Australian Violence:

Contemporary Perspectives

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Contents

Introduction

By international standards and indeed by its own historical benchmarks, contemporary Australia is not a violent place. Homicide rates in the United States are four times higher than those of Australia: in 1988, for instance, the rate of homicide in Washington, DC, was more than thirty times that of Canberra. In contrast to Latin America, where tens of thousands of men, women and children have died as a result of political violence in the past decade alone, Australia is free of strife. No Australian head of government has been assassinated, as was 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.

Furthermore, social problems, such as those of homeless youth in Australia (Human Rights and Equal Opportunity Commission 1989) and their vulnerability to violence (Alder & Sandor 1989) pales in comparison to that of Brazil for example, where 12 million children are said to 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 football 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.

But the history of European settlement in Australia has been one of considerable violence. The treatment of convicts during the period of transportation was at times brutal. The decimation of the Aboriginal population during the nineteenth century was

accomplished by considerable force as well as by the introduction of disease (Reynolds 1982; Hughes 1987). Racist violence was manifested too in brutal mob attacks on Chinese in Australia which occurred toward the end of the colonial era.

Fragmentary statistical evidence suggests that contemporary Australian homicide rates are approximately one half of those prevailing in the 1890s, one quarter of those recorded during the 1870s, one thirtieth of those which characterised the gold rush era, and one sixtieth of the level of the convict period (Cannon 1973).

Nevertheless, that violence which does occur in Australia today has produced increasing concern both in government and in the community generally. Public opinion surveys have shown that violent crime is a matter of major concern and the majority of Australians believe violent crime to be on the increase. Such statistical data as do exist tend to bear this out, at least with regard to non-fatal violence. Whilst rates of homicide have remained relatively stable for the past two decades, rates of reported assault, rape and robbery have all shown marked increases.

Public awareness of violence in Australia has been heightened by a number of heinous murders over the past decade, and by the extensive media coverage which they attracted. No Australian state or territory has been spared such incidents, or their aftermath. The year 1987 saw two mass firearms killings in Melbourne, resulting in sixteen deaths and twenty-two injuries.

Following the second of these shootings, the Prime Minister of Australia convened a meeting of the State Premiers and the Chief Minister of the Northern Territory to discuss the issue of firearms regulation. At the meeting, Australia's heads of government agreed to the establishment of a national inquiry on violence.

After extensive negotiations between Federal, State and Territory Governments, 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 community concern would involve a much broader approach. The range of issues which the Committee needed to address were 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.

As the National Committee on Violence approached its task, one of the first matters to be confronted was the knowledge base on which to build its report. With severe time constraints and limited resources, the National Committee on Violence was not able to embark upon a program of original research. It was, however, able to gather and distill that research which had been conducted in Australia to date. Much of this is summarised in the annotated bibliography which comprises the final chapter of this volume. As well, an extensive review was carried out of overseas research work in the area.

In addition, at the time of the Committee's inception, the Committee's Chair made personal contact with a number of Australia's pre-eminent social scientists, inviting them to design and undertake research projects in the area of violence, for the Committee's use in drafting its Final Report. Many of these individuals applied successfully for grants from the Criminology Research Council. Findings from three of these projects are published in this collection (Polk & Ranson; Cuthbert; Tomsen et al.).

In October 1989, the Australian Institute of Criminology convened a National Conference on Violence on behalf of the Committee. The Conference, which was co-sponsored by the Australian Broadcasting Tribunal and the Human Rights and Equal Opportunities Commission, took place in Canberra over a four-day period. A number of papers presented at the Conference are published here.

The chapters in this collection fall into two broad categories. There are those such as Cuthbert, Polk and Ranson and Tomsen et al., based on new and original research, which report new insights, or discuss findings not otherwise available from published statistics. There are others, such as those of Raphael, Sumner and Alder, which represent state-of-the-art summations in their particular areas. Together, these chapters represent some of the best work on violence yet undertaken in Australian criminology.

Background: Violence in Australian History

In his chapter, Professor Henry Reynolds provides historical bachground for the subsequent chapters dealing with violence in contemporary Australia. As Reynolds has noted here and in his earlier writings, the first century of European settlement in Australia was violent indeed. In addition to the violence which characterised the regime of a military prison (the early 1830s in New South Wales saw

an execution on the average of once every eleven days), the expansion of European settlement was accompanied by the violent conquest of Aboriginal Australians and their lands. Reynolds estimates that frontier conflict over the course of Australian history claimed over 2,000 European and over 20,000 Aboriginal lives. With some vivid anecdotes, he illustrates the brutalisation which afflicted even the "respectable" members of 19th century Australian society.

The fact that Reynolds reminds us of our violent past and its inevitable imprint on contemporary Australian culture, is not necessarily grounds for pessimism. Other nations, most notably Sweden and Japan, have overcome histories of considerable violence to rank among the most orderly and civilised nations in the world today. One is tempted to ask what features of those societies may have contributed to this transition.

The Paucity of Information about Violence in Australia

In his chapter, Dr David Neal describes the inadequate state of information about violence, and indeed criminal justice generally, in Australia today. He argues that improved information can better serve to allay public anxiety, where such anxiety is unwarranted. This has important implications for public policy; the two mass firearms killings in Melbourne understandably focussed public attention on random stranger killings in public places. In fact the vast majority of homicides arise from disputes between people with existing personal relationships; disputes which, he argues, may be more amenable to policy intervention. The mobilisation and implementation of rational policy, however, tends to be impeded by distorted perceptions of the reality of violence.

No less important a justification for improved information relating to crime and violence is the great and growing cost of criminal justice in Australia. The cost of policing alone now exceeds two billion dollars per year. Inadequate information precludes meaningful assessment of whether criminal justice resources are being allocated efficiently and effectively, a consideration of utmost importance given the fiscal constraints facing all Australian governments.

International Comparisons and Within-Nation Differences

The temptation to undertake simplistic comparisons of reported rates of violent crime is often irresistible. In Australia, it has become a predictable tactic of political oppositions at election time, who tend to employ crime statistics much as an intoxicated person would use a

lamp-post: for support rather than for illumination. The chapter by Weatherburn and Devery identifies some of the pitfalls which confront those who wish to take such a path. Indeed, the chapter suggests that differences in definitions and administrative practices across jurisdictions render their statistics of reported crime essentially incomparable.

Beyond this, Weatherburn and Devery make a fundamental point when they observe that such awkward attempts at international comparison contribute little or nothing to public policy. Indeed, they tend to obscure the fundamental fact that the risk of becoming a victim of violence is subject to as great if not greater variation within Australia than it is between the Australian average and that of other nations. That is, there are those who, because of their lifestyle, social circumstances or other factors, face a much greater risk of becoming the victim of violence than their fellow Australians. For purposes of public policy, it is the identification of these risk factors, particularly those which may be amenable to policy intervention, which is of immensely greater importance than whether, say, Australia's rate of reported robbery is higher than that of England and Wales, yet lower than that of the United States.

Violence and Injury Surveillance

New and useful insights on violence may flow from analyses of injuries intentionally inflicted by other persons, which require medical treatment. Dr Graham Vimpani's chapter describes the National Injury Surveillance and Prevention Project, a pilot project which records key information from injury cases presenting to accident and emergency departments of selected public hospitals. Information on risk factors and correlates of injuries occasioned by assault, otherwise unavailable from crime statistics, are an important product of injury surveillance. The potential utility of such information for public policy is considerable.

One interesting observation in this chapter is that a significant number of cases included both self-inflicted injury and injury intentionally inflicted by others. There are many violent incidents which entail complex interactions between the parties in question. The conventional image of a passive, innocent victim and an attacking offender does not adequately describe the ambiguity surrounding many of these interactions. Injuries requiring medical treatment may be inflicted not by the person who throws the first punch, but by who throws the best punch. Alternatively, cases of self-inflicted injury may follow a fight or altercation.

Injury surveillance data do not provide perfect knowledge of injuries occasioned by assault. They have their limitations as well as their strengths, as the author notes. But a continued program of injury surveillance should lead to improvements in reliability and validity,

and to more accurate generalisations about the incidence and prevalence of non-fatal violence. The result will be information which complements that derived from other sources.

Identifying Incidents of Violence which fail to reach the Attention of Police

The task of assessing the incidence and prevalence of violence in Australia proved to be a daunting one. As surveys of crime victims in Australia and elsewhere have revealed, a considerable number of violent crimes never reach police attention, and thus never appear in police statistics. Perhaps 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. 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.

Nevertheless, as the chapter by Cuthbert and colleagues reveals, a significant proportion of serious assaults at the hands of strangers fail to reach the attention of police. Their study surveyed cases of apparent assault presenting at the Accident and Emergency Centre of St Vincent's General Hospital, Sydney, between 25th December 1988 and 30th June 1989. Given the hospital's proximity to a major centre of Sydney nightlife, Kings Cross, it may not be appropriate to generalise from these cases to all of Australia. The study nevertheless revealed that 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.

Much of what we know about the circumstances of violent crime has been based upon the Wallace (1986) and Bonney (1987) surveys of homicide incidents coming to the attention of police in New South Wales during the period 1968-86. Their statistical descriptions of victim and offender charactistics, victim-offender relationships, weapon use, time and location, and various other aspects of homicide incidents represent a significant criminological benchmark, and are highly deserving of replication in other jurisdictions.

Dimensions of Homicide

The chapter by Ranson and Polk represents a further contribution to our knowledge about the circumstances of homicide. Based on 117 cases from the files of the Victorian State Coroner, this study represents a richer, more detailed analysis of the relationship between

the victim and the offender, and of the social circumstances leading up to the homicide, than do those studies based on simple statistical description.

Polk and Ranson identify the majority of Victorian homicides as committed by an individual known to the victim. As was the case in New South Wales, stranger homicides are relatively rare.

A significant contribution of the chapter by Polk and Ranson is its discussion of the dominant theme of masculinity which underlay many of the incidents under review. The authors identify jealous possessiveness on the part of males as the basis for a significant proportion of those homicides which occur in the context of an intimate relationship. Of those homicides outside the domestic setting which result from the escalation of an interpersonal dispute, they almost always arise from conflicts of honour or face.

Another theme which the authors identified was the disproportionate vulnerability of what they describe as "marginal" members of society, that is the under-educated and unemployed, whose lifestyles place them at greater risk of becoming victims, and offenders.

Assuming the Polk and Ranson findings are more widely generalisable, The policy implications of their research are significant. Given the fact that the vast majority of crimes of violence in Australia are committed by males, it would appear that some softening of what might be described as the cult of masculinity could contribute to a reduction of violence in Australia. Similarly, policies designed to minimise the number of educationally and economically marginal Australians might also reduce violence.

Explaining Violence

Although 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, co-symptomatic of underlying causes. Conditions or properties which may operate to influence violent behaviour may not always do so consistently. 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.

In light of the fact that a significant proportion of Australian violence occurs within the family, the chapter by Dr Don Edgar, the Director of the Australian Institute of Family Studies, is a valuable contribution to this collection. Edgar contends that the recent increase in reported criminal assault in the home reflects the changes in family structure and gender roles which characterise contemporary

Australian society. He heralds a future decrease in domestic violence, assuming policies aimed at achieving social and economic equality of males and females have their desired effect.

Edgar goes on to discuss the tensions which exist between the traditional values of family privacy and the risk of violence which is heightened by the social isolation of some Australian families. The management of this paradox is a challenge facing welfare authorities today. In light of the pressures to reduce public sector expenditures throughout Australia, the author notes that the well- being of Australian families would be enhanced by access to informal support services and by the development of neighbourhood networks.

It is argued by some that domestic violence "knows no social boundaries", occurring "even in the best of homes", and may be explained in terms of an imbalance in gender-based power relationships. While superficially correct, this does not imply that domestic violence occurs randomly, and that there are not factors which enhance the risk of becoming the risk of domestic violence. Domestic violence, like diabetes morbidity and infant mortality, can and does occur in the most affluent of Australian families. But domestic violence, like these and other adverse life experiences, is more common in disadvantaged families. The findings of the Victoria Law Reform Commission that non-participants in the paid workforce are five times more likely to be the victims, and the perpetrators, of domestic assault cannot be dismissed as the consequence of the class bias of the criminal justice system, by selective reporting by victims, or by police discretion; a similar degree of vulnerability is reflected in a survey of domestic homicides.

It is by no means coincidental that female homicide mortality (most of which occurs at the hands of one's spouse) appears significantly higher in Aboriginal Australia than elsewhere. This obviously cannot be explained simplistically by reference to the inferior status of women within Aboriginal society.

Christine Alder's essay addresses the complexity of violence in a clear and concise manner. She concludes that violence in contemporary Australia is largely a product of class, gender, and age. Most of the violence in Australia is the work of young blue-collar males. Nevertheless, it should be recognised that violence is not the inevitable destiny of working class lads. Indeed, the majority of young, blue-collar men in Australia are not violent.

The demographic factors which enhance the risk of violence are compounded by values which prevail in society at large, and in male blue-collar society in particular. Alder argues that Australian society condones aggression in some forms. Media violence comes immediately to mind, as does aggression in sport. A certain degree of violence in the family is also tolerated by a sizeable proportion of the Australian public. Beyond this, the definition of masculinity in male, blue-collar society includes a component of aggression. This "notion of the masculine ideal", in the words of Wolfgang and Ferracuti (1967,

p.260) is reinforced by the status anxiety arising from changes in the economy and in the status and role of women which are taking place in Australia today.

The chapter by Tomsen, Homel and Thommeny arises from an ongoing study which represents the first of its kind in Australian criminology--an observational study of violence in public drinking establishments. The use of systematic observational methods is rare in Australian social science, and the authors of this chapter deserve particular praise for their pioneering effort.

A significant proportion of the violence which occurs in public tends to take place in and around licensed premises. By comparing the environmental characteristics of demonstrably violent drinking places with carefully matched controls, the authors have been able to identify those situational factors which increase the risk that violence will occur.

The situational risk factors identified by Tomsen and his co-authors include discomfort arising from poor ventilation and seating facilities, boredom engendered by poor music, and aggressive and unreasonable staff, especially those whose responsibilities relating to security lead them to be referred to as "bouncers". The authors are careful to report that violence arises from the interaction of various situational factors, and their essay is a model of clarity in the explanation of a complex phenomenon.

Perceptions of Violence on Television

Peter Sheehan's chapter describes some of the research which was undertaken in support of the Australian Broadcasting Tribunal's (ABT) inquiry into violence on Television. The inquiry, which complemented the concurrent activities of the National Committee on Violence, was established in response to widespread public concern that current levels of violence on television are excessive.

The ABT research is concerned less with the effects of television violence, than with public perceptions of violence on television. Sheehan does, however, drew upon the research literature in referring to the complex processes by which exposure to televised violence might lead to imitative behaviour, or to the perception that violence is acceptable or normal behaviour.

The survey results reported in Sheehan's chapter, however, suggest that there is far from universal consensus regarding perception of violence on television. Younger, male respondents, were less likely to perceive television violence as a problem. Ironically, members of this cohort are precisely those whose age and gender place them at greater risk of engaging in violence themselves.

Beyond this, Sheehan observes that the most salient factor shaping viewers opinions about televised violence is their perception of its realism. Violent material which is both explicit and realistic

evokes considerable concern. This specifically includes news broadcasts which depict violence.

Another of Sheehan's observations is that the Australian public is substantially ill-informed about the existing administrative structure for regulating the broadcast industry in general, and the broadcasting of violence in particular. Knowledge of the Australian Broadcasting Tribunal and its activities is not widespread

Mitigating the Effects of Violence on its Victims

Although the physical and psychological effects of violence on its victims can endure for a lifetime, we have begun to learn a great deal about steps which can be taken in the aftermath of violence to mitigate the adverse consequences of violence and to facilitate the victim's recovery. Many constructive responses to victims of violence can be dictated by common sense. Nevertheless, some efforts to assist victims, no matter how well-meaning, may themselves be counterproductive, and may actually impede the victim's return to a normal life. The chapters by Beverley Raphael and Chris Sumner represent important contributions to knowledge and to policy in the area of victim assistance.

Professor Beverley Raphael, Professor of Psychiatry at the University of Queensland and a noted authority on the treatment of post-traumatic stress phenomena, recognises that the effect of violence upon a victim will depend upon that person's personality and general coping ability, as well as upon his or her social environment.

In her essay, she describes the psychological processes which generally follow exposure to violence, and reviews some of the means by which victims of violence may be assisted in mastering this experience. Beyond this, she urges that programs of preventive intervention with victims of violence be subject to systematic, controlled study, to determine their relative effectiveness with different groups.

In 1979, South Australia became the first jurisidiction in Australia, and one of the first in the world, to inquire into the problems faced by victims of crime (South Australia 1981). Such attention was not merely altruistic, for the effective and efficient function of the criminal justice system depends to a very great extent on the well-being and cooperation of victims, who may be called upon to provide evidence for criminal investigations, or to testify for the crown in criminal trials. Unfortunately, officers of the criminal justice system were generally perceived by victims of violence as lacking in empathy and sensitivity.

Much of the suffering and alienation experienced by victims of violence can be reduced by social support and timely information. In

addition, politeness and compassion on the part of medical personnel and officers of the criminal justice system can assist victims in overcoming the stresses which may attend the aftermath of a criminal assault.

The Hon. Chris Sumner, Attorney-General for South Australia, was instrumental in preparing a declaration of basic principles of justice for victims of crime and abuse of power. The declaration was adopted by the United Nations General Assembly in 1985 and South Australia became the first Australian jurisdiction to implement the principles outlined in this declaration. Attorney-General Sumner's essay describes the steps taken in South Australia to advance the interests of crime victims, including the provision of instructions to all relevant government departments to ensure that victims are treated with sensitivity and dignity. Additional measures include the introduction of victim impact statements, which provide that relevant information on the effects of a crime be presented to sentencing authorities for consideration in determining an appropriate sentence for the convicted offender.

Research and Evaluation of Programs for the Prevention and Control of Violence

Rick Sarre's chapter discusses those factors which may facilitate or inhibit the implementation of proposals for the prevention and control of violence. It is interesting to note that social science research, once dismissed by Australian police as the irrelevant preoccupation of academics, has begun to receive increasing recognition. A number of Australian police agencies now have sophisticated research capabilities. A growing recognition of the importance of research for policy development and evaluation can only help to improve the efficiency and the effectiveness of Australian policing.

One of the key themes of Sarre's essay is the importance of rigorous independent evaluation of those programs which are implemented. 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 ventures which may be ineffective, or at worst, counterproductive.

The following chapters reflect some of the most creative work relating to the prevention and control of violence in Australia today. By no means can any be dismissed as "academic irrelevancy". In all

probability, most will be remembered at the end of the 1990s and beyond. More important, they have the potential to inform public policy in a manner which can contribute significantly to a reduction in violence and in the suffering which violence causes.

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Violence in Australian History

Henry Reynolds

White Australia did not begin auspiciously. Violence accompanied the birth of the first settlement and was a constant presence during the formative years. When the women convicts were brought ashore they were set upon by their male counterparts. Details are sketchy but it seems likely that many women were pack-raped. But offences against property were of much greater concern to the authorities. Before the colony was six weeks old convicts had been flogged and hung for theft. By then relations between the Europeans and the Aborigines had begun to deteriorate into what Captain Tench called "this state of petty warfare" (Tench 1961, p.137).

When, in December 1790, a servant of Governor Phillip was speared, a military expedition was despatched to make "a severe example" of the suspected clan. Six were to be captured; two were to be hung and four sent to Norfolk Island. If they could not be taken alive they were to be shot and decapitated. The expedition, which in the event was fruitless, was provided with axes and bags for the purpose (Tench 1961, pp.205-13). By the 1790s the assault on the environment was under way. Within a few years the great seal rookeries around the south coast were being pillaged and the blue whales were being slaughtered in every accessible bay and estuary within reach of the early settlements.

The convict system was central to Australian experience during the first two generations of settlement. Violence, threat of violence, fear of violence were major features of the system. Transportation was meant to deter crime. "Bear in mind", Lord Bathurst wrote in 1819, "that transportation is intended as a severe punishment applied to various crimes and as such must be rendered an object of real terror" (quoted in Shaw 1966, p.103).

The gallows stood at the apex of the system of terror. In Tasmania there were 260 executions between 1824 and 1836 and 308 in New South Wales between 1825 and 1834. About one-tenth of convicts spent time in the various penal settlements where discipline was harsh and unremitting. The nineteenth-century historian, West, wrote a classical account of Macquarie Harbour on Tasmania's storm-swept west coast. "The passage to this dreary dwelling place", he explained,

> was tedious, and often dangerous. The prisoners, confined in a narrow space, were tossed for weeks on an agitated sea . . . The moment the prisoner landed, if the hours of labour had not expired, he joined his gang. The chief employment was felling the forest, and dragging timber to the shore: these gigantic trees, formed into rafts, were floated to the depot. In this service, life was sometimes lost; and the miserable workmen, diseased and weakened by hunger, while performing their tasks, often spent hours in the water. They were long denied vegetables and fresh food: they were exposed to those maladies which result from poverty of blood, and many remained victims long after their release (West 1971, pp.395-6).

The chain-gangs provided another means of brutal regimentation. At any one time in the 1830s about a thousand convicts worked in the gangs in New South Wales and seven hundred or so in Tasmania. Consignment to the gangs was meant to be a severe punishment, "as severe a one as could be inflicted on man" according to Tasmania's Governor Arthur. His New South Wales counterpart Richard Bourke believed that "the condition of the convicts in the chain gangs was one of great privation and unhappiness" (quoted in Evans & Nicholls 1976, pp.77-8).

For fifty years the lash was the most widely used form of punishment. It was quick, cheap and readily available. During the 1830s 38 per cent of Tasmanian convicts were flogged (Robson 1970, p.102). Almost any misdemeanour could warrant the lash--"absconding, insubordination, drunkenness, indecent conduct, neglect or wilful mismanagement of work, neglect of duty, indecent or abusive language, swearing, insolence, or other disorderly conduct" (West 1971, p. 414). In New South Wales between 1830 and 1837, 42,000 floggings were administered. On average each victim received over 40 lashes. In just over eight years the "cat" was laid across convict backs more than 1.6 million times (Shaw 1966, p. 202). But the impact of flogging can best be appreciated by examining the official account of individual punishment, in this case the "Return of Corporal Punishments" inflicted by the magistrates at Windsor during September 1883:

> 1. William Hughes . . . refusing to work, 25 lashes. Back much lacerated, but very little blood; appeared to suffer great pain during his punishment, but did not cry out, having stuffed his shirt in his mouth.

2. Francis Byrne . . . dishonest conduct, 25 lashes. Back a good deal lacerated, but in consequence of the careless manner in which the ends of the lashes were tied, they continually came loose; he was not as much punished as he otherwise would have been.

3. James Pilkington . . . repeated neglect, 75 lashes. An elderly man, with hard skin; had been punished before; blood did not appear until the 13th lash; the instruments used in punishing this man had the same fault as mentioned in the last case; nevertheless, his back was a good deal lacerated, but he did not appear, when taken down, to be as much exhausted as some are after 25 lashes.

4. John Holden . . . dishonest conduct, 50 lashes. A fair thin-skinned young man. The defect in the instrument having been remedied, blood appeared about the 10th lash; back much lacerated; he bore his punishment well,

5. Alfred Shanton . . . neglect of work, 25 lashes. A hardened youngster about 17 years of age; he was determined (if possible) to bear his punishment like a man; he was however well flogged, and I have no doubt he will avoid a similar punishment; back a good deal lacerated, but he did not seem to suffer much bodily pain.

