist to cast 'responsibility for their crime elsewhere', and of 'disassociating themselves from the criminality of their own actions' (Scutt 1992, p. 4). She also said that 'Victims of rape, and all women, know that a rape is a rape is a rape. That there are no two sides to rape' (Scutt 1992, p. 1). I agree with this last part—rape is serious, rape is real, rape is devastating—that is at the heart of the documentary. What is more, I agree with Dr Scutt that there are no 'two sides' to rape. It was never my intention to show 'two sides', and I do not. The only
'side' presented was the victim's. The rapists conveyed an attitude, they stated an opinion, described a motivation, but never at any stage did they present a 'side'.

Some women found *Without Consent* terrifying, confronting and shocking. But rape is terrifying, confronting and shocking. This documentary could be nothing less. Others felt that I did not go far enough, that my interviewing style was too low key. They criticised me for allowing the rapists the opportunity to 'speak with impunity'; for 'allowing their stories to go unchallenged' and for 'not questioning their aberrant thinking'. I feel that what some of these critics wanted was not simply a documentary but an extended current affairs piece—complete with the active involvement of an on-camera interviewer. Judgmental stuff is easier to write, but that would have made this documentary shallow. The rapists who appear in *Without Consent* are condemned out of the mouths of the 'survivors'—but most of all, they are condemned out of their own mouths. I do not believe that a television audience needs to be publicly lectured for an effective point to be made.

After *Without Consent* went to air, a psychologist contacted my executive producer, Pamela Williams. He commented that *Without Consent* reminded him of an acclaimed Swiss/French documentary made in 1985 called *Shoah*. For nearly ten hours, survivors, bystanders and German Nazis talked about the sending of fellow townsfolk, neighbours and friends to the gas chambers. It was devastating material: the participants simply told their stories and, like *Without Consent*, there was little intrusion from the interviewer. The Nazis were not confronted by questions of morality. There was no critical examination of their motives—out of their mouths they condemned themselves.

Closer to home there was an excellent documentary on a mass murderer in Melbourne. It was called *Hoddle Street*. The producer only had access to a video of the police interview and the video of the police re-enactment involving Julian Knight, as this mass murderer coldly described his crime. There was no opportunity of confronting him with questions of morality, no critical examination of his motives—and even if he had been interviewed, what do you think they would have got from him? Probably some limp excuse for his appalling crime. And 'limp excuses' is another reason I did not cross-examine the rapists on camera. In research, of course, I confronted all of them with questions regarding issues related to their rape. What I got, without exception, was a litany of excuses to distance themselves from responsibility for their action. An ugly truth about Australian men is that some of them do not have a concept of consent.

What about *Without Consent*’s impact on those males who viewed it? Peter Jenson from Men Against Sexual Assault comments:

Power seemed to come through quite strongly . . . Why do we as men need to feel so powerful and dominant—surely it’s because we have been taught that power and dominance are good masculine traits. That if we aren't dominant and powerful, then we aren't really masculine.


Another interested quote comes from Barbara Hooks:

A recent survey showed one in three boys believe it is reasonable to rape a girl under some circumstances, which indicates there is an urgent need for programs about the sexual violation of women (*The Age*, 16 September 1992).
A group of fifteen-year-olds in a boys' high school were asked to view *Without Consent* and to talk about how it affected their attitude towards women. These boys were from around the same age group as the boys who felt that it was reasonable to rape a girl under some circumstances. The comments made by the boys were broadcast on the ABC Radio National program *Life Matters* on 19 October 1992 and some of the things they said are detailed:

It's good that it has been shown because it will allow women to talk more freely if they have been raped and tell the police and not think they are in the wrong; because people will now know the standing of the aggressor and the non-aggressor.

If it is brought up through school now things could change.

They [people] will now know how traumatic it is to the woman.

Maria Prerauer, of *The Bulletin* wrote:

> *Without Consent* . . . had an impact way beyond its initial audience, those who saw it are still talking about it, while those who missed one segment or even both would dearly like to get hold of it, some even think that it should be compulsory viewing in high schools (*The Bulletin*, 20 October 1992).

This response is encouraging, but there is so much to do; so much to get right. How can we encourage more women to come forward and report their sexual assault? How can we make the first contact with the police less confronting, and the experience of the courts less traumatic?

Sentencing, the 'battered woman syndrome', the stereotype of the rapist, the stereotype of the 'survivor' . . . the list goes on. We are gathered here today to confront these problems. Let us hope we can.

**References**