6. Francis Hayes . . . disorderly conduct and neglect of work, 50 lashes. A young man; had been punished before; at the first lash he cried out, which he did during the whole of his punishment, and struggled most violently, calling out that he could not stand it, and praying to be taken down; about the eighth last blood came, and he begged for some water, which was given him; his back was much lacerated, and he appeared a good deal exhausted when taken down (Evans & Nicholls 1976, pp. 68-9).

Flogging deterred some, hardened and brutalised others. By all accounts the convicts waged sullen, surreptitious resistance against the system. Occasionally resistance flared into open rebellion most seriously at Vinegar Hill to the west of Sydney in March 1804 when about 300 Irish convicts confronted the authorities with cries of "death or liberty". Outmanoeuvred and out-gunned the rebels were quickly dispersed by the troops. Nine conspirators were hung and many flogged. It is not clear how many rebels were killed during the initial battle or afterwards as they fled into the bush. Modern historians vary in their estimates from 17 to 40 (Ward 1987, p. 262; Molony 1958, p. 29).

Escaped convicts, or "bolters", were ultimately of more concern to the authorities than armed rebellion. From the earliest years of settlement convicts slipped out of the settlements and attempted to survive on the outer fringes of the colonies by armed robbery. As the settlers spread out into the interior the scope for successful bushranging increased. In Tasmania between 1810 and 1825 there were as many as 100 "bolters" out in the bush at any one time. The more formidable gangs led by men like Cash and Brady were well armed and mounted and had learnt enough about the country to elude capture frequently, to travel rapidly from district to district and to

retreat when pressed to carefully prepared hide-outs. They had well maintained networks of sympathisers and informers among the convict population. During the early years of the 1820s the "bolters" were so successful in their raids on the settlers that farms in the interior were abandoned and families moved into the larger towns for security. Writing of that period John West recalled:

> Among those whose crimes obtained them the greater notoriety, were Brady, McCabe, Jeffries, and Dunne: well mounted upon horses, and armed with muskets, they scoured the colony: murder, pillage, and arson rendered every homestead the scene of terror and dismay. Those settlers most exposed, often abandoned the business of their farms: their dwellings were perforated with loopholes, their men were posted as sentinels, and all the precautions adopted, necessary in a state of war (West 1971, p. 404).

Inevitably crime was more prevalent in the convict colonies than in Britain although most felons were convicted for crime against property rather than offences against the person. In the mid-1840s the crime rate in Tasmania was double that in England. Convicts and ex-convicts were responsible for more than 90 per cent of serious offences (Shaw 1966, p. 343).

Did the violence of the convict system live on after the end of transportation? There has been much debate, little resolutions, and even less agreement on the question. In his book, Convicts and Colonies, A.G.L. Shaw argued that socially, transportation did "no great harm" (Shaw 1966, p. 358). At the opposite pole of opinion Glen Lewis believed that "a tradition of brutality and sadism was established at the centre of Australian life during the convict years". And what is more it "has left a lasting if indefinable imprint" (Lewis 1976, p. 53).

But the evidence from Tasmania does not support the Lewis thesis. As the ex-convicts died or left the colony the island crime rate fell away and by the 1880s was the lowest in Australia. Celebrating the fading of the "hated stain" of convictism the Tasmanian statistician argued in 1891 that "crime and pauperism" were "simply noxious foreign plants" which found "no congenial soil in Tasmania for their propagation" (Reynolds 1969, pp. 22-3). But while the long-term influence of transportation is hard to establish, there can be no doubt about the persistence of racial violence which first flared within months of the establishment of the settlement at Sydney Cove. Governor Phillip's private secretary David Collins was perceptive enough to get to the heart of the matter explaining that the British had,

> not yet been able to reconcile the natives to the deprivation of those parts of the Harbour which we have occupied. While they entertained the idea of our having dispossessed them of their residences, they must always consider us as enemies; and upon this principle they made a point of attacking the 6 white people whenever opportunity and safety concurred (quoted in Reynolds 1987, p. 36).

Punitive expeditions became the common response of governments threatened by Aboriginal resistance and the prospect of settlers abandoning their farms and stations. Military parties were despatched to the Hawkesbury in the 1790s and the early years of the nineteenth century; they were deployed around the fringes of European settlement on the Cumberland Plain in 1814 and 1816, at Bathurst in 1824 and along the Hunter valley two years later. They were used in similar fashions in both Tasmania and Western Australia in the 1820s and 1830s. As the frontier expanded private punitive expeditions became a commonplace of colonial life, while in 1848 the New South Wales government established the para-military Native Mounted Police. Enthusiastically adopted by the fledgling Queensland government in 1859 the force patrolled the vast northern frontier until the first decade of the twentieth century. It reached a peak of 250 men in the 1870s and then slowly declined. Throughout its history the force was officially instructed to "disperse" any large gatherings of Aborigines in order to prepare the way for the advancing wave of settlement. Writing in the 1880s the ethnographer Edward Curr summed up the first hundred years of frontier conflict:

> In the first place the meeting of the Aboriginal tribes of Australia and the White pioneer, results as a rule in war, which lasts from six months to ten years, according to the nature of the country, the amount of settlement which takes place in a neighbourhood, and the proclivities of the individuals concerned. When several squatters settle in proximity, the country they occupy is easy of access and without fastnesses to which the Blacks can retreat, the period of warfare is usually short and the bloodshed not excessive. On the other hand, in districts which are not easily traversed on horseback, in which the Whites are few in number and food is procurable by the Blacks in fastnesses, the term is usually prolonged and the slaughter more considerable (Curr 1886, pp. 100-1).

Frontier conflict persisted for 140 years. It was an inescapable accompaniment of Australian life for six generations. In that time 2,000 Europeans and well over 20,000 Aborigines died violently. Many others were wounded by gun or spear. The casualties far outreach the number of people killed in all other forms of domestic conflict or in Australia's involvement in the Boer, Korean and Vietnam wars. For much of the time the violence was accepted as a necessary corollary of colonial progress. Attacks on Aborigines were supported by public opinion, more particularly in rural areas, and acquiesced in by governments. Guns were an accepted adjunct of frontier life and private individuals were frequently involved in skirmishing with resident clans. Community complicity protected those who were "hard on the blacks". Those who attempted to speak out against the slaughter were reviled and threatened with violence.

Visitors to the colonies noted the brutalisation of public opinion. The South Pacific Commissioner, Arthur Gordon, wrote to his friend

William Gladstone in 1833 explaining that while visiting Queensland he had heard

> men of culture and refinement, of the greatest humanity and kindness to their fellow whites, and who when you meet them at home you would pronounce to being capable of such deeds, talk, not only of the wholesale butchery . . . but of the individual murder of natives, exactly as they would talk of a day's sport, or of having had to kill some trouble-some animal (Knaplund 1955-57, pp. 330-31).

One of the most chilling illustrations of the callousness of colonial life can be found in the diary of Caroline Creaghe written during a visit to north-western Queensland in 1882-83. She was twenty-two, upper-class, the daughter of Major General George Robinson and a relative of Sir Hercules Robinson, erstwhile governor of New South Wales and of Sir William Robinson the then governor of Western Australia. She had married recently, and well, to H.A. Creaghe, a member of an aristocratic English family. While staying on frontier cattle stations she made several references to the Aborigines. On 8 February 1883 she noted that on Lorne Hill Station the manager had "40 pairs of black's ears nailed round the walls, collected during raiding parties after losses of many cattle speared by the blacks". A fortnight later on Carl Creek Station she observed that when the men returned from the run

> They brought a new black gin with them; she cannot speak a word of English. Mr. Shadforth put a rope round the gin's neck and dragged her along on foot. He was riding. This seems to be the usual method (Creaghe).

The following day she recorded that the captive was chained up to a tree a few yards from the house. She was "not to be loosed until they think she is tamed" (Creaghe).

What are we to make of these shocking incidents related in a matter-of-fact way with no hint of shock or disapproval? And written not by a hardened frontiersman brutalised by the tensions of pioneering, but by a well-educated young woman who on other occasions copied devotional verse into her diary. Nearly a century of widely condoned violence had helped produce the terrible events and Caroline's casual acceptance of them. Having become so much a part of Australian life it has taken almost as long to put them behind us.

Racial antagonism was a further source of conflict between Europeans and non-European migrants--Chinese, Malays, Melanesians, Afghans. Violence often troubled the personal relations between Chinese and white settlers in all parts of colonial Australia. The Chinese were abused, stoned, spat on and bashed. At times the action became collective and much more threatening. The first such riot occurred in March 1851 at Ipswich in Queensland when twelve unarmed Chinese were savagely beaten by a European mob. Similar incidents were common on the goldfields during the 1850s and 1860s

culminating in the well known incidents at Buckland in Victoria in 1858 and Lambing Flat in New South Wales in 1861. Trouble broke out again on the Queensland goldfields in the 1870s while agitation for immigration restriction spilled over in violence in urban Australia in the late 1880s.

Vigilante action against non-Europeans was not uncommon in the late nineteenth century and early twentieth century, while Italian migrants were the focus of verbal abuse and physical violence in the 1920s and 1930s. The Mackay Race Course Riot of Boxing Day 1883 was one of the more serious examples of mob violence. It began with a drunken brawl between rival groups of Melanesian labourers. When bottles thrown in the course of the melee struck nearby Europeans they joined in quickly converting the confrontation into one between white and black. European drinkers from the nearby Caledonian Hotel spilled out onto the road, sprang onto their horses and charged into the crowd of Islanders. The editor of the local paper who witnessed the events wrote:

> The white men, excited and quite without control, galloped about in all directions where ever a black head was to be seen and pounced upon the wretched kanakas, knocking them down, riding over them, and kicking, and we are sorry to say in some cases brutally ill-using them (Moore 1978).

There were serious injuries on both sides and at least several Islanders were killed as a result of the "cavalry" charge inspired by that ever present fear among the Europeans of a general "rising" among the indentured labourers who outnumbered the adult white population in the district.

Violence between Aborigines and Europeans has been endemic for most of the time since 1788. It was not unusual between the colonists and various groups of non-European migrants particularly the Chinese and the Melanesians, but it was much less common when white Australians sought to resolve political differences among themselves. The bloodshed at the Eureka Stockade, where between thirty and forty diggers and a few soldiers died, assumed heightened significance because it was so exceptional. Violence was talked about often enough and threatened by fiery orators, but in the event it rarely went further than verbal abuse, brawling and minor destruction of property. Even in the outback where practically everyone was armed guns were rarely used to settle political--or even personal--disputes.

Many political campaigns provided the occasion for mass political action, widespread public anger and passionate commitment. The struggle against Imperial land policy in the 1840s, against continued transportation in the early 1850s and in favour of radical land legislation later in the decade all produced mass meetings, torch-lit processions and the implicit threat of violence. In his article on "Violent Protest in Australian History", A.G.L. Shaw observed:

> Up to the middle of the 19th century . . . it seems clear enough that Australians had taken over the British tradition of threatening--and if need be of using violence, as a normal means of influencing political processes. Such methods seem to have achieved considerable success, either because the authorities thought it not worth-while to make a serious issue of what to them were somewhat petty concerns, or because they realised that the force at their disposal was relatively weak; because of these easy successes, the protests did not have to be taken so far as to create a revolutionary tradition akin to that which . . . [existed] in many other countries (Shaw 1973, p. 554).

Political passions flared during the campaigns for and against conscription in 1916-17 and intensified in the immediate aftermath of the war as a result of unemployment and spiralling industrial trouble. Conflict between radical unionists and returned diggers simmered in many parts of the country. Shots were fired during the Red Flag Riots in Brisbane and during the Meat Workers Strike in Townsville when the crowd attempted to storm the police watch-house. Such events stimulated the growth of secret right-wing para-military organisations which emphasised the potential for serious domestic conflict (see Moore 1982; see also Hall 1978, and Schauble 1980). Similar organisations sprang up during the late 1940s although there has, as yet, been little research into their organisation and policies (see McKnight 1989). But the size and sophistication of the assorted right-wing organisations and the support they apparently received from influential and wealthy members of the community raises the question of whether Australia was in danger of attempted coups d'etat and ultimately of civil war. In both 1932 and 1949 the "offending" Labor governments--Lang's in New South Wales and Chifley's in the Commonwealth--were defeated at the polls. Had electoral fortunes gone the other way the chances of conflict would have been significantly enhanced. What would have happened is impossible to say.

A similar pattern of events was apparent in the history of industrial disputation which produced mass agitation, attacks on strikers and strike breakers, abuse, boycotts, minor property damage, sporadic arson and the odd shot or two. For their part governments armed the police, called out the military and read the Riot Act. The pot simmered often enough but it rarely boiled over. The potential for armed conflict was there on numerous occasions. During the Queensland Shearer's Strike of 1891, for instance, the strikers organised themselves into armed camps at Barcaldine and Peak Downs. The Government retaliated by despatching soldiers equipped with the new Nordenfeldt gun to the troubled districts; action which, according to historian Ross Fitzgerald "brought Queensland to the brink of civil war" (Fitzgerald 1982, p.153).

Historians have examined many of these incidents explaining how and why conflicts arose and passions mounted. They have paid less attention to the reason why the violence didn't escalate and get

out of hand--why situations often approached the threshold of violence but didn't advance beyond it. The potential was often there--large gatherings of antagonists, deep passions, important issues, real ideological divisions. But there seems to have been a deeply-rooted tradition of restraint, a determination to avoid rather than to court bloodshed, which has yet to be fully explored and explained (see Hirst 1990).

Politically and industrially Australia has been peaceful--it has been the quiet continent--lacking civil war, revolution, coups d'etat, assassinations, torture, even the level of industrial violence experienced in the United States. Great issues were contested and resolved without violence, power changed hands over and over again and both winners and losers accepted the rules of the game.

And yet Australians were far from peaceful in their personal lives. "Real men" were expected to be tough, to be handy with their fists and ever ready for a fight. Their women were frequently subject to their aggression as were "poofters" or "dagos" or anyone else who looked different. Nor have they been reluctant to take up arms. They have not, by and large, been pacifists. Indeed they have shown a remarkable readiness to engage in other people's wars far from our shores. Nor have Australian soldiers shrunk from battle and the need to kill as the record amply demonstrates even when the threat to the homeland was remote. And they have not fought in the main as mercenaries, more as enthusiastic amateurs.

What is the relationship between peace at home and war abroad? It has rarely been considered; perhaps our innocence at home has caused us to romanticise war overseas. Not knowing the tragedy of devastation and invasion we can still mouth rhetoric about noble sacrifice and the purifying flame of war. Has war been a safety valve dissipating violence which might otherwise have been expressed at home? Or was the reverse true-- did war experience increase the readiness to engage in violent behaviour in Australia? Why have we found it easy to celebrate the killing of Turks, Germans, Italians and Japanese while experiencing great difficulty in coming to terms with the tragic consequences of frontier conflict in practically every corner of the continent? Finally, why was the admirable restraint apparent in domestic politics so rarely exercised in relations with the Aborigines? These and other questions must all be addressed in any future study of violence in Australian history.

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How Violent is Australia?

Don Weatherburn and Christopher Devery

The forms of violence in Australian society are endless. To name a few, there are football matches, car accidents, pub brawls, domestic arguments, periodic military incursions into other countries and screams of abuse in parking lots. Only some of this violence is illegal, and illegal violence is certainly not the most frequent form of violence within our community. In 1987, for every homicide in Australia there were about seven suicides and nine deaths due to motor vehicle accidents (Australian Bureau of Statistics 1989). Despite this, this paper will be restricted to the consideration of illegal violence rather than legal forms of violence.

We have doubts about the possibility of answering the question "How violent is Australia?" These doubts are not just mundane anxieties about the reliability of crime comparisons between countries, though there is plenty of cause for concern on this issue. What is of more concern is uncertainty about what people would regard as flowing from any answer to the question "How violent is Australia?"

Intense reaction often greets the publication of figures apparently showing that Australia fares badly in comparison with other countries in terms of crime and violence. The news of a violent murder often prompts massive press coverage. Current affairs programs run 'phone-in polls on the re-introduction of the death penalty. Newspapers and news programs run distressing interviews with the relatives of victims. Callers to talk-back radio programs respond to calls for the re-introduction of the death penalty, the imposition of harsher prison sentences and the provision of more police.

These primordial features of public thinking in matters of crime and justice should be a matter of great concern, though, if only because debate about these things often functions as a proxy for deeper political conflicts. Governments which can be said to be unable to control important social and economic processes are always electorally

vulnerable. This is true whether the government can reasonably be expected to be in control or not. No one is likely to forgive a government for rising crime rates even if they can be shown to result from rapid population growth, poor urban development or an increase in households with portable electrical goods. Influential people, with less than honourable motives, can always be found to respond to rising crime rates by saying that the government has lost control of the streets. The effects of such comments, made at the right time, can be electric. Governments of every colour can be driven to pour millions of dollars into law enforcement just to defeat a growing perception that crime is, in some sense, out of control. This problem is not unique to Australia. Concern about crime and punishment in most western countries is locked into an unremitting cycle of panic and complacency.

In other circumstances one might look to academics and intellectuals to lead public debate on how governments should deal with rising rates of violent crime. However, the fear of encouraging politically conservative solutions to law and order problems sometimes prompts a refusal to admit that there are such things as rising crime rates. Claims of rising crime rates are met with incantations about the social construction of statistics and the problematic nature of crime. In other branches of social science these sorts of claims often overlie a deeper theoretical program which seeks to undermine the attempt to come to a scientific understanding of the social world. In some cases these points are made in support of ideological contexts, or in the effort to resist the traps of racism, ageism, sexism or classism.

The trouble with this type of response is that panic can give way to complacency. Police records of serious assault within some Aboriginal communities show extremely high rates of violence, particularly domestic violence. It would be foolish as well as irresponsible to ignore this violence and take refuge in the fact that crime statistics are social constructions and the notion of crime problematic.

Some feminist theorists have discounted the perception arising from official statistics that domestic violence is more common in poorer households. They point out, rightly, that domestic violence in richer households is more likely to go unreported than violence in poor households. But this argument, in itself, is not enough to establish that domestic violence is equally distributed among all economic classes. To make this claim one must deny that economic privation and social dislocation resulting from unemployment, lack of educational and other opportunities, poor housing and ethnic and racial discrimination do not contribute to the risk of domestic violence. If these factors are recognised as contributing to the risk of domestic violence then policies can be formulated to do something about the problem. To ignore the role of such factors, in order to make the point

that violence between men and women expresses gender rather than class contradictions, is irresponsible.

Crime statistics, then, can lead to panic or complacency about the amount of violence in Australian society. It is important to recognise that crime statistics are often employed to serve various theoretical, political and ideological interests. The existence of these interests demands that we take a critical look at our motives for asking the question "How violent is Australia?".

It is all but impossible to say how violent Australia is compared with other countries, and more importantly, there is nothing useful to be gained by attempting such comparisons. A large part of this paper will be concerned with arguing that trends and patterns of violent crime within Australia are far more instructive than comparisons between Australia and other countries.

International Violent Crime Comparisons

The term "violent crime", though undeniably evocative of crimes such as murder and robbery, can denote a great variety of interactions between people. As many readers will know, the law in Australia is willing to recognise an assault in conditions where only a threat of violence is present. The vagaries of the term "violent assault" present no difficulties in ordinary language because we can always clarify what we mean if called upon to do so. But for the purposes of statistics, ambiguity of terms is a recipe for sterile debate. If your notion of assault, unbeknownst to me, includes threats of violence whereas mine does not, then our statistics on assault are incommensurable. Any debate which ensues over who has the highest assault rate amounts in such circumstances to talk at cross-purposes.

To deal with this problem most compilers of official statistics on crime resort to two strategies. One is to urge caution in the interpretation of small differences. This is done on the assumption that big differences are more reliable than small differences. The other is to count crimes in as broadly defined a way as possible. In this way, it is hoped, spurious differences in inter-jurisdictional variations in criminal law can be minimised. We will have occasion to question the worth of these strategies later in this paper, but it should be pointed out that Interpol, which produces the only comprehensive and regular reports on international crime statistics, relies on both these strategies.

To preface an analysis of these problems some international crime statistics are presented for four classes of offence that easily meet any ordinary criteria of violent crime. These are rape, serious assault, robbery and homicide. The figures we will examine all come from Interpol statistics for 1986, the most recent Interpol statistics available. Interpol provides reported crime statistics for 83 countries but we have extracted a subset of only 32 countries for the purposes of

this exercise. For the sake of clarity the graphs will show only the top 12 countries from that list of 32.

Figure 1 shows the reported rate per 100,000 of population for the offence of rape. Australia ranks third out of the sample of 32 countries, behind the United States and New Zealand, though with a reported rape rate at 15.2 per 100,000 our rate is only half that of the United States. Norway fares best among the top 12 for this offence with a reported rate of only 6.1 per 100,000. The best of the sample of 32 countries for this offence, though, is Argentina. Argentina claims to have a reported rape rate of only 0.2 per 100,000. That is, in a country with a population of 31,000,000 in 1986 only 53 rapes were reported.

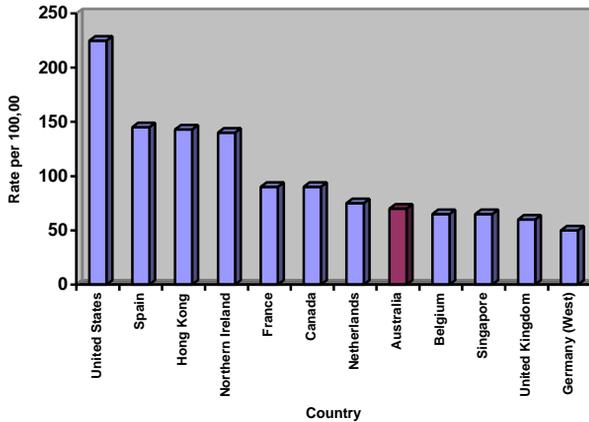FIGURE 1: **Rape** (offences include attempt)
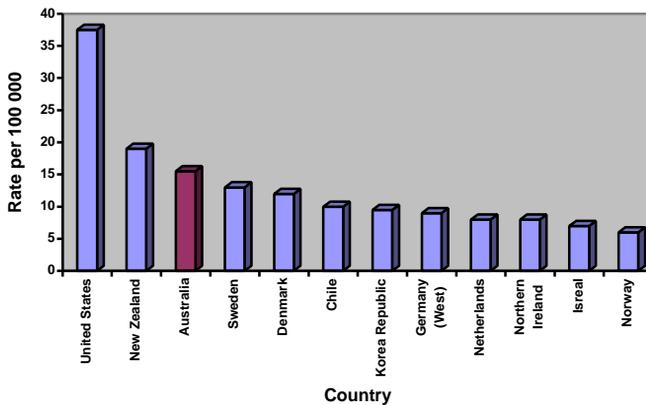
Source: International Criminal Police Organization.

Figure 2 shows the rate of robbery offences per 100,000 of population. Australia has slipped from third down to eighth on the list of reported offences. At a reported rate of about 68 per 100,000 we have a reported robbery rate only about 30 per cent that of the United States. Twelfth on the list of reported robbery rates is West Germany which has a rate only about 67 per cent as high as ours. In the sample of 32 countries Saudi Arabia replaces Argentina as the least crime prone country. Its robbery rate is said to be only 0.2 per 100,000 of population.

Our third set of comparisons is for the offence of serious assault (Figure 3). Once again, the United States heads the list with a serious assault rate of 346 per 100,000. Australia rates twelfth on the list with a serious assault rate of 81 per 100,000, less than a quarter that of the United States.   Australia appears to be a relatively safe country on

these figures. Saudi Arabia, though, again has the lowest reported rate of serious assault in our sample of 36 countries. Interestingly enough, its rate of serious assault is 0.2 per 100,000, the same as its rate for rape and lesser sexual offences.

FIGURE 2: **Robbery** (offences include attempts)

Source: International Criminal Police Organization.

FIGURE 3: **Serious Assault** (offences include attempt)
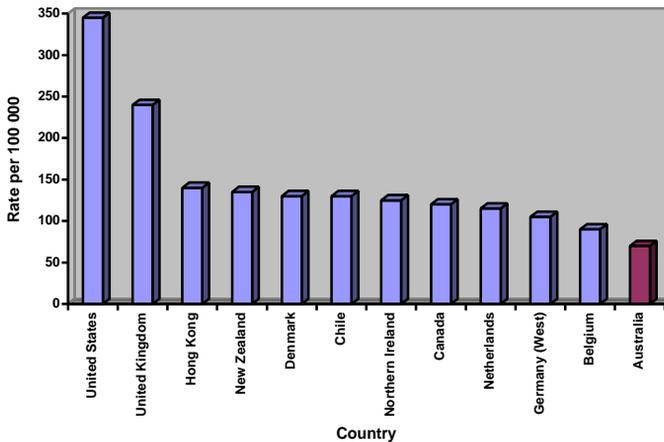
Source: International Criminal Police Organization.

Finally, we turn to homicide. For reasons to be discussed later homicide is often regarded as the most robust indicator that can be employed for international comparisons of crime rates. As Figure 4 shows, the United States has been displaced from the top of the list of our 32 countries. That dubious honour belongs, sadly enough, to Northern Ireland. Its homicide and non-negligent manslaughter rate of 17.4 per 100,000 is more than double that of the United States and more than four times that of Australia, which again comes in at twelfth spot.
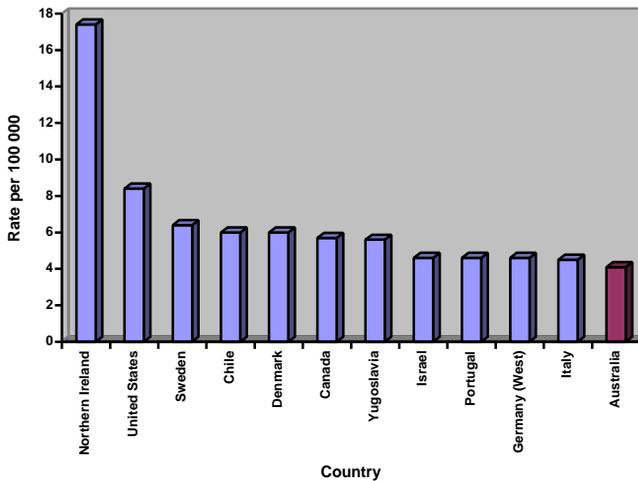
FIGURE 4: **Homicide** (offences include attempts except USA)

Source: International Criminal Police Organization.

Argentina, however, is now back in the picture as the least crime prone country in our sample. Its homicide rate is lower than that of Saudi Arabia, but at 0.2 per 100,000 it is hard to believe that such statistical regularities are mere co-incidence. We seem to have reached some sort of cosmic limit, below which crime does not go.

On a more serious note, an uncritical assessment of these data suggests both good and bad news to the Australian reader. To begin with, we appear to be in the top twelve countries in terms of reported rates of rape, robbery, serious assault and homicide. This obviously isn't good news, especially when countries like Argentina rank among the lowest ten countries for all of these offences. On the other hand,

we are never as bad as the United States and, in terms of serious assault and homicide, we're apparently less violent even than countries like Canada and New Zealand, countries we often like to compare ourselves to.

But, as mentioned above, this is what an uncritical assessment might suggest. Things are rarely as simple as they seem, and in the case of crime statistics they are never as simple as they seem. Most readers will know the pitfalls of official crime statistics, but it is appropriate to mention some of them here.

To begin with there are the obvious problems. In an ideal world the differences in reported crime rates will be entirely due to variations in the actual amount of crime committed. That is, even though there is a substantial "dark figure" of unreported crime, if all other things are equal, the reported rate can be employed as an indicator of the actual crime rate.

Unfortunately, at every step in the production of crime statistics factors that are unrelated to the actual amount of crime can influence the recorded crime rate. As mentioned above, the most basic requirement is that recorded crime rates refer to the same type of behaviours. Unfortunately, in the production of Interpol crime statistics each country is asked to apply its own law to the definition of each offence. The explanatory notes that accompany the Interpol crime statistics are not detailed enough to allow the effect of legislative differences to be assessed. In some cases they are false. For example, the Interpol statistics for 1983-1984 claim that no record of attempts of any kind are kept in New South Wales, ACT and South Australia, that Queensland only records attempts for murder, Western Australia for murder and rape, the Northern Territory for murder, and that no record of motor vehicle theft is kept in Western Australia. An examination of the police crime statistics for each of these states makes it clear that all of these claims are inaccurate. Even the most exhaustive attempts to compare the statutes of different countries reveal incommensurabilities in the legislative definitions of crime that introduce serious problems for cross-jurisdictional comparisons (see Teske & Arnold 1982).

There are certain to be large variations between countries in the willingness of police to record various offences. This may go part of the way toward explaining why Argentina has such low reported rates of homicide, rape and serious assault. It is also possible that statistics on reported crime rate may be manipulated by governments for political ends. Seidman and Couzens (1974) have documented manipulation of this kind in the United States.

Even if political manipulation is not a factor, the organisation and efficiency of police data collection and collation can have a significant influence on recorded crime rates. A study by Skogan (1975, p. 23) shows that the overhaul of police crime statistics systems can lead to very large changes in the recorded rates of crime. Beattie (1960, p. 53) noted that in the United States California ranks high on

the list of states with high recorded crime rates. At least part of this he attributed to the development in California of better and more efficient police records. Obviously, there will be considerable variation between countries in the resources allocated to police records of crime, and this will be reflected in the amount of crime recorded.

Even considering only these obvious problems it is clear that the relative rates of violent crime in different countries simply cannot be reliably assessed from a comparison of Interpol statistics. On the other hand, because Interpol produces the only comprehensive and regular data on international crime trends the whole notion of comparing one country's violent crime rate with another begins to look rather shaky. These problems cannot be countered by being cautious in our interpretation of the figures, by making much only of big differences, or by only comparing certain countries. We know nothing about the magnitude of the measurement problems, so it is impossible to say which inter-jurisdictional differences we should ignore and which are large enough to take seriously.

There have been three lines of attack on this problem. The first has been to drop the attempt to use official reports as a symptom of crime rather than a measure of its frequency. On this argument we may not know how often serious assault actually occurs, but if the official reports of it increase, then it is safe to assume that its real incidence has also increased.

Of course, anyone having even a passing familiarity with the effect of publicity on human behaviour will know that there is often more to rising crime reports than rising crime rates. The research by Skogan and Beattie quoted above makes it clear that crime trends are susceptible to the same kinds of changes to legislation and police systems of recording crime as are cross-jurisdictional comparisons. In the case of New South Wales the introduction of new legislation covering sexual offences means that none of the four new categories of sexual assault, singly or in combination, correspond to the old offence of rape. The introduction of these legislative changes has been associated with campaigns to educate police and the public so that these offences are dealt with more sensitively and are reported and recorded more often. New South Wales police statistics (New South Wales Police Department 1989) indicate that since the new legislation dealing with sexual offences was introduced in 1981 the recorded rate of sexual offences has increased from 27.5 per 100,000 to 70.3 per 100,000 in 1987-88. Prior to the introduction of the new legislation the recorded rate of sexual offences had been declining since at least 1975. In this case it is difficult to attribute this rise in sexual offences to a change in the actual occurrence of such offences.

At best, this approach establishes the possibility of comparing trends in violent crime between countries. This approach has been advocated by Archer and Gardiner (1984) and amounts to a claim that we are on safer grounds comparing trends in crime than crime rates themselves. As the paragraph above indicates, it can never justify a

claim to the effect that country X actually has a higher violent crime rate than country Y (see also Skogan 1975).

The second approach involves organising international victimisation surveys, so as to avoid dependence on official crime statistics. These are surveys of households touched by crime such as those currently conducted on a national basis in places like the United States, Britain and Holland. They offer the promise of much more reliable information on violent crime than Interpol can provide, but they are not without their own problems.

It is unlikely, for example, that public survey questions on domestic violence are ever going to get accurate answers as long as men are near the women who complete these surveys. Other problems also lurk in the difficulty of getting comparability of survey questions written in several languages. In the United States, where extensive testing of the methodology of victim surveys has been conducted, it has been found that victim surveys sometimes produce results that contradict the Uniform Crime Reports. For example, Penick and Owens (1976) found that not only did Uniform Crime Reports and National Crime Survey rates for aggravated assault differ, but the two measures were negatively correlated.

Other methodological problems have been described by Skogan (1975), Clinard (1978) and Menard and Covey (1988), but the biggest problem at the moment is that international crime surveys simply remain an unproven commodity.

This brings us to the approach most favoured by comparative criminologists: that is to limit attention to international comparisons of homicide rates. This approach rests on the argument that official homicide statistics are far less prone to reporting and recording errors and far less susceptible to political manipulation. In addition it is often argued that because homicide is usually just serious assault gone lethal, homicide rates can be used as a reliable indicator of the level of violence in the community.

These considerations have prompted a number of researchers such as Phillipson (1971), Wolfgang (1970), Wellford (1974) and Cantor and Cohen (1980) to contend that cross-cultural homicide comparisons are both defensible and instructive. Further support for this approach has recently surfaced in data provided by the US Bureau of Justice Statistics (1986). This report compared data from several independent sources and found that estimates of the homicide rate in various countries provide fairly comparable results, although it concluded that those drawn from World Health Organization (WHO) mortality statistics are more reliable than those drawn from Interpol.

If you accept the WHO estimates then Australia's homicide rate of about 2.4 per 100,000 places us way ahead of places like El Salvador, Venezuela, Paraguay . . . and way behind countries like Iceland, England and Japan. We seem to be on a par with Canada, a little worse than Italy and Hong Kong and a little better than Singapore and Uruguay.

If homicide rates may be taken as an index for levels of violent crime then Australia seems to be somewhat more violent than most European countries and a lot less violent than the United States and most South American countries.

But what does this all mean? Where does it take us beyond a warm inner glow? Its time we took a more critical look at the justification for pursuing international comparisons.

Justifications for International Crime Comparisons

We should begin by pointing out that there isn't much basis for supposing that homicide rates reflect levels of violent crime within a country. The correlation between rates of serious assault and homicide for the countries we described to you earlier is just +0.39, suggesting that at most 16 per cent of the variance of one can be inferred from the other. In New South Wales the homicide rate has shown little variation for twenty years even though rates of reported serious assault have risen dramatically in the last decade.

But even if national homicide rates did vary closely with rates of other forms of violent crime, what can we safely infer from this? There seem to be three common reasons why people set out to compare one country's violent crime rate with that of another.

The first, and probably the least influential in the broader scheme of things, is the academic motive of comparing violent crime rates between countries in order to test theories about the aetiology of violent crime. Examples of this kind of study include Archer and Gartner (1984) and Messner (1980). In such circumstances the homicide rate of a country is effectively treated as a summary indicator of homicide risk in order to test theories about homicide based on assumptions about social structure and organisation. There is no presumption in such circumstances that the homicide rate of a country provides useful information about the distribution of homicide risk within its borders. Even so, it would seem preferable to test the generality of theories by applying them to homicide rate variation within rather than between jurisdictions.

The second reason stems from a belief that international comparisons of violent crime rates, properly measured, tell us something about the relative risk of victimisation by violent offenders in different countries. The third reason arises from a common tendency to use a country's violent crime rate as a kind of moral barometer, a reflection, if you like, of a nation's moral health. We see this sort of motive in operation when newspaper editorials make sanctimonious observations about America's homicide rate compared to ours. You might have begun to slip into it yourself when we mentioned, tongue in cheek, that we were better off than most Latin American countries.

Of these two last reasons for making international comparisons, undoubtedly the more fundamental is the supposition that by doing so we learn something about the relative risk of victimisation by violent offenders in different countries. It clearly underpins the notion that violent crime rates be used as a national moral barometer. The two stand or fall together, but it would appear that they are bound to fall. This is because if our aim is to infer risk of crime victimisation in a country from its national crime statistics then, no matter how accurate they are, we are making a fundamental mistake.

## Assessing Risks of Victimisation from Rates of Violent Crime

In terms of providing a useful indication of the risk of being deliberately killed by someone in Australia, Australia's overall homicide rate is all but useless. The reason for this is simple. As Peter Grabosky (1983) and others (for example Williams & Flewelling 1988) have pointed out, the distribution of homicide risk in Australia and other countries is anything but uniform. Not everyone shares the same risk of being murdered and the differences between different groups is both predictable and large. The same applies to the risk of victimisation in relation to every other violent offence and every other offence for that matter. This may seem an obvious point to make but it is often not until people are actually confronted with the data that the point begins to sink in.

Figure 5 shows some age standardised mortality rate data on the relative risk of death by homicide as a function of marital status. The data is drawn from an excellent study on homicide by Jakob Najman (1980) when he was at the University of Queensland. You can see immediately that married people and single women have a low risk of dying by homicide and that widowed people and divorced males are much more at risk. A divorced male is in fact eight times more likely to die as a result of homicide than a single female.

Another example from Najman's paper, looks at the relationship between risk of homicide victimisation and the occupational prestige category of the person killed (see Figure 6). The prestige categories are those of Congalton and Najman (1974). Category A may be thought of as professional/managerial, category B semi-professional/middle management, category C small business/clerical/sales/skilled tradespeople, and category D unskilled. As Najman points out, you can see what amounts to an exponential increase in risk of death by homicide as you move down the occupation categories.

FIGURE 5: **Marital Status**
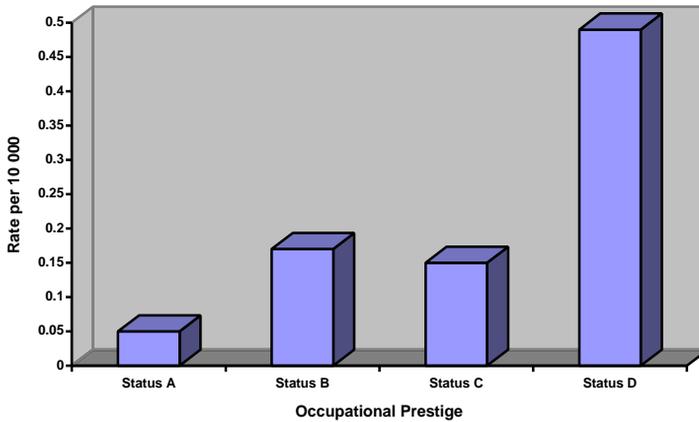(Age Standardised mortality rate [per 10,000] Australia 1965-67)
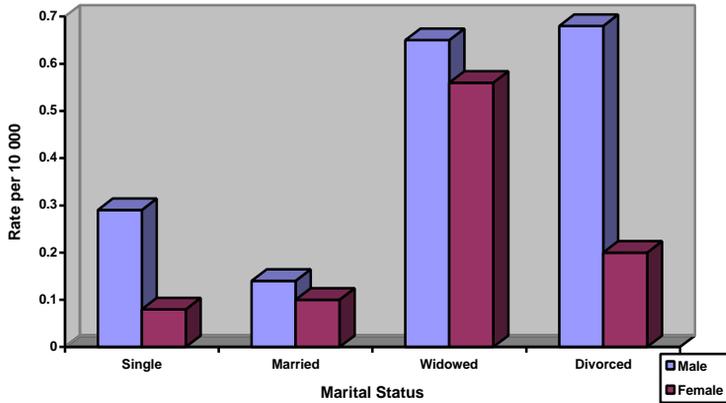
Source: Najman 1980.

FIGURE 6: **Occupational Prestige by Homicide**
(Age standardised mortality rate [per 10,000] Australia 1965-67)

Source: Najman 1980.

Najman's data, though, do not really capture the full extent of variation in homicide risk within the Australian community. Indeed it is doubtful if anyone ever has or will. To give you some sense of the scale of that variation we have constructed a graph from several different data sources on the relative risk of homicide for different groups in Australia and other countries.

On the left hand side of Figure 7 is the homicide rate of Japan. At 0.8 per 100,000 it is one of the least homicide prone countries of the world. Single women in Australia have a homicide victimisation rate comparable to that of Japan. The homicide victimisation rate of males aged between 20 and 24 in New South Wales is more than four times the rate for single women in Australia overall. The rate of homicide victimisation of Aboriginal people in New South Wales, at 11.9 per 100,000, approaches that of Venezuela which has a rate of 12.9 per 100,000. This is exceeded by the homicide victimisation rate of El Salvador, which is said to be 35.8 per 100,000 and as such is one of the highest in the world. The final rate is that of Aboriginal people in 17 rural Queensland communities examined by Paul Wilson (1982) for his book *Black Death, White Hands*. It surpasses that of El Salvador.

FIGURE 7: **Homicide Risk Distribution** (Rate per 100,000)
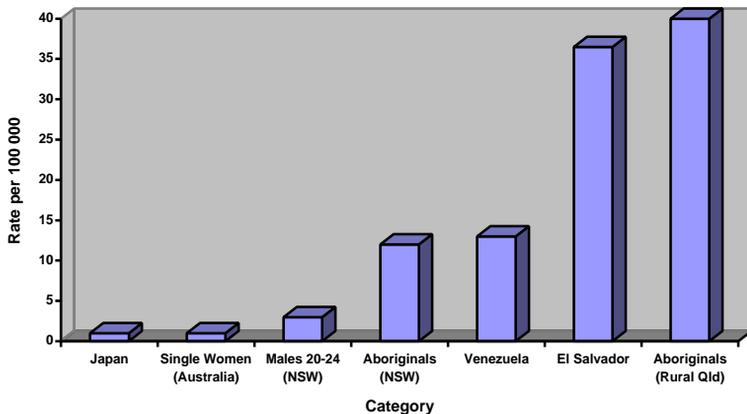
Source: Data compiled by the NSW Bureau of Crime Statistics and Research from a number of different sources.

Now of course there will be variations in rates of homicide within countries like El Salvador, which probably exceed the variations shown for Australia. But with such variation, whether

within Australia or any other country, what value to us is a national homicide rate as a measure of relative risk of death by homicide? The same applies to rates of other violent crimes such as assault and robbery.

You can easily make calculations about how violent Australia is but they do not give you any useful idea of the risk of becoming a victim of violent crime yourself. The risk is too dependent on such things as your marital status, your gender, your race, your socio-economic status, whether or not you own a gun, whether or not you have a violent spouse, where you live and how you entertain yourself.

The point is simply that crime risk indicators need to be formulated with due regard to the distribution of risk within the community. The larger the aggregations, the less informative the statistics on risk. National aggregations, whether they be of homicide rates or rates of any other violent crime, tell us nothing useful about the individual risk of victimisation by violent offenders. If, however, rates of violent crime are of no use for this purpose, do they have any valid use?

Assessing Moral Responsibility for Rates of Violent Crime

In the hands of criminologists crime rates are regularly administered as an antidote to moral panic about violent crime. Judicially selected, they can be used to show that things are not as bad in Australia as they sometimes seem. This is an understandable tactic, although when we use them for this purpose we reinforce the use of crime statistics as a kind of national moral barometer. The danger of this is that, even if national violent crime rates were reliable measures of risk and Australia's rates were low there would still be no grounds for a sense of national moral superiority. From the standpoint of moral responsibility the interesting question to ask is not what are the rates of violent crime within a country but how much of that violence is avoidable through changes in public policy.

Now it may be surprising to suggest that rates of violent crime might be partly set by public policy but they are. The decisions we empower governments to make on matters such as gun ownership have an obvious and well documented bearing on homicide rates. Less obvious but no less real are the consequences for rates of violent crime within Aboriginal communities of racism, licensing laws and government policies directed at restoring Aboriginal dignity and self-esteem.

Of course, within every country there are forces determining rates of violent crime which are largely outside the nation's control. Young men in most countries are prone to violence. The more of them

there are within a nation the higher the rate of violent crime it will suffer (see Hirschi & Gottfriedson 1983). The effect is just as unavoidable as the impact the topography of a country has on rates of fatal car accidents.

Boundary levels of violent crime within a country are set by a matrix of economic and cultural forces. That is not to say, however, that rates are unalterable. To assess Australia's capacity for limiting the growth of violent crime we have to make a sober assessment of the patterns and sources of violence within our community. This is not as difficult as you might think. As later speakers at this conference will point out, a great deal is already known about factors underlying rates of violent crime. The biggest impediment to controlling violent crime is that despite all the rhetoric we do not take it seriously enough for long enough to achieve anything.

No issue highlights this as clearly as gun control. A reduction in gun ownership levels in Australia¾though it would take time to effect¾would almost certainly bring down our homicide rate. But this means taking guns away from people who have so far done nothing illegal with them as well as from those who have. For many people this is too high a price to pay to reduce Australia's homicide rate.

For many people the steps involved in restoring Aboriginal culture and self-esteem are too high a price to pay to reduce violence in their communities. Policy makers are just not used to thinking about crime with the same rational detachment they bring to bear on economic problems. The level of irrationalism and sheer humbug surrounding debate about violence is remarkable for a subject which rates so highly in terms of public concern and government expenditure.

There are isolated exceptions. New South Wales Government strategies in the control of sporting and domestic violence deserve to be mentioned. Also, South Australia's recent initiatives in public education about and community involvement in crime control deserve the fullest praise (Government of South Australia 1989). These are exceptions, though.

Before we can make any real progress in limiting the growth in violent crime we have to start considering crime control options lying outside the tedious formula of more police and stiffer penalties. These things do have their place, but law enforcement policy has to be fashioned from public policy in areas as diverse as housing, town planning, community welfare and sport and recreation. This means taking crime control seriously instead of treating it as a playground for political debate covertly directed at winning voter's hearts by appealing to their baser instincts.

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Violence and Public Policy: Information Needs

David Neal

The criminal justice system might be described as the land that the information age has forgotten. Given the enormous amount of public concern about the incidence of crime, insufficient resources allocated to police, delays in hearing cases, the sentences handed down by courts, the inadequacies of our criminal laws, the performance of our prisons and the enormous amount of money spent on the criminal justice system, the quality of information available to policy makers, administrators and the public is hopelessly inadequate. 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.

System-wide information which shows the interaction between the major criminal justice agencies--police, courts and corrections--and allows tracking of cases through the system is almost entirely lacking. Indeed it is probably a misnomer to describe these agencies as a system because they operate at such distance from and sometimes in conflict with one another. Data about the incidence of crime are in a very crude state and consistently misinterpreted to exaggerate the nature of the problems. Information necessary to make proper policy changes and to make informed judgments about priorities between the needs of the criminal justice system and, say welfare, or hospitals, or education, or roads is lacking. Administrators do not have the information which would enable them to improve the quality of the services delivered by their agencies. And the public

does not have the reliable and objective information it is entitled to have about crime and the criminal justice system.

The sort of information we need is primarily statistical information. However, two caveats should be entered. First, I caution against what can be referred to as mindless empiricism--where the purposes for collecting the statistics are forgotten and statistical technicians ignorant of the underpinnings of the criminal justice system produce a different form of distortion from that produced currently. As the aphorism, lies, damned lies and statistics suggests, statistics have a deceptive objectivity. But this should not be allowed to be an excuse for the wholesale rejection of empirical information. Rather, it is a call for people who not only know their statistics, but who know their criminology and know the underpinnings of the system on which they are working. Criminological expertise is important to ensure as fair, accurate and objective a presentation of the empirical data as is possible.

This article is a reflection on a two-and-a-half-year experience working in criminal justice policy making in Victoria for the Victorian Law Reform Commission.

Presented here are three case studies which illustrate serious deficiencies in information about the Victorian criminal justice system, deficiencies which affect policy makers, administrators and the public. Although based on Victoria, their import is relevant to other jurisdictions both in Australia and abroad. A new information system developed by the Victoria Police which shows the potential of imaginative information systems to assist criminal justice administrators to improve their services will also be described.

Case 1

In August 1987, a gunman shot and killed several people in a Melbourne suburban street, wounding many more. Such random violence was almost unknown in Australia and gave rise to widespread community alarm. In the aftermath of this incident, a Melbourne newspaper published a four-page feature on homicide and capital punishment. Headlines like these introduced the stories:

"Year of the gun makes us all recoil"

"Rise in killings blamed on lack of deterrent"

"58 murders and four months to go"

"Why are we killing ourselves"

"I am 15 and scared"

The lead story started by saying that 1987 had been a "bloody violent year; a year ruled by the gun". The facts of the matter are that 58 "murders" turned out to be 58 killings, including 4 deaths resulting from lawful force (3 of them by police), a further 9 deaths, at least, were manslaughters rather than murders. Of course these are not convictions, but cases where murder or manslaughter charges seem applicable. The 46 murder cases to August in 1987 meant that, even including the mass killing described above, the same number of murder cases would have occurred in 1987 as in the previous year, 1986, when there were 67 cases. Victoria's highest number of murders had occurred in 1977, when there were 84 murders. At the time of the newspapers story, 1987 was not an exceptional year for Victoria. By comparison to other states and countries, Victoria's murder rate is favourable and has been fairly stable, averaging 1.5 per 100,000 over the last two decades (see Law Reform Commission of Victoria 1988).

There is enormous public concern about the incidence of crime and the operation of the criminal justice system. People's sense of security and their sense that the system is operating effectively depends in large measure on the media. That provides one very good reason to ensure that accurate and impartial information about crime and the justice system is available to the media and the public. This applies particularly to murder because of its seriousness and because of its great symbolic effect. The newspaper story carried the message that Melbourne was the murder capital of the world, that 1987 was a record year (which by reason of a later random mass killing, in Melbourne, it turned out to be, though this was clearly not the case at the time the newspaper feature was published).

Information about murder was muddied even further when, at the end of the calendar year, other Melbourne newspapers seemed unable to resist the rhetorical effect of the "ton", announcing that Victoria had reached 100 murders for the first time--by adding murder and manslaughter together. A statistical variant of the doctrine of double effect allowed error to be repeated at the end of the financial year, 1987-88, when the annual statistics announced by the Victoria Police double counted the manslaughters to produce a figure of 107 murders and 11 manslaughters for the year rather than the true figure which was 96 murders and 11 manslaughters. The real situation was bad enough. Why exaggerate it? The mindset which wants to sensationalise crime and to locate Australia as amongst the worst countries in the world for crime is at odds with the facts, and prejudices rational responses to the problems we do face.

Case 2

In December 1987, the Australian Bureau of Statistics (ABS) announced the results of a crime victims survey carried out at the request of the Victoria Police. The survey showed that nearly three

quarters of those surveyed thought that there was a high level of crime in Victoria. Nine out of ten surveyed believed that major crime problems existed in Victoria. These findings received front page coverage in Melbourne newspapers.

The survey on which these results were based had been conducted over a two-week period beginning 6 July 1987. On 15 July 1987, in the middle of the survey period, the Victoria Police released their annual crime statistics figures, showing an increase of 13.87 per cent in the major crime index over the previous year. That day, one newspaper reported that this meant that "an average of 777 rapes, homicides, robberies and other serious offences" were committed every day. Over the next two days, another newspaper announced that one in four Victorians would be raped, bashed or robbed by 1990.

The claims themselves are complete nonsense. The crimes mentioned--rape, robbery, homicide and serious assault--make up less than 2 per cent of the Victorian major crime index. The vast majority of offences included in the index are non-violent property offences (see Victoria Police 1987). Those making the claims grossly misled the public by dividing the Victorian population into the total number of offences in the misleadingly titled "major crime" index, and then specifying rape, robbery and bashing as the representative offences.

But this is not the point of the example. In the midst of this enormous media coverage of crime in Victoria, the ABS was conducting its survey about the public's perception of the crime problem. Ideally, the public would have been re-surveyed in a more normal period. At a minimum, the final report would have been qualified. In fact, the results of the survey--published the following December--made no mention of the extraordinary media focus on Victoria's crime rate at the time the survey was conducted and, of course, neither did the press coverage of the survey results.

Case 3

Late in 1988 and early in 1989, a series of media reports focused on weapons assaults, particularly knife assaults. For example, in a story headlined, "New Knife Culture Worries Police", it was claimed that serious assaults with knives had almost doubled since 1984-85 (*see Melbourne Herald*, 5 October 1988). These claims were repeated in submissions made to the Victorian Law Reform Commission concerning its reference on the law relating to offensive weapons. The data show an increase from a figure of 63 serious assaults with knives in 1984-85 to a figure of 116 in 1987-88, an increase of 86 per cent. The bare statement of an 86 per cent increase without specifying the actual numbers is an additional problem, but there is a more fundamental issue. When the figures are taken over the last decade, and calculated on a population basis, a very different picture emerges. The figures

show that there has been a slight decline in the rate of serious assaults with knives. The 1984-85 figure turned out to be the lowest figure for the decade and, at least as far as one can tell from those statistics, the situation had simply returned to the previous level. The figures certainly did not warrant talk of a new knife culture.

However, it turns out that all these figures are a very meagre guide to the true position. The categorisation of serious assaults changed several times during the period and for much of the time it was not possible to identify what was probably a large percentage of the knife assaults, concealed in the category "serious assaults causing injury". It is not really possible to say from the statistics whether the rate of knife assaults has changed at all.

The final straw in this tale came with the release of the 1989 major crime statistics. The problem of identifying the knife assaults had been overcome by doing away with the previous three categories and presenting one category for knife assaults. By comparing the new combined category with one of the previous year's categories, it was possible to announce that there had been a 300 per cent increase in knife assaults. This was a statistical artifact and the Police have acknowledged the error. However, the story was widely reported in both the state and national media and, as far as I am aware, there was no correction.

The difficult task of policy making in an environment charged with this sort of wrong information is compounded by the absence of reliable information on weapons assaults.

So What should be the Approach?

Information gathering costs money. What justifies expenditure on crime statistics and research? The case studies outlined suggest four answers to this question.

Public Anxiety

The first answer relates to the level of social well-being. As Durkheim (1984) pointed out at the turn of this century, crime is a highly volatile subject, liable to excite volatile, emotional responses in society. Durkheim was interested in the social solidarity generated by the response to crime: it excites people's imagination and brings them together to denounce the wrongdoer and endorse the values underlying the rules broken by the wrongdoer. In this way, according to Durkheim, crime, or rather the reaction to it, enhances social solidarity.

But the effects of media portrayals such as those described in the case studies have significant negative effects on societies which are far more atomised than the sort of face-to-face communities to which Durkheim was referring. In the isolation of the living rooms of

suburban homes, the false message that one in four will be raped, robbed or bashed in the next couple of years generates fear about going into the streets and causes people to fix bars and bolts on the doors and windows of the family home. The message is of a society in a state of disintegration where the "forces of law and order" are fighting a losing battle in "the war" against crime which threatens to engulf us all.

This is not to suggest that the problem of crime is not real or serious. However, the serious and consistent exaggeration of the extent of the problem represents a significant and unjustified cost in terms of the anxiety it produces. To the extent that people retreat from the public sphere--the cities, public transport, the streets--the problems of violence in these settings will be increased. Public spaces will be yielded to those who are violent; the lack of social control exerted by the mere presence of people will be lost. It is a considerable and costly irony that many Melbournians--who live in one of the most secure and pleasant cities in the industrialised world--have come to believe that Melbourne is one of the crime capitals of the world.

Prejudice to Rational Responses

A second cost of misinformation and lack of information about the nature and extent of crime is to prejudice rational responses to the real problems. But the mundane reality of homicide is that the vast majority of cases arise from disputes between people with existing personal relationships. Eighty per cent of homicides occur between people who are known to one another; forty per cent between members of the same household (Wallace 1986; see also Naylor & Neale 1988). The horror of incidents like the two mass killings which occurred in Melbourne in 1987 should not be minimised, but Victoria has about twice as many people killed annually in domestic homicides as died in those two incidents, to say nothing of the physical injury and psychological trauma of non-fatal domestic violence.

The dramatic nature of the two major incidents excited fears of random stranger killings in public places. But rational responses to the problem of homicide must address domestic homicides as a priority because of the greater number of people killed and because the problem is more amenable to preventive approaches. This perspective was not on view in the Melbourne newspaper's four-page feature on murder.

Misallocation of Resources

Australia spends some $3000 million per annum on its criminal justice system--police, courts and corrections. The discipline of cost/benefit analysis in relation to public expenditure--so prevalent in most other fields of public expenditure--undergoes a sort of suspension in the law and order area. Exaggerated claims about the incidence of crime

generate public concern. Governments are forced to respond immediately to the "problem". Difficult debates about whether the crime problem should have priority over health, education, welfare, roads and so on do not take place. Nor is there enough debate about whether the resources allocated to the criminal justice system are used in a cost effective way (see Grabosky 1988). Partly the problem is that the question does not get a central place on the agenda for debate; partly the available information systems cannot provide the answers. Policy makers in the criminal justice area must be in the position to provide reasonable empirical information about why crime problems deserve priority over other policy areas and how effectively the money allocated will be used.

Lack of Reliable Information for Policy Makers

In the last three years, the Victorian Law Reform Commission has been asked to do major research projects on the law relating to sexual offences, the law of homicide and the law relating to the defence of insanity. In each case, major policy decisions had to be made which depended on empirical information. Had earlier changes to the law relating to prior sexual history been effective? Did the priority given to rape cases result in longer periods in remand for defendants facing other charges? Is there a gender bias in the operation of the defence of provocation in murder cases? How often is the insanity defence used and what is the frequency of insanity verdicts? What is the rate of re-offending by people who have been released after being detained at the Governor's Pleasure?

In every case, the Commission has had to undertake lengthy ad hoc studies to recover information which in many cases ought to be available to those responsible for monitoring the operation of the criminal justice system. And the Law Reform Commission is only one relatively small agency. The Police Ministry, Attorney-General's Departments, prosecution and defence agencies, the courts and corrections need to be able to make policy, plan their own operations and to have the information necessary to monitor and evaluate their performance.

Solutions

Solutions to some of the problems raised in the case studies are readily to hand. In particular the role of bureaux of crime statistics and research is vital and furthermore, there is a project which shows the possibilities of the new information technology for criminal justice administrators.

Given the level of concern about and expenditure on criminal justice systems in all states, the level of funds allocated to information and research is little short of disgraceful. Professor David Newell of the statistical consultancy firm, Siromath, has stated that well-run

large companies devote at least 1 per cent of their overall budget to research and development. His claim is that it is reasonable to spend one cent in every dollar to make sure that the other 99 cents are being well spent.

Of the $3000 million per annum that Australia spends on its criminal justice system, it should be spending about $30 million on information and research. I do not have any figures on how much is currently spent in the various agencies, but it is safe to say that nothing like that figure is spent.

Some of the important features of a crime statistics research bureau should be:

- that it is independent of the existing criminal justice agencies. Each of these agencies obviously has a strong interest in presenting the information which shows it in the best light and promotes its claims for resources; they have a similar interest in suppressing information adverse to them. The agencies can also be too close to issues so that they lack the perspective needed to interpret their data in a critical way. Independence would also give a Bureau credibility in the eyes of the media and the public and allow it to work with the existing agencies to improve the quality of their data;
- that it enables the development of system-wide information about the operation of the criminal justice system. This should allow for improved co-ordination between agencies and monitoring to ensure that problems which, for example, manifest as corrections problems, but are in fact caused by courts or police, can be readily identified and remedied;
- that it forms repositories of statistical and criminological expertise for the various criminal justice agencies, politicians, the media and the public;
- that it complements the proposals for a National Uniform Crime Statistics Unit by improving the quality of the state information systems and by liaising with the national body.

It is important to comment on the relationship between such bureaux and the media, especially since the examples mentioned earlier carried implicit criticisms of the media.

Crime is a hot media issue. When someone presents a crime reporter with an apparently authoritative statistic about a dramatic upsurge or downturn in a particular crime not long before the deadline for the next edition, the temptation will be to run with it. The reporter--who will often be young and inexperienced, maybe just out on police rounds--will usually not have the knowledge, expertise or time to assess the information provided. This was true in the

examples described in cases 1 and 2. This should be combined with editorial policies which assign reporters with expertise to the criminal justice area, journalists who can critically assess the information given to them by criminal justice agencies. No responsible media outlet would cover the economy or business with staff who lacked basic expertise in the discipline of economics or were unable to analyse economic statistics. The criminal justice system needs similar scrutiny from a vigilant press. The criminal justice system and its agencies are too important a part of public life to be left to the easy titillations of sensationalist crime stories.

An important function of bureaux of crime statistics and research should be to provide a source where reporters can get prompt, authoritative and independent assessments of statistical claims. Most reporters are concerned about "the facts" and would not want to expose their professional credibility to the subsequent criticism that the statistics they used were unreliable. In this way, some of the worst errors--claims about trends based on variations from one year to the next, confusion of crime categories (for example, murder for manslaughter, robbery for theft), ignorance about the statistical effects of substantial changes in the definitions of offences (for example, broadening of the definition of rape)-- could be minimised.

In addition, such bureaux could produce information kits and seminars for crime journalists on the uses and abuses of crime statistics.

Another solution relates to the information needs of criminal justice administrators, in this case the police. It is an example of how imaginative use of information collected by police has the potential to improve their performance in the field of domestic violence. Some of the uses described are already in operation and the others are under consideration.

Since December 1987, Victoria Police who attend at domestic violence scenes complete a Family Incident Report (FIRs). They record details of the parties, whether they were co-operative with the police, whether weapons were used, injury done and what action was taken by police and so on. Since mid-1988, the information from these forms has been entered on computer. The information has a number of significant uses, including:

- as a priority response system. When a domestic violence call is received, the computer base can be checked for information about previous attendance by police. Where there are conflicting calls for police attendance, the information about the previous attendance can be used in deciding the priority.
- as an early warning system for police. Where a computer search shows, for example, the presence of weapons on a previous

    occasion, police on the way to the scene can be warned and appropriate precautions and back-up arranged.

- the information can be used to monitor police performance in domestic violence calls. For example, if appropriate action has not been taken (seizure of weapons involved in domestic violence), the officers concerned can be required to explain their failure to act.

- to provide a research base on domestic violence cases where police have attended.

- to assist the firearms registry in assessing whether the holder of, or an applicant for, a firearms licence is a fit and proper person to hold a licence.

    In the Family Incident Report data, the Victoria Police have an important tool with which they can monitor the performance of their own officers, enhance their performance and provide their members with advance warning of especially dangerous situations. Unlike the earlier points about the information needs of policy makers and the public, this example shows the potential of improved statistics and information systems for criminal justice administrators.

Conclusion

The quality of current information about the criminal justice system for policy makers, administrators and the public would not be tolerated in any other sphere of the public or private sector. While this remains unremedied, we will be condemned to continue to be ignorant or misled about the true nature and extent of the problems we face, to spend huge amounts of money on solutions which will not cure the problem, to give irrationality a free ride and to reduce the chances that we will in fact do justice in our criminal justice system.

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Homicide in Victoria

Kenneth Polk and David Ranson

Homicide must occupy a central position in any serious inquiry in the question of violence in contemporary Australia. Movies, television, newspapers, even detective novels, give murder a prominence among lay audiences which cannot be ignored (although, as we shall see, the image of murder that is conveyed is often inconsistent with the facts of homicide). For the professional, the seriousness of homicide assures that it receives due regard, while its relative rarity poses significant problems for systematic analysis.

Fortunately, we have reached a point where a large body of knowledge is being compiled about the nature of homicide in Australia. In recent years there have been major studies of murder conducted, such as the work of Grabosky and others in South Australia (1981), the two analyses of homicide in New South Wales conducted under the auspices of that state's Bureau of Crime Statistics and Research (Wallace 1986; Bonney 1987), and the more recent work of Kapardis in Victoria (for example, his recent study of mass murder, Kapardis 1989).

From these, we can begin to draw out some of the basic facts about homicide. These tell us, for example, that over recent years the homicide rate in Australia, despite the message that might come through the media, has been relatively stable, and is, in fact, probably quite a bit lower than in such earlier years as the 1900 to 1910 period. There was probably more, not less, murder on a rate per person basis in the "good old days" *(see* Wallace 1986, pp. 24-5).

The homicide rate for Australia is much lower than in some other countries such as Guatemala, El Salvador, Colombia, Mexico, or the United States in the Americas. At the same time, it is considerably higher than in such Western European countries as Belgium, The Netherlands, England, or Ireland (among others) (Wallace 1986, p. 22; Grabosky et al. 1981, p. 17).

Research indicates that homicide offenders in Australia are predominantly male (in the range of 80-85 per cent), are mostly over the age of 25 (in the range of 66 per cent), and that slightly more than half (55 per cent) have had a prior adult criminal record (Wallace 1986; Grabosky, et al. 1981). Relatively few of the offenders come from middle to upper-class occupational backgrounds (less than five per cent), with roughly one-third being unemployed (Wallace 1986, p. 47).

Data from New South Wales about the nature of the offence itself indicate that homicide occurs about half the time in a home (of either the victim or the offender), that it is slightly more likely to take place on Saturday in contrast to other days of the week, and that the great majority of homicides take place between 3 pm and 3 am. Guns are, slightly, the most frequent weapon (used in roughly one-third of the cases), followed by knives or "manual means", and with less frequency by an axe, hammer or other heavy object (Wallace 1986, p. 65-77).

The Victim/Offender Relationship

A major focal point of research into homicide has been the nature of the relationship between victim and offender. It was Wolfgang's (1958) early investigation in the United States which has played a major role in directing attention of research on homicide to the nature of this relationship. Wolfgang acknowledged his debt to the even earlier work of von Hentig (1979) who referred to what he termed the "duet frame of crime".

Drawing upon von Hentig's observation that the victim often "shapes and moulds" the criminal, Wolfgang (1958) argued for the importance of focusing on the nature of the interaction between victim and offender, pointing out that a weakness of much criminological work is that it analyses either victims or offenders separately, rather than as interdependent participants in an inherently social event. The notion of the importance of analysis of the social event represented by homicide has been echoed in the more recent work of Silverman and Mukherjee (1987) who see such events as involving at least two actors in a ". . . social relationship that plays a dynamic role in the way that the homicide unfolds" (Silverman & Mukhe@ee 1987, p. 37). These writers then go on to argue that the social relationship between offender and victim should be a central feature in the sociological analysis of homicide.

The early ideas of Wolfgang can be seen as influencing a considerable volume of recent work which focuses on one or another aspect of the relationship between victim and offender. A common form of that analysis, especially in the United States, is to distinguish three broad categories of possible relationships between offenders and their victims: family, friends/acquaintances, and strangers. Writers such as Hewitt (1988) or Reidel and Zahn (1985), for example, report

that "stranger" homicide is relatively rare in comparison to other forms of homicide, or put another way, by and large the person who has been killed is likely to have known the person who has done the killing. Some have focused on particular types of victim offender relationships in homicide, such as the work on "stranger" homicide of Langevin and Handy (1987), or the analyses of homicide and intimacy done by Zimring, Mukherjee and Van Winkle (1983) or Silverman and Mukherjee (1987).

As is true in overseas research, Australian studies have found that homicide is rarely the work of strangers, this being true in just under twenty per cent of the homicides in New South Wales (Wallace 1986, p. 83), and an even smaller proportion, ten per cent, in South Australia (Grabosky et al. 1981, p. 41). To put the matter properly, homicide is most likely to involve some form of close relationship.

Wallace observes:

> Homicide in New South Wales is a crime which typically occurs between intimates; four out of five victims knew their attacker, and in a majority of cases, their relationship was a close one. The family was the most common venue for these homicides (Wallace 1986, p. 93).

As these studies have begun to build a relatively large body of knowledge about the nature of the relationships that exist between homicide offenders and victims, a need is emerging for better ways of classifying the possible relationships between victim and offender. Some writers have attempted to manipulate the existing categories in an effort to make them more informative, as in the distinction made by Zahn and Sagi (1987) between "stranger" homicides where a felony was involved, v. those where no felony took place, or the research of Zimring, Mukherjee and Van Winkle (1983) which specified "spouse and romantic involvement" homicides from wider categories such as "family" or "friends".

The reasons for seeking alternative categories are found in the fact that while the simplified scheme of "family" v. "friends" v. "strangers" was useful in its initial formulation, these ultimately are not satisfactory for expressing the nature of the interaction between the actors involved in a homicide. Indeed the previous simplified classification by amalgamating cases into a smaller set of groups eliminates the possibility of exploring the wide range of social relationships that are associated with different types of homicide. Wallace reported that early in the development of what became a "typology" of homicide, it was necessary to differentiate analysis by gender, because, for examples, women were most likely to be victims of a homicide within the family, while men were most likely to be victimised outside of the family (Wallace 1986, p. 93)

The purpose of the present study is to draw upon files of unusual depth to determine the extent to which a more detailed and careful analysis of the relationship between victim and offender and

the nature and circumstances of the act of killing will reveal patterns that extend our understanding of the nature of homicide. It will be assumed that homicide is a social event which is to be understood by examining closely the specific nature of the dyadic relationship between victim and offender that occurs in the course of events which lead to a homicide. The purpose will be to assess if a different and more detailed approach to classifying the relationship between homicide victims and offenders might produce greater insights into the nature of homicide than the existing schemes which basically differentiate relationships involving "family", "friends or acquaintances", or "strangers".

Methodology

The methodology to be employed will consist of a content analysis of extensive case histories of homicides which have been prepared from the 1985 and 1986 homicide files of the Office of the Coroner of the state of Victoria. The research is essentially qualitative in nature, and aims to draw from these files the various distinct scenarios and features that describe the relationship between the homicide victim and offender.

Developing an understanding of the nature of homicide in Victoria requires an analysis of the criminal laws relating to homicide, the nature of the investigative process employed in cases of suspected homicide involving both police and Coroner, and then the specific files created for the present investigation.

The Law of Homicide in Victoria

At a simplistic level the definition of homicide is easy. It has been phrased in a variety of ways but in essence it amounts to "the killing by whatever means of one human being by another". It is at this point that the problems really start.

The first problem to be dealt with is that of legality or illegality in such killing. Society has always recognised lawful homicide. In days gone by the classification of a man as an "outlaw" rendered him beyond the law's interest and protection and any person killing him was immune from prosecution. Today society recognises lawful homicide in a variety of ways including acts of war and judicial execution and although capital punishment is not the normal practice in some countries in the world it is usually to be found as a potential punishment somewhere in that country's legislation. (For example, in the United Kingdom although capital punishment for murder has been abolished, capital punishment remains a valid form of punishment for certain offences such as treason.)

The next level at which a society recognises acceptable homicide within its community is that of unlawful but excusable homicide. This can take a variety of forms, however, it is most easily understood in the areas of reasonable self-defence. It is also seen by the way in which society came to terms with the introduction of the motor car. In the early days the car was looked on with a mixture of fear and loathing by many and manslaughter was the usual charge levelled at drivers causing death on the road. Later with the integration of the motor car into society the refusal of juries to convict drivers of such an offence forced legislators to formulate a distinctly separate offence to deal with these cases (culpable driving, causing death by dangerous driving). At the other end of the spectrum we might refer to situations in which the offender was in such a mental state for society to excuse their personal liability for what would otherwise be an unlawful homicide.

Turning to the major issues that arise in unacceptable unlawful homicide we come first to the crime of murder. It is remarkable that the statement of Sir Edward Coke, (The Third Institute, published 1642-44) is still the basis for the definition of murder today:

> Murder is the unlawful killing of any reasonable creature in being and under the Queens Peace, with malice aforethought either expressed or implied, the death following within a year and a day.

Many of the terms used by Coke in his definition have been subject to much interpretation and refinement by subsequent judicial systems, however they still retain much of their original meaning at least to the lawyer if not to the lay person. Within Australia, however, the common law offence has been codified in many states to a level at which many if not all of the terms of art as stated in the definition of murder by Coke are to be found to form the basis of the offence in the criminal code. In order to examine the law of homicide in Victoria we must consider both the external elements of the offence of murder and the relevant internal or mental elements.

The death must occur within the jurisdiction of the relevant state in which the defendant is to be tried so that the court has jurisdiction to hear the matter. In *Ward v. R* 54 ALJR 271 the issue arose as to whether or not the deceased person was in the state of Victoria when he was struck by the fatal shot and the question arose as to the precise location of the border between New South Wales and Victoria. It was conceded by the Crown in that case that the location for the issue of jurisdiction was determined by the place where the killer's act took effect on the victim.

The question of the liability of the defendant is relevant with regard to age with Section 335 of the *Crimes Act 1958 of* Victoria setting down the age limit of 8 years. Although we will be coming to the issue of mental state it is clearly appropriate for a conviction of murder for it to be shown or assumed that the defendant was sane. Similarly it must clearly be shown that the killing was indeed

unlawful and not part of a judicial execution and not self-defence. It is clear from Coke's definition of murder that the individual killed must be "any reasonable creature in being" and in the case of R v. *Hutty* [1953] VLR 338, the common law principle applicable in Victoria was stated in relation to a legal person capable of being murdered. In this case, the issue was stated in relation to a baby as not being legally a person until the child is fully born in a living state. This was further defined as being fully and completely born when it is completely delivered from the body of its mother and has a separate and independent existence. The definition goes on and states that the child should have been fully extruded from the mother and be living by virtue of the functioning of its own organs although the umbilical cord may still remain attached.

It must be shown that the defendant's act caused the victim's death and the general principle that the defendant must take the victim as he finds him applies in that a pre-existing weakness on the part of the victim contributing to the death at that time is irrelevant as a defence to a charge of murder. In general terms, a factual link must be shown between the defendant's act and the victim's death but this link need not be necessarily direct. The fundamental provision in relation to intervening acts is stated in relation to the general rule that the injury must form a substantial and operating cause of the victim's death to make the defendant liable and the phrase that is commonly used is that death must flow from the wound. Clearly if medical treatment is not available to the victim or if in certain cases such treatment was negligent it would not necessarily break such a chain of causation as in essence the death still flows from the original wound despite the poor quality of the management of that wound. The *Human Tissue Act 1982* (Vic) has now resolved the issue regarding the discontinuation of ventilatory support in the brain dead and this scenario does not break the chain of causation.

It is a general principle within the offence of murder that a person intends the natural consequences of their acts, however, the issues of automatism and other forms of involuntary conduct are usually considered as matters for defences to a charge of murder rather than as a specific element of the offence itself. Within Victoria the mental element must be proved by the prosecution and it must be shown that the defendant acted with an intention to kill or to inflict grievous bodily harm or in the knowledge or belief that death or grievous bodily harm will probably result from the act. The English courts in the past have suffered great difficulty with the issues of, subjective and objective assessment of reckless behaviour in relation to the knowledge or belief that death or grievous bodily harm would result. However, in Victoria such knowledge or belief is decided by the jury on a subjective standard.

There are a series of circumstances where despite the lack of an intent to kill, a murder conviction may stand. This occurs where a defendant kills in the process of escaping from lawful custody or while

resisting a lawful arrest. However, it must be shown that there is, in these circumstances, an intention to use force and knowledge on the part of the defendant that they were in fact preventing their own lawful arrest. Section 3 of the Crimes Act deals with the legal issue of constructive malice and is a specific statutory provision where a person may be found guilty of murder in circumstances where death is clearly unintentional. In this circumstance, the death must occur as a result of an unlawful killing by a violent act of the accused person. The act must also be a conscious and deliberate act which was done in the furtherance of a crime, the necessary elements of which include violence. It is relevant that the crime in which this act is done in furtherance of should be a crime which has as a legal element the concept of violence, such as robbery. Prosecution under Section 3A is not applicable if the death occurs in the furtherance of a crime which does not have violence as its element even though the killing was done in a violent manner.

Manslaughter

Manslaughter could be defined as murder without malice or forethought, however, this is a gross over simplification. In general terms, manslaughter is divided into two forms; voluntary and involuntary. Voluntary manslaughter occurs where the defendant intends the victim to die or intends grievous bodily harm but due to some lowering of the liability in relation to the particular circumstances of the case such as provocation or excessive force in self-defence, the crime is lowered from one of murder to manslaughter. Involuntary manslaughter occurs in situations where the prosecution does not contend there was an intent to kill or do grievous bodily harm. It occurs in several sets of circumstances and these are basically those of criminal negligence, a battery causing death and the results of an unlawful dangerous act. These categories differ from each other with regard to the nature of the test used to assess the danger of the act that was apparent in the mind of the person inflicting the injury. In the cases of manslaughter by criminal negligence and manslaughter by unlawful dangerous acts, the test the jury applies is an objective test that is, what the jury thinks of the act, whereas in the case of manslaughter by battery, the test is a subjective one, that is what the defendant actually believed.

Child Destruction And Infanticide

These special offences have an interesting history but their presence in the body of Anglo-Australian law is a reminder of society's values when it comes to the killing of young children. The offence of child destruction deals specifically with infants who have not yet been fully expelled from the mother and are therefore either in utero or in the process of being born. Such children escape the compass of the

definition of murder which, as mentioned above, requires that the child be fully expelled from the mother and have an independent existence before being killed. The essence of this offence lies in the fact that the unborn child is a child capable of being born alive at the time of the killing. Clearly this offence overlaps greatly with the issues surrounding abortion which, in countries where this medical procedure is permitted, the enabling legislation merely renders the practitioner immune from liability for child destruction provided certain medical and social requirements are met.

Infanticide, on the other hand, is more closely allied to the offences of murder and manslaughter in that it involves the killing of a separate individual in circumstances which, were it not for the specific offence of infanticide, would amount to the offence of murder. It involves the killing of an infant in the first year of life by the wilful act of the mother who, at the time of the killing, was affected by the consequences of giving birth or of lactation. Such medically archaic terminology translated into modern terms invariably refers to the situation where the mother is affected by a severe form of post-natal depression. The law therefore seeks to in some way mitigate what would otherwise be an offence of murder while the mother is in such a debilitated state. This intention would appear on the face of it to be logical and humane, however this offence is not applicable to the mother who, while suffering from post-natal depression shortly after the birth of her second child, kills her first child who is older than one year. For the pathologist in practical terms the possibility of the offence arises where a child is born in the absence of medical support to a young girl who has received no form of ante-natal care and whose pregnancy may not have been noticed by her friends, acquaintances or parents. In such a case the child is often found dead in circumstances where there is concern as to whether the child was stillborn or was killed following delivery. As a matter of practicality it is often extremely difficult for the pathologist to determine with legal certainty that the child was indeed born alive. In absence of such proof pathologists usually err on the side of caution resulting at most in the mother being liable of the offence of concealment of birth.

In general terms, the offence of infanticide reduces a potential murder charge to one of manslaughter reflecting the social view that the mother in these circumstances is less responsible for her actions at this vulnerable time.

The Homicide Investigation

The rationale for deriving the basic data for the present research relies to a great extent on the progressive nature of the Victorian *Coroners Act* of 1985. The construction and framing of this legislation has had a major impact on coronial services in the state of Victoria and 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. The Coroner's Office is supported in this by the very wide powers of investigation discovery that have been given to it by virtue of the Coroners Act 1985. This modern approach to the jurisdiction of the Coroner is a remarkable advance within the Victorian legal system and has moved the state's coronial service to the foreground in the eyes of the public, the media and the legal and medical professions. Today it almost certainly represents the most advanced coronial system in Australia and its operation has recently been commented on favourably in the interim report of the Royal Commission into Aboriginal Deaths in Custody (1988). Whilst the roots of its jurisdiction are still based firmly in English historical origins, its centralisation of responsibility and breadth of enquiry with regard to deaths in the community is unusual in comparison to the more limited traditional coronial jurisdictions found elsewhere in the world.

In Victoria a death is reportable to the Coroner if it is one where the body is in Victoria or where the death occurred in Victoria or the cause of which occurred in Victoria or the death is of a person who ordinarily resided in Victoria at the time of death. The deaths in question are those that appear to have been unexpected, unnatural or violent or to have resulted directly or indirectly from accident or injury, such as those deaths that occur during an anaesthetic or occur as a result of an anaesthetic and are not due to natural causes; the death of a person who immediately before death was a person held in care; the death of a person whose identity is unknown; a death where a death certificate has not been signed by a legally qualified medical practitioner.

These principal deaths coming before the investigative process of the Victorian state Coroner's Office are defined by Section 3 of the Coroners Act 1985 which also states in Section 13 (1) and (2) that every reportable death which occurs anywhere in Victoria should now be reported centrally to the state Coroner's Office in Melbourne. This ensures a central uniformity of records both with regard to their content and their location and provides a major research facility in relation to deaths and a major repository of data for research into violent deaths.

Section 17 (1) of the Coroners Act 1985 makes an inquest mandatory in cases of suspected homicide. The formulation of the inquest brief before a Coroner in such a case includes statements of relevant witnesses, police reports, specialists' reports by experts in the fields of medicine including psychiatry and where appropriate other specialist opinion evidence that has a bearing on death such as engineering reports or sociology reports. In addition to the brief of evidence, a complete transcript of inquest proceedings is usually available and the brief and transcript are public documents available to researchers.

As well as files prepared by virtue of the judicial processes of the Coroner's Office, the Victorian Police Department maintains records at the homicide squad offices of cases investigated by the Homicide Unit. Whilst there is much similarity in the nature of the information in the Coroner's records and the police records, the police records also show the reaction of the investigating officers in categorising the different types of death from the criminal aspect.

Whilst it is impossible to cover all the eventualities of a potential suspected homicide investigation, it might be appropriate to consider the general structure of the investigative process that has resulted in the collection of this material.

Although a dead body may be found in a variety of ways, the reporting of the suspicious circumstances of the death is usually made directly to the police either to a police station or to the central police control room. In either event it is the central police communications room that takes the initial steps initiating the investigative process. While some discretion is left to the senior officer controlling the operations communications room, the usual scenario would be for the senior communications officer to instruct a local uniformed police unit to attend at the scene and to report their findings. This would usually result in the Coroner being informed of the death and in due course in the attendance shortly after by an investigation crew from the local criminal investigation branch. If the case appeared suspicious, the detectives would make arrangements for the homicide squad to be contacted and to take over the investigation.

The homicide squad officers are divided into a series of crews comprising approximately half a dozen police officers who work an on-call rota system. They would attend the scene and be briefed by both the uniformed officers and the local criminal investigation branch officers and make arrangements with the local police for preservation of the scene and control of access to the scene. At the same time, the various specialist investigatory teams will be contacted and will arrive at the scene to be briefed by the homicide squad officers. Such specialist investigatory teams include the scene photographers, the crime scene examiners, the specialist scientific staff of the state Forensic Science Laboratory in the appropriate area (for example, ballistics) and, at the same time, the Coroners Office would make arrangements for a pathologist from the Victorian Institute of Forensic Pathology to attend at the scene and to assist in the investigation of the death.

Whilst the role of the police in this investigation is to investigate the death in relation to any criminal activity that may have taken place, the Coroner's duty is to investigate all aspects of the death explicitly excluding issues of direct criminal liability. As part of the Coroner's investigation it would be normal practice for the Coroner to attend at the scene of death personally accompanied by a pathologist from the Victorian Institute of Forensic Pathology and perhaps other members of staff from the Coroner's Office. The role of the pathologist

at the scene is to gain first hand knowledge of the circumstances surrounding the death and the environment in which the body was found. The pathologist also assists in the general process of investigation by providing medical expertise regarding the issues of mode and time of death to the Coroner and the investigating police officers. The remainder of the specialist work at the scene includes the analysis and examination of the body in situ together with its environment with a report being compiled by the crime scene officer regarding the body at the place of death.

When all evidence has been examined at the scene, the body is removed to the mortuary at the coronial services centre in Melbourne and a full autopsy performed with photographic evidence of all injuries regardless of their immediate relevance to the death. The autopsy examination will include all portions of the body and will normally involve x-ray examination of the body as well as detailed section of not only internal organs but the skin and subcutaneous tissue. During this process, officers from the homicide squad will attend the autopsy to obtain information regarding the circumstances and cause of death from the pathologist in order to assist them in the investigation of the death in the field.

The subsequent investigation comprises numerous witness statements and usually statements from forensic scientists and crime scene examiners regarding specialist investigation of evidential items removed from the scene and at the time of autopsy. These statements are collated together with the statements from any suspect or individual subsequently charged with a criminal offence in relation to the death. The completed brief of evidence is then summarised by one of the investigating officers from the homicide squad and the total brief of evidence is then placed into the judicial process of prosecution and following this process, before the Coroner's Court for a coronial finding.

Whilst this procedure would occur in the majority of cases, there are a variety of departures from the routine which have some relevance in relation to the types of death that have occurred. In many cases where the offender is immediately apparent and the case falls into the well circumscribed family or domestic model that has been discussed above, it is not uncommon for the homicide squad to transfer the investigation over to the original criminal investigation branch officers who were involved in the initial attendance at the scene. This allows the homicide squad to concentrate on cases which, from the investigation squad's point of view, are more complex and require a more sustained investigatory effort in specialised areas.

On the completion of the judicial processes in both the criminal courts and the Coroner's Court, records become available in relation to the findings both at a criminal level and at a coronial level and these findings are incorporated into the eventual documentation retained either at the Registrar General's office in Victoria or in the Coroner's

Court records' office. They comprise the basic homicide files which are available for scrutiny.

The Autopsy

The work of forensic pathologists is poorly understood even by their medical colleagues. To the public they appear either as strange scientists who work in the morgue or as some all powerful investigator in the mould of the television character "Quincy". To the police they are often simply seen as the doctors who tell them the cause of death. The reality of course lies somewhere in between and the blame for many of the mistaken beliefs regarding their role falls squarely in the lap of the pathologists for both failing to explain what they have to offer the investigators and failing to develop a separate professional identity recognisable by their colleagues in clinical pathology and colleagues in clinical medicine. In contrast it is interesting that the one group who have a clear and generally accurate view of the scope of the work of the forensic pathologist is the legal profession, the members of which regularly call on forensic pathologists to assist them in areas of expertise which the remainder of the medical profession are unaware of.

The work of the pathologist at the scene has been dealt with above; however, the significance of the information arising out of the autopsy is often not fully appreciated. The identification of the cause of death is the one area of expertise that is generally recognised and yet it usually represents perhaps the simplest of tasks for the pathologist. It requires but little skill to recognise that a man with his head disrupted by a shotgun wound has a fatal wound and will have usually died following a "gunshot wound to the head", but if the forensic pathologist is to assist in the investigation and subsequent prosecution of the offence it is at this point that the real detail of the work begins.

It has been long recognised by forensic pathologists that wound patterns are not random but that both the type and site of wounds play an important part in reconstructing the events surrounding the killing. In this way a body of expertise has developed that has been accepted and applied by the courts who often have little else but such medical evidence to use in order to arrive at a conclusion regarding the scenario surrounding the killing. In the past such medical opinion has gone towards elucidating individual elements of the physical interaction surrounding a killing that has resulted in macroscopic or microscopic injury. At a general level pathologists have observed that different patterns of injury are not only associated with different specific physical interactions but also with the type of social relationship or interaction between the parties to the killing. Little qualitative or quantitative research has been carried out in this area and this study with its unique source of data provides an opportunity

to compare injury patterns with the social interaction patterns surrounding a homicide.

The Data

The homicide files which make up the data for the present investigation are all cases of homicide reported to the Office of the Coroner of Victoria for the years 1985 and 1986. These files consist typically of the following materials:

- a form prepared by the police which reports the event, the police being required to complete this form for all reportable deaths, this document providing a source of information about selected social characteristics of the victim, general demographic details as well as a brief initial statement of the circumstances surrounding the killing;
- a report of the autopsy performed by the forensic pathologists, this document providing a detailed description of the physical state of the deceased, including for present purposes a medical assessment of the cause of death and other injuries present on the body;
- a police prosecutor's brief, which is an extensive document containing transcripts of interviews conducted with various witnesses relevant to the event, including in some cases transcripts of interviews with the offender;
- the report of the Coroner's inquest, which provides a summary finding from the Coroner regarding the cause of death and who contributed to the death; and
- reports of toxicological analysis of blood and body tissues and other relevant tests conducted upon the victim.

All homicide files for the years 1985 and 1986 were reviewed in order to prepare for each a case study that would consist in most instances of roughly one typewritten page of material, sometimes more, sometimes less, depending upon the data available from the file. Each case study was then subjected to a content analysis to identify the major theme, and minor variations that ran through the case. The result is an analysis that is aimed at identifying the qualities of interaction that describe the relationship between victims and offenders. The intent is to establish the characteristics which define these, and as such will proceed rather differently than, say, a statistical study which attempts to summarise characteristics of either offenders or victims treated separately. In addition, the patterns of injuries were also examined in the light of the nature of the social interactions the

study revealed. There were three major themes within which virtually all of these homicides could be classified:

- killings where there was some link of intimacy which connected the victim and the offender;
- killings which resulted from a confrontation which developed between two or more males; and
- killings which occurred during the commission of another crime.

There were as well:

- a few "special cases" which are reviewed separately, since there are distinctive characteristics of these which are not revealed through analysis of the victim/offender relationship;
- some cases of violent death where the deaths occur in the workplace are also included.

The first step of the research consisted, then, of the preparation of case histories for each of the homicides reported for the years 1985 and 1986. In these years, 124 such cases were reported as homicides to the Office of the Coroner. It is to be expected, however, that some of these were instances of sudden death where there were suspicious circumstances at the time of the reporting of the death, where investigation revealed that the death ought not be treated as homicide. The next step, then, consisted of identifying these non-homicide files and deleting them from the analysis.

The Removal of Non-Homicides and Unsolved Cases

There were two classes of homicide victim files that are not included within the present investigation. First, there were several cases initially classified as homicides at the intake phase of data collection which were ultimately determined by the something other than homicide. Some cases initially came to the Coroner's attention as potential homicides, but were ultimately classified as suicide. There were three such cases.

A second reason for excluding some cases is that the Coroner determined that the case consisted of accidental death rather than homicide. Some of these cases involved at a minimum what might be called very suspicious circumstances (for example, one case which closely resembles in clinical and social details other cases of "battered children", or another where a wife is killed by the shotgun of her husband), but it is presumed that the Coroner and the police were in a

good position to make the determination that such events were something other than homicide. It must be remembered however that the police and the Coroner must come to their conclusions on the basis of legal burdens of proof and while the Coroner is not required to apply the very strict burden of proof required by the criminal law, it is entirely possible that some of these cases in fact represent homicides that the judicial system with its inherent bias based on legal proof cannot identify. There were seven such cases, so that in all, the file of homicides for Victoria in 1985 and 1986 is reduced to 117.

There are a further five cases which were unsolved, and which were such that it was impossible to establish the dynamics of the relationship between the offender and the victim. In some cases, despite the fact that the offender has not been identified, it is reasonably clear that the victim was killed in the course of armed robbery or burglary. We can classify these, therefore, as being "homicides in the course of another crime" *(see below).* In these five cases the facts are definitive regarding the case constituting a homicide, but since nothing is known about either the offender or the circumstances leading up to the lethal violence, these five cases will not be considered in the examination of the relationship between victim and offender.

Despite the fact that these unsolved cases have not been analysed in the same detail they are still confirmed homicide cases so we have retained them amongst the total number of homicide cases. Allowing for this the total number of homicides for the 1985-1986 period remains at 117. Subtracting these 5 cases, the 112 remaining were subjected to a social and pathological content analysis to identify the major and minor themes which could be employed to describe the nature of the relationship which existed between the victim and the offender.

The Intimacy Theme

A major theme that runs through these cases is intimacy. In Victoria, as Wallace (1986) reports for New South Wales, homicide is an event involving a victim and offender who are intimates. Intimacy here carries the meaning that one might find in a dictionary, namely, a relationship characterised by pronounced closeness. Slightly over half of these homicides (60 of the 117 cases, or 51 per cent) occur where the victim and the offender are bound together in one form or another of a close personal relationship.

There is a growing body of research which refers specifically to the issue of intimacy in homicide. Zimring, Mukherjee and Van Winkle (1983) in their analysis of "intimate" violence in Chicago examined murders which took place between the sexes, looking specifically at homicides in such intimate relationships as legal

marriages, common law marriages and what they termed "romantic involvements" in contrast to those that occur in other victim/offender relationships. Using a similar strategy of examining homicides that occur between the sexes in a Canadian sample, Silverman and Mukherjee (1987) were able to add in information as to whether or not the marriages were "stable" or "unstable" (that is, characterised by separation or divorce).

The present study will take a somewhat broader view of intimacy, and define three major variations on the theme of intimacy. The largest group were those for whom the homicide originated in an intimate relationship which was sexual in nature (37 of the 60), with "sexual" in this context meaning those relationships clearly based on a sexual or romantic bond, including legal marriages, de facto marriages, and those who are lovers. A second variation (accounting for 13 of the 60 cases of intimate homicide) were those who were linked together by family ties (most of these being children where parents or step-parents were responsible for the death). A third variation consists of persons who had been at some earlier point bound together by friendship (this group making up 10 of the 60 cases of intimate homicide). In terms of their proportion of all homicides, cases involving sexual intimacy constitute 32 per cent, family intimacy 11 per cent, and intimacy derived from friendship 9 per cent. It is perhaps closer to Lundsgaarde's (1977) focus on persons who "interact" with each other on a "regular face to face basis", except that here the term is broadened to include friendship as well as what he terms "familistic" relationships.

From this, it will be seen that we will diverge somewhat from the path taken by either Zimring et al. (1983) or by Silverman and Mukherjee (1987) in their analysis of intimate homicide. Both of these studies focused exclusively on intersexual homicides in defining intimacy. Lundsgaarde (1977) cast a slightly wider net when he referred to "intimates" in his study of homicide as persons who ". . . interact with each other socially and economically on a regular face-to face basis and who usually are status reciprocals in a familistic relationship" (Lundsgaarde 1977, p. 45).

Historically theories of intimacy in criminal analysis have been present, albeit in a different form. In the "System Der Kriminalistik" of Dr Hans Gross such concepts are portrayed in a wider setting of crime than homicide in an analysis of the role of women in the instigation or as an influencing factor in most criminal behaviour. Such a sexist concept would find little acceptance in this form today, but it must be remembered that his work was aimed at being a practical text book on criminal investigation for magistrates, police officers and lawyers. It would not alter the practical implication of his exposition of the old adage "cherchez la femme" to advise the investigator in modem terms to look for the impact of the factor of intimacy in understanding the circumstances surrounding and influencing criminal activity.

It is our belief that the present strategy, which widens the boundaries of the term "intimacy", is appropriate since there are many instances where there are clear bonds of intimacy operating in the dynamic relationship between victim and offender, yet the two are of the same sex. In the case of sexual intimacy, while it is numerically rare, men in sexual relationships with men, and women in sexual relationships with women, also kill their partners. In the family variation of the intimacy theme, fathers (or more likely, step-fathers) might kill their sons, mothers their daughters, brothers their brother, and so on. Finally, once friendship is brought within the boundaries of intimacy, then virtually all of the homicides will involve persons of the same sex (there is only one exception in our files).

The Sexual Variation of the Intimacy Theme

The first, and major, group of homicides are where some dynamic of intimacy links the victim and the offender or where a marital, sexual or romantic relationship of some sort is found between them. In sharp contrast to other forms of homicide in Victoria, where sexual intimacy is a feature of the intimate bond, the great majority of the victims are women. Of the 37 cases which are defined as intimate, 29 (or 78 per cent) were women.

Sexually Intimate Homicide: Women Victims-Male Offenders

A reading of these files shows that there were clear minor variations which run through these accounts of homicide with women victims. A first involves those cases where women are victims of masculine violence. There appear to be four sub-types of homicides where women are victims and men are offenders.

Women Victims in Their "Middle Years" Women in their "middle years" (roughly around 20 up to the middle 40s),- account for 15 of the 27 cases where women are victimised by men, there was often observed an extreme sense of sexual jealousy, often tied with exceptional premeditation in bringing about the death, combined with a history of violence prior to the homicide, as illustrated in this shortened case history:

> Rachel B. (age 29, home duties) had become involved with Gregor K. in 1979, subsequently forming a de facto relationship with him. In their last year together, Gregor became increasingly violent. Rachel's son later testified that he had seen Gregor "physically strike" his mother, and he had even heard him "threaten to kill" Rachel. At one point, when he found out that Rachel had seen another man, he came around with a knife, saying: "If I can't have you, no one will have you".

> Rachel was terrified. She moved out, using the services of a removalist to relocate in a new flat in Coburg. Rachel pleaded with the removalist not to reveal the new address, saying that if Gregor

found out where she was, "he will kill me". The removalist suggested that she go to the police, but Rachel said that she was "too scared". Sure enough, Gregor did approach the removalist, who refused to divulge the address.

Gregor then hired a private inquiry agent, who was successful in locating Rachel's new address. Rachel received a telephone call early one evening from Gregor, who said he was coming around to kill her. Rachel called her mother, who said to call the police. Rachel called the police at 8.26 pm, but before the police could arrive, shots were heard inside Rachel's flat. When the police arrived, they found Rachel, dead, in the hallway of her home. Gregor left the country shortly afterwards, and has not been brought to justice for the crime. (Case No. 1731-85).

Detailed examination of the autopsy findings reveals some of the circumstances of the actual shooting that otherwise went unwitnessed. The autopsy report identified the following injuries:

A bullet entrance wound was present on the left side of the face 139.7cm above the heel, 1.5 cm above the inferior margin of the mandible and 6 cm from the midline of the chin. This V-wound measured 0.5 cm in diameter and carbon pigmentation was noted for a distance of up to 5 cm around the wound together with powder tattooing. The bullet track passed inwards upwards and backwards across the posterior pharynx entering the cranial cavity in the right middle cranial fossa. This exited through the right temporal region of the skull in association with a V-shaped laceration 3 cm in length in the right temporal skin through which brain oozed. The track extended upwards at approximately an angle of 45 degrees. A separate bullet entrance wound was present on the right side of the forehead 6 cm above the lateral orbital margin and 154.9 cm from the heel. This measured 0.7 cm in diameter and had a blackish rim with 3 linear splits extending from this wound in the surrounding skin. The track extended horizontally and slightly backwards through the right and left sides of the head to exit in the left temporal region. A linear abrasion 10 x 1 cm was present on the right side of the neck anteriorly.

These injuries are particularly revealing in that they show a near contact gunshot wound to the left side of the head with an injury to the neck on the other side that might have resulted from the deceased being held around the neck. The gunshot wound to the right side of the forehead is entirely different. The splitting of the skin around this wound and the absence of powder tattooing indicate that this was a tight contact wound. Both these wounds would have been almost immediately fatal and therefore as both were fired from very close range one at least represents an insurance type shot that was in fact not required to ensure that she was killed.

A few of these cases show these themes of careful premeditation, such as the offender who went through the complicated procedure of obtaining a cap and ball revolver (a nineteenth century weapon) to use in the homicide. In some, there is

no remorse shown after the event. One offender said, when being interviewed: "She has been sticking it to me for many years", or another, when initially apprehended said simply: "She's me ex-wife ... she deserved it" (this man had convinced himself , without medical foundation, that his wife and her new lover had set him up to have sex with a prostitute who had AIDS, so that he would die from AIDS, in his delusion, and she would inherit his property).

The theme of possessiveness is found in the utterances of the man who when asked how the death had come about replied by saying:

> I grabbed her and told her that I will not let her leave. . . She begged me not to kill her, because she said she still loved me, but I said it was a lie. She did not love me any more. . . I only wanted to destroy her. . . I wanted to get rid of her then I can go to the jail and stay in peace. (Case No. 3028-86).

The pathology in this case revealed that the wife had been cut and stabbed repeatedly and her throat being deeply cut across the front of the neck. Another feature of this killing was the presence of knife injuries to the victim's hands, a feature recognised by pathologists as being typically present where a victim has tried to fight off a knife attack. Therefore the victim in this case was fully aware of her predicament but was unable to prevent her death by either physically defending herself or as the offender admitted by pleading for her life.

In 13 of the 15 cases of homicide where there was an intimate sexual relationship between the male offender and his female victim in her "middle years", there was a previous history of violence, that violence frequently being a major factor in leading the woman to attempt a separation from the male. There were two instances, however, where the immediate violence was spontaneous, with no prior hint of violence. While the lethal violence can be linked to possessiveness, since in both cases the male thought that he might be losing the woman, jealousy was not a factor in the death, as illustrated in the following case:

> Lynne M (age 20, receptionist) and Eddy M. (age 24) had been married just over a year, but that brief period had not been especially happy. Lynne had told friends that one big problem for them was Eddy's "possessiveness and jealousy". Lynne had separated briefly on two previous occasions, when she made what she hoped was going to be the final break, moving back in with her parents. Two days later, Eddy called and told his wife that he had suffered a minor injury, and asked her to accompany him to the hospital, which she did, with her parents. Upon release from the hospital, Lynne decided to stay the night with Eddy in case he might need further care.
>
> From Eddy's account, the early part of the evening went well enough, with the two of them sharing a meat of take-away food in

their flat. Later, as they were in bed watching TV, Lynne announced that she definitely wanted a break of ". . . a couple of months without seeing each other". They started to argue. He said at one point: "I'd rather die than be without you", to which she replied "Just don't keep at me". The argument quickly escalated in intensity. There was a knife at hand, and Eddy ". . . grabbed it, I lost control, I stabbed her in the neck ... I just kept stabbing her".

After killing Lynne, Eddy went to his car and attempted to commiit suicide, unsuccessfully. Afterwards he said: ". . . there wasn't anybody else, I can tell you that ... She was faithful". (Case No. 2077-85).

This case demonstrates one of the particular pathological features of cases where there has been a sudden unusual outburst of violence. In these instances there is usually a persistent repetitive infliction of one type of injury, in this case stabbing. The autopsy report revealed:

There were seven stab wounds to the neck, 12 to the front of the chest and two to the upper right abdomen. In addition there was an incised wound to the right shoulder, three incised wounds to the right forearm with small cuts to the knuckles of the right hand (defence wounds). There was an incised wound of the right thigh. The major stab wounds had caused the following: damage to the left jugular vein and carotid artery. Three stab wounds to the right ventricle of the heart, three stab wounds to the lungs, two stab wounds to the liver.

Such attacks are often frenzied in nature and are commonly associated with a partial amnesia on the part of the offender as to the number of injuries actually inflicted.

In all of these cases of homicide of women in their middle years, there is present the sub-theme of possessiveness. The male was provoked by the thought that the woman was somehow escaping from their relationship and then his control. In most cases, this was aggravated by the violence that the male employed as a device, unsuccessfully, to impose his control. It is in these cases that we hear the frequently echoed theme: "If I can't have you, no-one will".

A Further Variation: Women Victims in their "Older Years" In cases where the woman victim of male violence was older (involving a victim in her 40s or older, there were seven such cases), somewhat different themes are found. In four of the seven of these, the male partner, also older, had been experiencing extreme depression, leading him to decide to take his own life. In this case, the wife was viewed as a possession to be taken as a partner in death:

Fred H. (age 68, retired) had been married to Hattie H. (age 67) for 40 years, when he retired. The months after retirement had not been easy, with both being treated for medical and psychiatric symptoms. Fred, in particular, began to suffer from progressively more serious depression, on many days spending virtually the whole day in bed.

It was Hattie's custom to telephone her son two or three times a day. Shortly after she had rung off one day after calling in the early afternoon, the son received a call from his wife, saying that his father had called and was acted strangely. The son called his parents number, and his father answered. Despite Fred's attempt to assure his son that: "Mum's all right, everything's all right", the son was convinced that something was wrong. His mother had mentioned to him that on at least two previous occasions Fred had tried to strangle her, saying that he ". . . did not want to live, and he wished that they could both go together".

Fearing the worst, the son rushed to his parent's house. His found his mother, dead, on the couch where she had been strangled. Hearing the sound of water running in the bathroom, he went in and found his father dead from a self-inflicted stab wound. (Case No. 859-85).

The pathological examination in this case revealed:

petechial haemorrhages were present over the face and conjunctivae. There was a 4 mm wide ligature mark horizontally around the neck above the larynx with a crossover mark below the right ear.

It is of note that no other signs of violence were present and there were no defence type injuries, the killing being a relatively nonviolent event apart from the strangulation.

In each of these cases, the wife had mentioned her fears to others of what the husband might do. In another one of these cases, there is a record of a conversation with the ambulance service which the husband summoned before he took his own life in which he stated that the two had ". . . reached the end of the road", referring to the wife's homicide and his suicide as "double euthanasia".

The remaining three of the cases involving older women who were victims of men with whom they had a sexual relationship are a mixed group.

One of the offenders showed all the possessive, jealous rage of a younger man (he had convinced himself, erroneously, that his 56year-old wife was having an affair with a man in his 20s).

In another case, the couple had been together for over 20 years, and both were alcoholics who spent much of their time in a drunken fog. The husband had a history of violence when they were both drunk, this violence one day elevating to the point of lethal violence.

The final case is that of a recently retired bank manager who strangled his also recently retired school teacher wife in the course of an argument in their car late one afternoon as they were driving from the city to their suburban home. In this case, there is no indication that the husband had committed any act of violence whatsoever in their nearly 40 years of marriage. (Case No. 3999-86).

The autopsy, however, in this case revealed that the injuries although typical of manual strangulation were such as to indicate a greater use of over-all force than in the previous of strangulation using a ligature. As the autopsy showed:

> The conjunctivae were suffused and there were multiple petechial haemorrhages over the eyelids and conjunctivae. Blood-stained mucoid material was present in the nose and mouth. The upper neck beneath the chin was oedematous with bluish purple bruising of the skin below the jaw on the right side 5 cm in diameter and on the left side 4 cm in diameter. Bruising was also noted over the back of the left hand 6 cm in diameter. Six abrasions were present over the right mastoid region and two oblique abrasions over the left side of the neck Split type abrasions were apparent over the right upper and lower lips. Bruising was noted in the right parotid and left stemomastoid muscle. A bruise 3 cm in diameter was present on the left occipital region.

Some of these injuries may be related to the environment of the killings (a motor vehicle) but they still imply a relatively greater use of personal inflicted violence than the case involving the ligature.

Younger Female Victims of Male Violence Some female victims of male offenders with whom there is a sexual or romantic attachment are young, being 18 or younger (there were four such cases in these files). Two of these involve situations where the young male partner, confronted with the break-up of the relationship, strikes out in rage and takes the life of his girl friend. In these two cases, there exists what might be viewed as a juvenile form of the jealousy/ possessiveness found in somewhat older males.

> Another of these cases involves an 18-year-old student who was a part-time employee at a supermarket. She was killed by a young male who was also employed at the supermarket, apparently in a confrontation when she refused his advances and attempted to fight him off. This was the only cases we encountered where at issue was the attempt to possess. (Case No. 1041-86).

The autopsy in this case was rendered more difficult by the fact that there had been an attempt to dispose of the body in a car fire-a well recognised method that is widely described in both fictional material and in actual accounts of crime:

> Extensive skin loss through burning was present over the entire body apart from the back of the trunk thighs and shoulders. Brown heat altered blood was present over the internal aspect of the sternum and blood was present in the pericardial sac and left pleural cavity. Four stab wounds were noted in the lower larynx and upper third of the trachea on the left side anteriorly. Three stab wounds were present in the anterior wall of the inferior third of the pericardial sac. An oblique stab wound was noted in the anterior wall of the middle third of the right ventricle adjacent to the interventricular septum. Two similar stab wounds were apparent on

the anterior wall of the middle third of the left ventricle. The trachea and bronchi were free from soot indicating death had occurred prior to the fire.

This case again reveals a multiplicity of injuries that indicate a frenzied type attack which has been a feature of killings by younger offenders.

> In the final case a very young girl (age 12) was killed by a middle aged male who had been a close friend of the household. The older male, who had an extensive criminal record, including imprisonment, became fearful that the girl was going to reveal that the two had been engaged for some time in a sexual relationship (discovered when the girl suffered a miscarriage). (Case No. 119986).

In two of these cases, then, there is the theme of possessiveness that is found in the cases where the female victims are in their middle years (although the relationship itself was not as mature). Another case might be viewed as an attempt to exert the power of possession, with the killing coming when there was resistance to that possession. The last case is somewhat difficult to classify. The relationship between victim and offender was clearly intimate in the sexual sense. The homicide, however, was an attempt to cover up that intimacy since had it been revealed, the older man was vulnerable to extended imprisonment (given his prior record), and also liable to rough justice exacted by the victim's family prior to it coming to the attention of the police.

The "Discarding" of the Woman The legal history of many societies contains the legal presumption of women as chattels to be dealt with as one would other material possessions. The very early English law relating to marriage and divorce supports this view and the removal of an unwanted wife was easier than one might imagine. However, ecclesiastical law and a greater stabilisation of social structure brought with it a more rigid matrimonial law until divorces were unusual and difficult to obtain. As a consequence of this, for some men homicide seemed the only available method to shed themselves of a wife they no longer wanted. While the extensive changes in views of divorce, and the family court laws, have made divorce a matter of routine, at least in terms of legal procedure, in Victoria in the group of homicides is at least one woman who was the victim of her husband's desire to shed her to take up life with another woman, where homicide rather than divorce was chosen:

> The homicide of Rose M. (age 30, home duties) is unusual in many respects. For one, the death was a result of strychnine poisoning, the only poisoning homicide that is found in these files. Rose was found dead at her home, seated in a chair in the kitchen, after a call from her husband, Ken. M. (age 33) had alerted a neighbour that something might be wrong since Rose was not answering her

telephone. The attending police noted that there ". . . were no signs of violence. There are no suspicious circumstances..."

So the matter stood for 3 months, until the toxicology report revealed that the cause of death was strychnine poisoning. The obvious suspect, Ken, denied any responsibility for the death. There are several signs that point to his being responsible. For one, he had in recent weeks established a close relationship with another woman which had been observed by many witnesses (and the woman in fact moved in with him after the death of the wife). Rose had complained to her friends that her husband had been noticeably cool toward her, and had cut off all sexual relations with her. Witnesses also established that Ken had said that he would not pursue another divorce (Rose was his second wife), since his first divorce had cost him $94,000".

There were, as well, several suspicious inconsistencies in his statements to the police. Finding no other person with motive or opportunity, and rejecting the notion of suicide, the police eventually charged the husband with the homicide of his wife. (Case No. 21-86).

What this case establishes, obviously, is that there are multiple pathways that lead males to the point where they take up lethal violence against their women partners. While most men who murder women may be using the violence as an expression of possessiveness, it must be kept in mind that at least a few may have quite different reasons for resorting to the extreme of homicide.

A Rare Twist To The Sexual Intimacy Theme: Women As Victims Of Women

While in an overwhelming proportion of cases of homicide arising out of sexually intimate relationships, the victim is a female of the violence of her male partner, there are at least two ways found by which sexual intimacy can lead to a female being victimised by another female. There is one case in these files, for example, where a jealous wife resorts to lethal violence to deal with the lover of her husband:

Elsa B. (age 23, farm hand) was found dead from stab wounds at 9.15 am on 23 September. A large letter "A" had been carved into her chest. The presumption is that the homicide was committed by Vicky C.

Elsa had worked as a hand on the farm of Vicky and her husband Fred C. for some months. The close working relationship between Elsa and Fred became over time more intense and finally sexual. The three were in close and constant proximity. As Fred's ardour for his wife started to fade, at the same time the intimacy was accelerating with Elsa, the wife began to suspect that "something was going on".

At first, Vicky attempted to talk matters through with Fred. Fred remained throughout uncommunicative. He stated later that he tried to preserve his marriage, and protect his children, by breaking the relationship off, but that the attraction was too powerful to keep under control. Despite the attempt of the two to be discreet, the inevitable slip-ups led the wife to shift from suspicious doubts to jealous certainty.

One night Fred left his part-time job at 8 pm, lingering for an hour at the house of Elsa before going home. Meantime, Vicky had telephoned his workplace, and found out exactly when he had left. Fred arrived home to an outraged wife. The two began to argue. Vicky flew at him, wineglass in her hand, and jabbed the glass into his face. The glass broke, resulting in deep cuts to Fred's face and ear. Fred turned to escape her onslaught, only to be stabbed in the back three or four more times. Bleeding profusely, Fred was finally able to calm Vicky down.

Seeing the injuries she had caused, Vicky insisted that they go to hospital immediately. While she had calmed down reasonably well. Fred recalled that outside of the hospital, Vicky had said that she was "... going to get the little bitch". Fred's injuries were treated and stitched up, and Vicky drove him to his sister's house where they agreed that he should spend the night. This was about 2 am.

At 3 am, Vicky called a neighbour and asked her to pick up the kids, saying that she was at the hospital and would not be able to get back to the house that night (she was not at the hospital when this call was made).

That is the last that can be known for certain. Elsa's body was found at 9.15 am. No one has seen Vicky since. Vicky's car was found close to a nearby bridge where it was first observed at about 5.30 am. The presumption is that Vicky first killed Elsa, then took her own life by jumping off the bridge. (Case No. 3534-86).

This is the only case in these files of jealous rage of a woman directed at the rival for her sexual partner's affections. There is, however, one other case where a woman offender kills a woman victim, in this case the jealousy arising out of their terminated sexual relationship contributing to death:

Tanya H. (age 25, unemployed) had been involved for some time in a lesbian relationship with Charlene S., but the two had agreed to terminate their sexual relationship some 9 months before. According to one witness, Tanya had said that a major problem was that Charlene was bisexual, where Tanya was, as another friend recalled, "a definite lesbian".

The two continued to live together, although their flat-mate commented that they would "pick at each other', and that they would ". . . argue about the smallest of things". One of these things was the fact that although their sexual relationship had broken off, Charlene was still jealous of Tanya's involvement with other women. The flat-mate observed that Charlene: ". . . couldn't handle Tanya

being with other women. Charlene used to give me the third-degree about women being with Tanya".

On the night of 14 December, Charlene spent the evening with a boyfriend she had been seeing on and off for three months. The couple came back to Charlene's flat and retired to bed. Shortly after, a young woman friend showed up at the flat needing a place to spend the night. Given a choice between the couch or Tanya's bed, the young woman opted for Tanya's bed.

Tanya then looked about for extra bedding, realizing then that Charlene had taken the pillow from her bed. Irritated, Tanya barged in on Charlene and her male friend, grabbing the pillow and then walked out. A minute or two later, Charlene, furious, emerged nude from the bedroom, berating Tanya for bursting into the bedroom. As the argument was continuing, Charlene came into Tanya's bedroom for a bathrobe, and spotted the young woman in Tanya's bed. Charlene told the woman to get out: "I think you had better leave if this is the problem that it is going to cause".

The young friend dressed hurriedly. Before she had both shoes on, she saw Charlene come out of the bedroom with a large knife, sheathed. The friend said: "I saw Charlene take the cover off the knife. She glared at me . . .", and the woman dashed out, still with one shoe off. Charlene went back to Tanya, the argument continued to escalate, and Tanya was stabbed with the knife. Charlene said later: "We argued, she hit me, I stabbed her. Oh no, I hope she'll be right. They're dangerous, those things". Tanya died before medical help could arrive. (Case No. 4791-86).

A Major Variation On The Theme Of Sexual Intimacy: Males As Victims Of Female Violence

While much less frequent, there are a few cases (six in all) in these files where males are the victims of a homicide where the relationship involves some situation of sexual intimacy which links a female offender with the male victim. Most of these (four of the six) involve women who are defending themselves against male violence, that is, the male can be seen to have "precipitated" his own death. Typical was the following case:

Arthur P. (age 43) and his de facto wife Betty 0. (age 29) were prone to excess in both drink and argument. Commonly their arguments were over previous sexual involvements. Often Arthur would strike Betty as these conflicts peaked. When asked later why he struck her, Betty replied that Arthur ". . . was jealous, I suppose".

On 30 January, the spent much of the late afternoon and early evening at a picnic drinking with friends. When the group returned to the family home, Arthur and Betty retired to bed while the others stayed up and watched videos.

The final argument started over the triviality of Betty refusing to share a cigarette with Arthur. They were both up at this time, and

both were drunk. They moved their argument into the kitchen. Once again they started arguing about Betty's previous boyfriends. As he had done many times before, Arthur slapped Betty. Betty said later that at this point she said to cut it out or she would stab him" "He hit me in the mouth, and I stabbed him". Arthur died two weeks later of the complications which developed as a result of the stab wound. (Case No. 870181-85).

In the remaining two cases of sexually intimate homicide where the victim was male and offender female, the circumstances are complicated and unusual. In one case, the wife had taken a new lover, and the two hired a contract killer to murder the husband. In this case, while strictly speaking the relationship between the victim and the offender might be classified as a "professional killing", here it has been classified as a case of a male victim involved in an intimate relationship with a female offender, since it was because of the marriage, and the particular way that the wife elected to terminate that marriage, that the homicide took place.

In the other of these cases involving a male victim and a female offender, the offenders involved were the wife and two sons.

In this case there had been considerable violence on the part of the father toward both wife and sons. While it was one of the sons who actually committed the murder, it was, according to the son's later testimony, fundamentally his anger over the constant beating of the mother that provoked him finally to stop the violence by killing the father. This had included a brutal beating of the mother while she was several months pregnant with her last child. (Case No. 1633-85)

Thus, the key factor in understanding this case was the violent nature of the husband/wife relationship, and we therefore have classified it as arising out of a sexual intimate relationship (rather than a "family" type homicide, involving son and father). Further, in this case the mother was involved directly in the crime itself as well as in the attempt to cover up the crime by hiding the body in bushland, where it was found only after suspicions were aroused, and the participants in the murder confessed to police and revealed the location.

A striking feature of the more straightforward of these killings is the single nature of the fatal wound, a feature distinguishing these cases pathologically from the multiple injuries observed in the male offender, female victim killings especially in the younger age groups. Whilst such an injury characteristic may reflect a more limited use of albeit effective violence, there is a factor in many of these cases of distinct control of behaviour and action on the part of the female offender. To some people such evidence of increased control would imply a greater degree of culpability on the part of the offender. In fact there is evidence from studies in the field of forensic psychiatry that such a controlled behaviour pattern may be heightened to the level of a true personality disorder often referred to as the

overcontrolled female. Such an individual will remain calm in the face of a wide range of abuse from their partner that may be verbal or physical and yet after perhaps many years react to a very minor irritation with a single act of gross violence (the straw that broke the camel's back). It might be suggested that in addition such an individual by their very passive nature may stimulate the type of aggressive behaviour that their male partner so often shows.

Male Victims Of Male Offenders

One final form of homicide which originates in sexually intimate relationships consists of those where a male offender vents his jealous anger on the male friend of his female partner, rather than on the woman herself. There are two such in this file of Victorian homicides, the dynamics of which are found in the following example:

> The seven-year marriage of Dottie and Arnold D. had begun to deteriorate in recent months. They had, in fact, begun to lead separate lives. Dottie finally informed Arnold that she was going to leave him and live with Barry F. (age 39, travel agent). She agreed to wait to move out for a couple of months for the sake of her 12-yearold son. Arnold by all accounts was a quiet man with a ". . . limited social life". He was frustrated and angry when he found himself forced to stay home night after night with the son while his wife was with her lover.

> When attempts at reconciliation failed, Arnold decided to take drastic action. He told a friend that he thought that Barry ". . . was a con man, shifty, and he wouldn't look after [the son] properly, and end up using Dottie and dumping her". Arnold had said to the friend: "This guy will be fixed up".

> Arnold obtained a gun, went to Barry's house, and shot him once in the back. He then wrote letters where he confessed to the crime, saying that Barry had ruined all their lives. Arnold's car was found abandoned on the Great Ocean Road. Arnold has not been seen or heard from since. (Case No. 3969-86).

In both cases where the victim was the male rival of the male offender's female partner, the killer suicided afterwards (the same was true in the single case where the victim was the female rival of the female offender's male partner).

Sexual Intimacy And Homicide: Some Concluding Observations

In looking at these cases of homicide where the relationships between victim and offender evolved out of sexual intimacy, we can agree with Wallace's (1986, p. 123) conclusion with respect to the somewhat narrower category of spousal homicide that these cases must be clearly differentiated by gender. Where women are the victims, and males the offenders, the present study substantiates her conclusion that

either separation (including its threat) or jealousy were the major precipitating factors (Wallace 1986, p. 123), and thus the homicide can be viewed as an expression of the male's attempt to exert their power and control over their wives" (Wallace 1986, p. 123).

With respect to those circumstances where men are the victims of homicide arising out of intimate sexual relationships, our findings are somewhat different than other Australian studies, perhaps because the group of cases is so small. Other studies, such as Bacon and Lansdowne (1982) report that their sample of women who were convicted for homicide was made up exclusively of 16 women who had killed their husbands, and that in 14 of the 16 cases, the woman had experienced physical assault prior to the homicide. Wallace asserts that:

> Women killed their husbands against a backdrop of violence; they killed
> in response to and because of violence perpetrated by their husband on
> them and/or other members of the family (Wallace 1986, p. 123).

This study of homicide in Victoria supports the general conclusion that women who kill often are responding to the violence of their sexual partners. However, the cautions we would add are that; there are other circumstances where males are victims where their spouse has motivations other than protecting herself from violence (such as where the homicide is resorted to as an extreme method of shedding the male in order to take up a new sexual partner); and that among the group of women offenders that can be traced through these files, a large number did not have as their victim their spouse, or putting the matter somewhat differently, a majority of the women offenders who can be identified in these files were working with a motivation other than that of protecting themselves from the violence of their husband.

The pathological data reveals that analysis of the patterns of injury may also contribute to the understanding of the nature of the killing act and of the behaviour of the parties before, during and after the act. It is interesting that the levels of personal violence differ in the various age groups we have defined, but that even allowing for this the sudden outburst of frenzied violence and the controlled infliction of a single fatal injury can be recognised as discrete groups which bear an important association with the nature of the relationship between the parties to the killing.

Those familiar with homicide data from the United States will realise that there are some important differences in the nature of intimate homicide between these findings and what is often reported in the United States. Studies in such cities as Houston (Lundsgaarde 1977) or Chicago (Block 1977) find that often the number of women who kill their husbands is equal to, or perhaps even greater than, the 'lumber of husbands who kill wives. In sharp contrast, in Victoria

men kill their sexual partners over four times more often than do women kill their partners (27 v. 6 cases).

The Second Major Form of Intimate Homicide: Family Killings

Children As Victims Of Family Violence

The second major variation on the intimacy theme concerns killings within the family (excluding the husband-wife relationship, obviously). There were 12 such cases reported to the Coroner in Victoria for the years 1985-1986. The great majority of these, 10 of the 12, involved the minor variation consisting of the killing of children.

The Killing of Children: Child Victims of Non-Accidental Injury There are, however, quite different dynamics which can lead parents to take the lives of their children. Wallace (1986) identified in her much larger sample most of the types of homicides involving children found in Victoria. As was true in New South Wales, the most frequently appearing type consisted of children who die of "non-accidental' injuries caused by their parents (four of the 10, on a percentage base as close as could be obtained to the 36.6 per cent reported by Wallace 1986, p. 137). Three of these cases fit almost classic descriptions of battered children.

> One, for example, involved a heroin addict who, immediately after shooting up with heroin, brutally beat the 4-year-old son of his de facto wife to death. (Case No. 3184-86).

> Another involved a migrant woman who apparently suffered great stress because of the combination of her isolation (she spoke no English) and the heavy home care responsibilities which she had to bear by herself (there were five children). The victim in this case was a 9-month-old infant who was "difficult" and because of constant crying kept the mother in a constant state of fatigue. (Case No. 2754-86).

> The fourth of the cases involving death of a child as a result of non-accidental injury consisted of the 16-year-old who physically attacked his mother and prospective step-father when he was told of their plans for marriage. When the teenager refused to quiet down, and continued his attack, the older man (the offender was in his mid50s) shot the boy as a way of protecting himself. This is another one of the rare instances of homicide involving intimate relationships where the victim is actually the first to employ violence (in other words, "victim precipitation" to use the term employed by Wolfgang 1958).

As was true in Wallace's (1986) much larger sample, in the case of the younger "battered" children, the autopsies found clear indications that the chfldren had survived beating prior to being

killed. This is another area where the autopsy findings play a vital role in the investigation process and in revealing the circumstances surrounding injury patterns on a child. In distinguishing accidental from non-accidental injuries both the type of injury and its temporal characteristics must be considered. The temporal factor is of such importance in identifying non-accidental injury that some authors have proposed changing the term to "repetitive non-accidental injury". The typical features are abrasions, bruises and other superficial injuries to the skin which are of varying ages and are found not only in those areas of the body commonly injured by children but also in inaccessible sites. Burns and burn scars are also a feature, especially the circular forms that are caused by cigarettes. In fatal cases fractures of the long bones of the limbs and the skull may be found again often with radiological evidence of healing fractures of varying ages. Bite marks, injuries from shaking and signs of sexual interference may also be found.

Although the present group is small, it also seems to confirm Wallace's finding that the person responsible for the killing, contrary to what some believe, is not likely to be the mother (Wallace 1986, p. 139).

The Killing of Children: Neonaticides The next more frequent form of killing of children consists of neonaticide, or the killing of an infant within 24 hours of its birth. This must be distinguished from the legal offence of infanticide, as described above. There were two offenders involved, one where it was discovered that there were two occurrences on her part of neonaticide, one of which she had been able to conceal successfully earlier (that is, there are three victims of neonaticide found in these Victorian files). The themes that run through these accounts are similar to the cases observed by Wallace, as can be found in the following case:

> Janice M. (age 29, part-time sales clerk) lived in a small town. One day as she was watching TV in her home after work, she felt pains and went into her bedroom. Janice then went into labour for about 1 1/2 hours. She immediately placed a towel over the baby's nose and mouth, and then afterwards placed the body in a plastic bag in her clothes basket.
>
> Her housemates noticed the smell of the body after five days (Janice had used air-freshener to conceal the odour). When the police came to investigate, and said to her that they had checked the contents of the clothes basket, Janice replied: "Yes, so what's wrong?" She seemed confused and disoriented, and claimed that the incident had occurred "a long time ago". She did not realise that she was pregnant for seven months, and even then she ". . . just hoped it would go away. She essentially denied the pregnancy, as she said, ". . . because I didn't want it to happen".
>
> As the questioning proceeded, Janice admitted that she had killed another newborn baby some 5 years previously. In both cases she

had little recollection of the event. She could not recall the sex of either child, nor could she say if either had cried or moved after birth. (Case No. AG860668).

In the main, some similar themes run through cases as was reported by Wallace (1986). There is here, as Wallace observed, concealment of both pregnancy and birth. These women are likely to have their babies alone, commonly in their bedroom or in the toilet.

Above all else, there is the exceptional self-denial on the part of the women. That is, they not only deny to the rest of the world that the birth is impending, they extend, successfully up to the birth itself, that denial to themselves. From Wallace's accounts and the present cases, it appears that these women are in a situation where they simply cannot deal with the consequences of a birth. As Janice said: "I didn't know what else to do, I suppose. I was worried about what the people in town would have said ... I don't know why I did it".

The Killing of Children: Child Murder Before Suicide There are two cases where children are killed within the dynamics prior to the suicide of their killer, but the two represent quite different circumstances.

In one case, the children were killed in the course of the suicide of the mother. The mother had been separated for a short time from her husband. She felt overwhelmed by the break-up of the family. In taking the children with her, she felt, as she expressed it in the letter she left behind that: "I don't feel I am murdering my children, but saving them from sorrow and pain without their father". (Case No. 2886-85).

In the second case involving an 11-year-old girl, the child was a victim of a jealous and violent father:

The father was regularly drunk, and had become violent so many times in the past that the mother had taken to hiding all of the knives to keep them away from him in his drunken rages. The major source of his violence was delusional and obsessional jealousy. The husband became more and more reclusive. Finally, on a family "holiday", the husband apparently shot and killed both wife and child, placing their bodies in the family caravan. He then splashed petrol in and around the caravan and lit the petrol, then leaped into the caravan and shot himself in the mouth. (Case No. 861274).

The Killing of Children: Homicide Through Neglect The final form of killing of children, killing through neglect, occurs in but one case among the Victorian homicides. As Wallace (1986, p. 134) found in New South Wales, this form of killing is rare, and in this instance (as she observed in most of the neglect cases in New South Wales) the death resulted from complications related to malnutrition.

In the case in Victoria, the parents were both enthusiastic followers of naturopathy. It was their belief that the proper treatment for

diseases such as fever was fasting. Despite being warned of the complications which could result, when their 3-year-old daughter came down with a series of colds, they placed her on a fast that lasted 27 days, and ultimately to her death. Only in the last hours did they break the fast by providing the child with some pear juice. Even confronted with evidence, the parents afterwards were unrepentant. As the father said: "I know it was longer than usual, but the symptoms were still there ... she probably only choked on the pear juice ... maybe if we continued she would have been all right". (Case No. 1464;85).

It should be noted that unlike the cases Wallace (1986, p. 135) observed in New South Wales, this child was not physically abused. Nor was the case one of persons ignorant on matters of nutrition (both parents were, in fact, trained nurses). It seems, instead, to be one of those unfortunate instances where an obsessional commitment to alternative medicine had a tragic outcome.

The Killing Of Children: An Overview

All of the cases of child killings in these two years in Victoria occurred within the setting of the family (although we might include here the case of the 12-year-old killed by her much older lover, *see* Case No. 1199-86, described above), confirming Wallace's (1986, p. 148) prior findings in New South Wales that such killing "almost always" occur within the family. Further, as she reports, there is not a single pattern that can be identified among these homicides. Rather, there are diverse pathways that the offenders have taken which leads to the tragic death of a child. One of the factors that stands out in homicides involving children is that the factor of gender plays a much smaller role. For victims, there is here and in Wallace's previous study, no bias in one direction or another. Looking over all offenders, again the factor of gender does not predominate as it does in other forms of homicide. The one exception, of course, are the small number of neonaticides. Otherwise, overall it appears that the strong trend of masculine violence does penetrate into this particular form of homicide.

Other Forms Of Family Homicide

Where the sample of cases of homicide is large enough, and covers enough years, there will be found cases that cover virtually all of the possible dyads within the nuclear family, as can be found in the much larger investigation by Wallace (1986). In the present two-year period, however, there were no killings reported between children and their parents where only a child or children were involved (there was one case where two sons, and their mother, were involved in the death of the often violent father, *see* Case No. 1633-85, above). Nor were there any killings where the offender was a sister, killing either her brother

or her sister. The two cases found involved brothers who killed their sister. One of these involved a young adolescent:

> Jim M. (age 14) was in his second year of secondary school. There was little to set him apart from his fellow students in terms of school performance. He liked sport. On the day in question, Jim's family came to watch him play basketball with a local team, and Jim fouled out of the match.
>
> After the family returned home, the rest of the family, including the parents went off to a local dance, leaving Jim home alone. A bit later, Jim's sister (age 18, nurse's aide) came home from work. The two argued. Jim later said that she had called him "Freckles" (which he despised), said that he was "useless" and that she had "put him down".
>
> The sister then retired to her bedroom. Jim went to his father's room, took down a shotgun, and loaded shells into it. He then walked down the hall, and fired twice into his sister's bedroom. Jim then realised what he had done, and ran off to summon assistance. His sister had died of her wounds before medical help could reach her. (Case No. X2).

The other case involves a brother and sister who are in their 30s.

> Federico P. (age 34) had migrated to Australia from Chile some ten years ago. All went reasonably well for the first five years, but he then contracted cancer. Federico ultimately had to have a leg amputated, and because of that was no longer able to work.
>
> In order to help him keep his house in order (which he found his illness prevented him from doing), Federico arranged to bring his sister Molly (age 33) to Australia, paying for the air fares for the sister and her children.
>
> Things did not go smoothly, however, and Molly soon moved out of the household. This caused bitter feelings on both parts. Federico wanted Molly to pay the money back. Molly was apparently upset by sexual advances which Federico had made.
>
> In any event Molly soon met a male friend, and their mutual attraction blossomed to the point where the two established a de facto relationship. This angered Federico, who stated that his reason was that the relationship "brought shame to the family". He began to threaten both Molly and her friend. At 3 am on morning about two weeks after Christmas, he forced his way into Molly's house. Molly and her friend were successful in locking their bedroom door so that Federico could not enter. The friend then leaped out of the window to seek assistance.
>
> Apparently fearing for her children's safety, Molly unlocked the door and came out. Federico then shot and killed Molly, then turned the weapon on himself, killing himself immediately. (Case No. 54-85).

These two case studies allow us to do little more than echo the observation of Wallace when she says that: "Very little is known about violence between siblings in Australia, or anywhere else for that matter" (Wallace 1986, p. 154). One thing that is known is that homicide involving siblings is very rare. These account for 1.8 per cent of the roughly 1,400 cases over the 14-year-period studied in New South Wales, compared to roughly 3 per cent in American studies (Wallace 1986, p. 154). This is, of course, comparable to what is reported here (one further case where a brother kills a brother has been classified below as a "special case" since it was not clear how the homicide derived from the fraternal interaction).

The Third Variation on the Intimacy Theme: Murder Among Friends

The present study includes within the framework of intimacy one class of "close, personal" relationships, namely that between friends, that is ordinarily put elsewhere in the study of homicide. Here it is argued that it is appropriate to place this group of homicides within the boundaries of intimacy because in virtually all of these cases, the relationship thread that leads to the homicide must trace its way back to the friendship. The victim and the offender stand in a particular relationship to each other at the time of the homicide which can best be understood, in other words, if the observer goes back to the point of closeness and works forward in time to see how the friendship evolved (most often disintegrated) over time to produce the homicide. There were 10 such cases in these files, representing 9 per cent of all homicides, and 17 per cent of the intimate homicides.

Murder Among Friends: An Altruistic Homicide

The first form of this might be termed an "altruistic" homicide:

> Carl H. (age 23, invalid) and Wally M. (age 27) had been friends for many years. In their late teenage years, the two often would go hunting and camping together. All this changed when Carl had a motor cycle accident which left him a quadriplegic.
>
> Carl's total helplessness caused him deep depression. He decided to end his life by the only means available to him: he stopped eating. Medical intervention was the result, and he was kept alive through intravenous feeding.
>
> Unable to end his life himself , he reached out to his loyal friend. Wally was distressed at Carl's condition and state, and after initially resisting, finally resolved to come to the aid of his friend. The two arranged for Carl's family to be away one day, and Wally first took a rifle and shot Carl in the head, then fired a .22 pistol into his own head. (Case No. 143-85).

Murder Among Friends: Slow Disintegration

While in the previous instance the homicide results from the closeness between the friends, in all other cases there is a deterioration that takes place which leads to the homicide. In some cases this breakdown is slow, as in the following case:

> K.P. and W.M. were friends who started up a trucking business together. They began to have a falling out as they encountered financial disagreements. By the time they dissolved the partnership, the friendship was long broken. Feeling angry because his former partner (in his view) was taking business away from him, also pressed by the threat of a large law suit, K.P. took up a rifle and shot his former friend one night while he was loading his truck at a truck depot. (Case No. 1314-85).

Murder Among Friends: 'Sudden Flareups'

In other cases the trouble flares spontaneously:

> M.G. and E.C. had been friends for 15 years, and in that time had never been known to argue. One day the two attended a large, traditional Turkish circumcision party. E.C. had consumed virtually a whole bottle of Raki by himself by the time M.G. arrived. Then, E.C. and M.G. together drank more of the Raki.
>
> Seeing that his friend was becoming dangerously drunk, M.G. began to keep the alcohol away from his friend. After some time of playing keep away with the alcohol, M.G. finally suggested to E.C. that he had "had enough" and that he should "Have some lemonade, you've had enough to drink". E.C. threatened to hit M.G. with the lemonade bottle, and stormed out of the hall. M.G. followed his friend outside, catching up with him as E.C. reached his car (he had opened the boot).
>
> E.C. suddenly turned on his friend, the two struggled, and E.C. stabbed M.G. with a fishing knife he had taken from the boot of the car. M.G. collapsed and died on the sidewalk before medical help could be summoned. (Case No. 3128-86).

Murder Among Friends: Conflict Resolution On The Margins

Five of these cases where the homicide occurs between a victim and an offender who have been friends involve marginal individuals who are part of a world of criminality, prison, drug use and unemployment. In these, what began as a friendship disintegrates as a result of such issues as a debt between the parties, often about drug deals. What seems to characterise these cases is that their marginality denies them access to the mechanisms which "respectables" might use to resolve such personal disputes. Lacking such processes, the arguments simply continue to escalate up to the point where lethal violence results:

Artie K. (age 33) had served time in prison, was for many years a member of the Hell's Angels, and was unemployed. Some months earlier he had been introduced to Paul R., a friend of his younger brother (they had met in prison). Artie and Paul become close friends. That friendship began to wear thin, however, when Paul was reluctant to pay back money owed to Artie. They began to argue over the issue.

One night, Artie went to Paul's house for what he thought was to be a party. Instead the two began another of their arguments. This time it was more heated that before. Paul became very worked up, and pulled out a hand gun and fired several shots into Artie.

At this point the tale takes a bizarre turn. One of the onlookers called his mother, a nurse, to see if she could give medical assistance to Artie. Artie was, however, dead. Paul and the friend then decided that they had to dispose of the body. Their plan was to place the body in a 44 gallon drum. Since Artie's body was too long to fit, the two used a chain saw to cut off the legs. The body was then placed in the drum, a mixture of cement and lime was added, and the top was sealed. The drum was then dumped in the Yarra River, where it was subsequently found some five months later. (Case No. 615-86).

In the other cases,

One involved members of another motor cycle gang, both the offender and the victim having long criminal records, where the initial friendship came apart because of a dispute over a loan of money for a drug deal (Case No. 175-86);

another involved two friends who met while under sentence in a community-based institution who had a series of fights and threats before one settled their argument with a .38 pistol (Case No. 291-86);

while the fourth involved two who were living together who had been arguing over a drug debt when a physical confrontation lead to knife threats, which one of the two dealt with by taking a hammer to the head of the former friend while he slept (Case No. X3-86).

It is of interest to note that in three of these four killings the weapon employed was a gun (two hand guns, one cut-down.22 rifle).

Murder Among Friends: Eliminating The Evidence

In this final set of circumstances of murder amongst friends, the three cases involve an initial friendship that becomes threatened when one of the two friends becomes Concerned that the other has damaging information that may be revealed to the police or courts, and the friend is killed to silence that threat:

Both Perry R. (age 19) and Rickie M. (age 21) were unemployed and had served time in prison. They were good enough friends so that one night when they were out driving and there was an accident, Perry was able to persuade Rickie to claim that he was driving (Perry

was both quite drunk and unlicensed at the time). While Rickie was willing to do this at the scene of the accident, be began to waver when it became clear that he was up for a very large civil damages suit, as well as a potential fine and jail sentence for the negligent driving involved.

Fearing that Rickie was weakening under the pressure, Perry decided to take extreme steps to protect himself. He and two of his mates lured Rickie into their car, took him into remote bushland, and stabbed him to death. They had left a rather wide trail behind them. For example, when they had picked Rickie up, he was in a car with two close friends (one of the killers had walked up to them, saying "You haven't seen me here tonight, boys", apparently assuming that the threat was sufficient to warn them off). Also, for some period of time they left the car, with incriminating blood stains covering its insides, at the home of an acquaintance who became very nervous and cooperative when he realised that murder was involved. In short order, Perry and his two friends were arrested and charged with murder. (Case No. 2951-86).

There is in these three cases a sense of unreality generated in the observer, since one can find it hard to actually believe that these individuals will blunder from one botched exercise (the attempt to escape penalty for a relatively minor traffic accident in the present case) to the extreme of an equally botched murder. Yet there are two more cases which match in reasonable detail this previous case.

In one of these, a man was released from prison one morning, and by that evening had carried off an equally incompetent murder of a woman friend who was a prostitute and drug user (they had created an easily penetrated fabrication that they had dropped her off in a secluded place where she was to meet a drug dealer, with this fictional drug dealer then taking the blame for the murder). (Case No. 4740-86).

In another, a teenager was left in an unfortunate position when his older brother and a friend were involved in a car theft. The older brother fled to Queensland, leaving the friend to absorb the potential blame. The friend persuaded the teenager to provide him with an alibi. The young lad began to waver, however, when it became clear that to continue to give the friend an alibi both exposed his brother to blame, and himself to charges of perjury. Despite the fact that this was a first offence, with a likelihood of a light penalty, the teenager was murdered to silence the threat. (Case No. 1606-86).

In all three of these cases, not only was a lighter penalty exchanged for the much larger penalty that attaches to murder, but the offenders told a wide circle of friends what they had done. It seemed as if they felt a compulsion to tell the tale of what had happened, complete with minute details of the gore of the killing. In each, the trail left behind was so broad that not one, but several, witnesses came forward to provide the evidence which lead police to the killers.

The Intimacy Theme: Review and Conclusions

In these homicides in Victoria, the finding is consistent with other research which suggests that in a large proportion of cases, the victim is, or was in the past, in some form of close, personal relationship with the offender. We find, however, that it is important to specify the particular form of intimacy involved, since the dynamics of homicide vary considerably regarding the circumstances.

This can be seen with respect to the role of gender, an important factor to consider through the cases of intimate homicide. In cases of intimacy involving a sexual relationship, the bulk of the homicides seem to flow out of the attempt of males to maintain possessiveness over their female partners, with the males frequently acting out of jealous rage in taking the life of their female partner. In contrast, there are no cases of women taking the life of their male sexual partner because of possessiveness or jealousy.

The issue of gender is even more predominant in the case of homicides where the personal closeness originates in friendship. In such cases, all of the offenders are male, as is true of all but one of the victims. Reaching out for violence, in this case lethal violence, as a way to solve disputes occurring within the bonds of what had been a friendship is clearly a masculine, not a feminine, solution.

There are circumstances where women do resort to violence. As others have found, a significant proportion of these are cases where the woman is protecting herself against the violence of her male partner. Among these Victorian homicides, there are only taro cases where a woman has acted out of jealousy, and in both cases her victim was female. Further, as pointed out earlier, in contrast to United States findings, within relationships defined by sexual intimacy, women are much less likely to kill their male partners than is found in the overseas research.

Among the forms of intimate homicide, gender does not serve to differentiate either the victims or the offenders in cases of the killing of children (except in the case of neonaticide). Unlike most other forms of homicide, women are about as likely to take the lives of their children as are men.

The Second Major Theme: Confrontation

In these accounts of homicide in Victoria, the second major theme that can be identified concerns confrontation. In confrontational homicide, as the term is used here, it is conflict itself which defines the relationship which brings victim and offender together. There is in these cases no strong personal relationship which binds, or, at some point in the past, bound, the participants together. There is, further, no other on-going criminal activity (such as an armed robbery) which defines sharply the different roles of victim and offender.

Confrontational homicides are definitively male in character. All 25 of the confrontational homicides (these make up 21 per cent of all homicides) involve males as both victims and offenders. These are events involving a challenge and counter-challenge which leads to physical conflict. There is, in other words, an order to the dynamic linking victims and offenders that approaches ritual.

In its simplest form, the parties come together, a challenge is laid down, and a fight ensues:

> J.A. (age 25, forklift driver) and two of his friends had been drinking through much of the night G.A.'s blood alcohol was established later to be .09) when they decided to finish off in the early morning hours with a drink at a disco in St. Kilda. After getting out of their car, they became involved in a fight with three other males outside the disco. The fight was relatively brief J.A. appeared to be injured, but said nothing about the nature of his wounds. One of the friends took him to his nearby flat. J.A. first complained that he was not feeling well, then he collapsed. He died before medical help could arrive. The autopsy revealed that death was the result of a stab wound to the heart. (Case No. 2431-86).

Another case shows this same dynamic of a rapid flaring of the violence:

> At midnight, G.W. (age 32, soldier) after an evening of drinking (his blood alcohol level was found later to be .224) boarded a train at Flinders Street Station. As G.W. moved to sit down in a vacant seat, M.M. (age 19, unemployed) ordered him away in an offensive and provocative manner. G.W. refused and was in the act of taking the seat when M.M. attacked him. The two fought, and after taking some punishment G.W. managed to pin M.M. down, saying "If you don't stop now, I'll break your neck'. M.M. relaxed, and G.W. let him up. M.M. pulled out a knife, and stabbed G.W. three times in the chest. G.W. collapsed, and died almost immediately from the wounds which had penetrated his heart. (Case No. 4714-86).

There are other cases where the victim and offender know each other, and the conflict extends over a longer period of time:

> At an 18th birthday party, a fight broke out between B.E. (age 17) and D.L. A friend of the host, R.B. (age 23) went to break up the fight, which he did. In the process, he punched B.E. a couple of times. B.E. was irate at R.B.'s intervention. It transpires that R.B. had broken up a fight previously in which B.E. was involved. When R.B. rejoined the group and re-commenced his drinking (his blood alcohol level was determined at autopsy to be .12), he told the group that B.E. ". . . reckons he's gonna shoot me. He's gone home to get a gun".

> Less than an hour later, B.E. reappeared. He shouted out: "Dinger, where are you?" R.B. walked through the group toward B.E., who first shot B.E. in the head, then turned the gun on himself . (Case No. 4476-86).

A further defining feature of these homicides is that the initial intent of the actors when they took up the conflict was to engage in a physical confrontation. When the initial challenge to conflict is laid down, the parties come together to fight, not to kill. An indication of this can be found in the fact that it is in these cases of confrontational homicide where the victim was the first to employ violence in the confrontation, that is, what Wolfgang (1958) termed "victim precipitation". In fact, in close to half of the cases (11 of the 25) the first to employ violence in the confrontation became the ultimate victim of the homicide. When these young men set out to fight, they certainly are not likely to be plotting their own deaths.

In one case, for example:

A drug dealer assaulted one of his customers who was slow in paying a $90 debt for drugs, first, with an iron bar, then with a knife. His opponent took the iron bar away, then the knife. When the dealer persisted in the fight, he was stabbed with his own knife, and died from the wounds. (Case No. 1900-85).

An interesting feature of the pathology of this case is the presence on the body of not just the fatal stab wound and the general bumps and scrapes that we might expect to find following a fight, but also the presence of a defence type wound. This suggests that the eventual violence was not just a simple single isolated application of violence by the initial victim (customer) but a sustained attack against the originator of the incident.

The body was that of a young male weighing 59 kg and measuring 160 cm in height. The following traumatic wounds were present. On the lateral aspect of the left wrist there was an incised wound measuring 4 cm in length extending down to the underlying fissure. The edges of the wound were sharp and outlined. On the lateral aspect of the left elbow there was an abrasion present 1 cm in length. On the medial aspect of the left elbow there was an incised wound 2 cm in length. On the medial aspect of the second metacarpal of the left hand there was an abrasion 1 cm in length. On the right side of the back 6 cm from the midline and 50 cm from the nape of the neck overlying the intercostal space between the 10th and the 11th ribs there was an incised wound 5 cm in length extending down to the intercostal muscles with an opening 2 cm wide and the lateral aspect of the wound leading into the posterior peritoneal cavity. The edges of the wound had sharp margins. Examination of the peritoneal cavity showed blood and blood clot of approximately 2 litres present. On the inferior surface of the liver there was a 1 cm linear wound present adjacent to the gall bladder bed. 4 cm below the liver there was a linear incision 3 cm in the inferior vena cava.

In another case:

As a group of young people were walking from one party to another, one of their number (who was later found to have a blood alcohol level of .10) engaged in an unprovoked attack upon an elderly man

they met in the street. The old man staggered, badly beaten, to a nearby friend's house. The friend, FS., was outraged. He called the police and gave details of the event, telling them that they had better hurry because if they didn't, ". . . they'd be picking up dead bodies". The friend picked up his rifle, jumped in his car, and went in search of the young people. The young man who had attacked the old man (who had a long police record) observed that R.S. was following them in his car. Not realising that R.S. was armed, he challenged him, through stones at the car, and even kicked at the driver's side door. R.S. shot him in the head with his rifle. (Case No 1362-85).

There are in many of the other cases what we might term "victim participation". Very few of these confrontational homicides involve a situation where the victim remains passive in the face of the challenge laid down by the offender. There are only four cases of these confrontations where it is either clear that the victim in no way participated in the confrontation, or where the role of the victim is not clear. In one case, for example:

G.F. (age 43, labourer), who was known to have an alcohol problem, (in this case his blood alcohol level was found to be .296) had been drinking to closing time at a pub. He had spent the last three or so hours quietly and amicably chatting with a person he had met at the pub. The two left together, still apparently getting on well. After they had walked about a block or so away from the pub, G.F. was suddenly turned on by his new friend, first beaten to the ground, then kicked viciously about head and body. G.F. was dead when police were called to the scene a few minutes later. The killer when apprehended later was unable to recall what the fight had been about because of his own drunken condition. (Case No -1 121-86).

The actual non-participation of the victim is perhaps clearer in the next case.

R.J. (Case No. 3155-86) who had lent a friend a television, only to have I.M. take possession of the set, and sell it. When the friend reported the theft to the police, I.M. came into their house and beat both the friend and R.J. savagery, with R.J. succumbing as a result of his injues. (Case No. 1121-86).

In most cases, however, the victim is an active participant in the confrontation which leads to his death. This is most obvious when the victim is the first to employ violence. Even where the victim is not the precipitator, he often elects a path of action which commits him to violence. In the incident involving the soldier on the train cited above, he is told to "piss off" as he attempts to take a seat, he is confronted with a number of options, including the choice of withdrawing. G.W., perhaps partially influenced by his alcoholic state (remembering that his blood alcohol level was .224), presumably responding to the Challenge to his Masculine honour, chose not only to stay in the scene, but to return the initial challenge of M.M. by taking the seat. While

M.M. then was the first to engage in the violence, G.W. was not an unwilling and passive actor in the unfolding drama.

In some scenes, an outside observer might understand why the victim involved in the rapidly unfolding events may see little option but to be a participant, and perhaps an unwilling one at that.

> When P.T. came out of the house of his woman friend, and saw that she was being physically assaulted by her next door neighbour, a male (who had been drinking), it is altogether reasonable that he would come to her aid. The fact that he did so with an axe, however, may have played some role in what followed when the neighbour went into his house, brought back a shotgun, then shot and killed P.T. (Case No. 3459-85).

In the present analysis, then, we would suggest that there be included into the analysis the term "victim participation", by which is meant that confronted with the choice of withdrawing or continuing, the victim elects to remain in the scene and engage in the increasingly violent confrontation. In addition to the 11 cases where the victim precipitated the violence, there are 10 others where the victim made some choice to continue in the confrontation and the escalation of violence. In 21 of the 25 confrontational homicides, in other words, the victim can be viewed as an active participant in the events that produces lethal violence.

Stages of Confrontation: 7he Contribution of Luckenbill

Luckenbill (1977) in his analysis of homicide in a United States county offers a framework which contributes to the analysis of these confrontational homicides. His focus, like the present one, focuses on the dynamics of the relationship between the offender and the victim. Luckenbill argues, drawing upon the work of Erving Goffman, that homicide can be seen as a "situated transaction", a sequential set of events evolving around a confrontation ("character contest") in which the opponents seek to maintain or establish "face". Luckenbill found that homicide interactions were likely to occur in non-work or leisure situations, these situations providing for "loose", informal interactions with "wide latitude" of interpretation of the rules (in contrast to "tighter" non-work occasions such as weddings or funerals).

As was the case in Luckenbill's (1977) study, in these confrontational homicides we find that all occur in leisure, non-work scenes. For example, many of these confrontations occur in and around pubs. In 19 of the 25 confrontational scenes, alcohol played a significant role. For some, the scene of the pub, combined with the drinking, creates an aggressiveness that is lethal. For example:

> M.O. (aged 33, maintenance worker) began his evening of drinking on the night of Boxing Day with a family group that included his sister and her children. When the rest of the family went home at midnight, M.O. decided to stay on "for another drink". When he left

the disco in Moonee Ponds at close to 5 am (his blood alcohol reading being in the .23 range by this time), he chose to challenge a couple of males (who also had just left the pub) who were walking on the other side of Puckle Street. Receiving a counter-challenge, M.O. crossed the street and began to fight one of the men. Something triggered in the other man a sudden outburst of savagery. He leaped in, and kicked M.O. to the ground, then kicked him several more times, and finally fatally injured M.O. by dropping a large rock on his head. (Case No. 4995-86).

For the more common confrontation scenes, Luckenbill (1977) suggests that there are six stages that homicide interactions will move through. In the first stage, the "opening move" consists of one of the parties performing some act which the other party might interpret as an affront to 'face' or honour. Luckenbill suggests that these opening moves might consist of. verbal expressions which are potentially offensive, the refusal of one of the parties to comply with a request of the other, or a nonverbal or physical gesture which the other might find offensive.

In the homicides analysed in this study in Victoria, overwhelmingly the opening move consists of a verbal challenge to the honour of one of the individuals involved. Sometimes this challenge appears to an outside observer to fit what Wolfgang (1958) has called a trivial altercation, since the provoking comment hardly seems to merit lethal violence as the result (as was true in one case where a fight between two groups of young males was triggered in part by the taunt that one of the group "was a bit young" to be drinking, Case No. 3661-85).

Men seem to be easily provoked by opening moves which concern their women:

M.F. (age 36, unemployed) had been drinking with friends "shout for shout" for a couple of hours (his blood alcohol level was established later as .147) at the Victoria Hotel, when J.S. (age 53) approached. Both were "regulars" at the hotel, which was their "local". J.S. berated M.F. for what he perceived to be insulting remarks made to his de facto wife. The argument escalated into a fight, which ended quickly when M.F. felled J.S. with a punch to the jaw. Both beaten and drunk (his blood alcohol level two hours or so later was still .197), J.S. was helped out of the pub by a bystander.

M.F. and his group settled back to their drinking, which was interrupted a few minutes later by J.S.'s de facto wife, who began to abuse M.F. for beating up on her husband. Then, J.S. reappeared, walked up to M.F. and stabbed him once with the knife he had fetched from his home. The knife had penetrated M.F.'s heart, and he died on the scene before medical help could arrive. (Case No. 3778-85).

The opening moves can be complicated and may actually involve a third party (in the previous case, the initial threat to "face"

was the insult to the wife). Another illustration of how the opening move can involve a third party is shown in the following case.

> I.G. (Case No. 95-85) who first threatens to beat up "Little Georgie" (a relatively safe opening move, at first glance, since "Little" was appropriately applied), only to have Little Georgie's friend J.D. enter the scene, and defend Little Georgie by giving I.G. a beating which resulted in fatal head injuries.

Sometimes, in fact, confrontation scenes are complex enough so that it is not possible to locate the opening moves from documents such are available to this research. There are two cases in these files of homicides which involve feuds between two groups of neighbourhood males where the dispute extends back in time a considerable distance. In one,

> . . . a group of "Skips" ("Old Australians") and a group of predominantly (but not exclusively) young men of Italian descent had been at each other for some months. The "migrant" group (in the youth vernacular of both groups, they would likely be called "wogs") recounted that months earlier they recalled some of the Skips had crashed a party at an Italian social club, moving around and insulting the younger patrons until a fight was provoked. One of the young Skips then left town for several weeks. When he returned, he and his Skip friends once again began to provoke the migrant group, including one night an exchange where the migrants were threatened with a gun (reported to the police, but no action was taken).
>
> Feeling they had enough, the following night a large group of Migrants assembled (roughly 20 in all), and decided to seek out the Skips at the local school hall where they were known to gather on that night. Surrounded by the large group, the six Skips attempted to barricade themselves in the hall, locking all the doors. One of the migrants sneaked in through an open toilet window, opened the doors, and a general melee developed. In the middle of this, one of the Skips leaped into the fray holding a rifle. He sprayed several shots around the room, severely wounding one of the migrants, and fatally injuring G.B. (age 19, bouncer). (Case No. 3641-86).

While the migrant group claims that in their view the "opening move" involved the crashing of the party at the Italian social club, it may be that even prior to that there were a series of unrecorded challenges and counter-challenges between the groups. In another case, all we have is the final stage of the confrontation, with the early stages being out of definitive reach of the transcripts and witness statements:

> One evening B.C. (age 27, unemployed) walked up to P.K. while he was drinking at the junction Hotel, and shot him with a rifle, saying "You fucked me, mate". In this confusing case, B.C. apparently alleged to one witness that P.K. had at some time "set him up" for an

arrest on a drug charge. Both were regular patrons of the junction Hotel.
(Case No. 3458-85).

In the second and third stages of the interactional dynamic suggested by Luckenbill (1977), the insulted party is first offended by the challenge to his honour, and secondly responds aggressively Co that challenge. In the present study, these dynamics are most visible in those confrontational events where there is a rapid escalation of the violence. When the soldier on the train was told to move on, he might have done just that. Instead, he was offended, and responded by the counter-challenge of taking the prohibited seat. Similarly, when the challenge was hurled across Puckle Street by M.O., J.T. an'd P.B. could have kept walking. Instead, they countered with a challenge to M.O.

This counter challenge sets up the fourth stage of Luckenbill's analysis, which involves the choice of the person making the opening move to continue the flow of the interaction toward violence. In the train incident, M.M was ready and waiting when the soldier moved to take the seat. M.O. was only too willing to escalate the conflict when I.T. and P.B. countered with their taunts across Puckle Street.

The fifth stage of Luckenbill's analysis involves the two parties being "committed to battle". In the simplest cases, those involving the immediate and rapid flareups, such as the incident with the soldier on the train, or in Puckle Street, the insults lead rapidly to blows being struck.

Luckenbill notes, and the present study substantiates, that at this stage one or another of the participants may leave the immediate scene to fetch a weapon. This occurred in 11 of the 25 confrontational homicides found in the Victorian files. Often, the weapon brought back into the scene was a gun, as in the case above where P.T. attempted to defend his woman friend from the physical assault of J.M., who then went into his house to bring back his shotgun which he used to kill P.T. (Case No. 3459-85), or the case of B.E. who left to bring back a gun to kill R.B. who had struck him while breaking up a fight between B.E. and another male (Case No. 4476-86).

Occasionally the weapon fetched is a knife, as was true when J.S. brought a knife back into the pub and stabbed M.F. who had beaten him after he had protested the insults to his de facto wife (Case No. 3778-85). In one case, the knife was brought back into the scene by the ultimate victim, only to have that knife given up and used against him (Case No. 1900-85).

Luckenbill's (1977) final stage refers to what happens afterwards. He proposes three options, where the offender either: leaves the scene, "voluntarily remains", or is detained by others until the police arrive. In the Victorian cases of confrontational homicides, there are examples of each of these (as well as a fourth possibility, where the offender has died as well, as in one case, where the offender killed himself after shooting his victim). Thus, after J.S. defended his honour and that of his wife by stabbing M.F., he was set upon (and

beaten) by others in the pub. In another case, R.S. waited at the scene for police after he had killed the teenage youth who had engaged in the unprovoked attack upon his elderly friend.

It is the nature of confrontational homicides, however, that many of the offenders leave the scene after the event. In a few cases they leave and attempt to elude police, as was true in the case of J.T. after he had killed M.O. by dropping a rock on his head after their confrontation in Puckle Street.

In a large proportion of cases involving either fists or knives in the conflict, the offender may leave the scene quite unaware of the seriousness of what he had done. When the police interviewed M.B. after a conflict between him and A.B. (both were 17 and unemployed) which occurred during a barbecue at M.B.'s house, M.B. was outraged that he was being pestered by the police. M.B. told them that they had ignored him on an earlier occasion when he had complained of a stabbing incident, and he said: "The police didn't do anything when I got stabbed. I don't know why you are here now". In the case where J.D. responded to threats against his friend Little Georgie by thrashing the man who made the threats, after the fight he helped the victim to his feet, with the victim saying; "I won't s anything, the fight's over". J.D. then left, his victim collapsed and died three days later of the head injuries he had sustained. In confrontational homicides, the nature of the events are such that the offender may withdraw, thinking that he has done no more than effectively defended his honour in a successful fight with his victim.

From this review, it is suggested that there is much that the framework suggested by Luckenbill (1977) can add to the analysis of confrontational homicides. Above all else, it makes clear that the events have complexity. It is not simply a one-stage matter of the offender striking out and killing a victim. There are steps, and options available at each step, which lead down the pathway to lethal violence. In these steps, both victim and offender are likely to play active roles in the confrontation.

There are some problems in applying Luckenbill's framework exactly to these present confrontational homicides. Some are minor quibbles, such as the fact that Luckenbill argues that the opening move is made by the victim, whereas our data establish that either the homicide victim or offender may, in fact, take the first step in the confrontation.

More importantly, some of our homicides, especially those that involve complex moves and counter-moves extended through time, are too complicated to analyse in the simple stages that he defines (which seem to fit best the situation of two individuals with a rapid flareup to the lethal violence). Also, despite the fact that these Coroner's files are in general exceptionally thorough, sometimes running to hundreds of pages of material, it is not possible in every case to document the intentions, moves, counter-intentions and counter-moves found in the model. This can never be completely

accurate in any case, since the crucial perspective of the victim is available from secondary sources only. As well, the account may be abbreviated considerably if the offender is in the hands of a solicitor who restricts the offender's statements to the investigating police.

Perhaps it is inherent that conceptually precise schemes such as the one suggested by Luckenbill will not fit all empirical events. Consider the following example:

> E.C. (age 28, plumber) had too many of his personal alcoholic concoction (vodka, bourbon and tequila), and made abusive approaches to some women, and had been thrown out of the Bayswater Hotel. To get even, he began to drive his van, the top loaded with building materials, rapidly round and round the parking lot of the pub, menacing other patrons as they tried to walk to their cars. B.T. (age 29, builder) came out of the pub and was standing close to the door, when E.C. roared up toward him at high speed swerving away at the last minute. Some of the materials on the roof of the van flew off, and B.C. was struck and killed by copper tubing that struck him in the chest and neck. The blood alcohol reading of the offender was .245, that of the victim .211. (Case No. 662-85).

This is a case of homicide. There was a definite confrontation, one that occurred when the offender received what he considered to be an insult to his honour from the bouncers in the pub. He then acted out aggressively in response to that insult, and the victim was killed as a result. The victim, however, played no role in the conflict himself, other than to be standing in the wrong place at the wrong time. While this is an example of a homicide resulting from confrontation an--odd one to be sure--it hardly can be fitter into a rigid scheme which implies that the offender and the victim in all cases exclusively will be responding to each other's moves.

There are situational factors of homicide that make it difficult to assemble data for all cases to examine the utility of the framework that is suggested. It must be remembered as well that the homicide scene itself often takes place at awkward times, in scenes that are not necessarily visible, and the minds of the available participants may not accurately capture or retain the events, on the one hand because sometimes they happen so quickly, on the other, because the observer (including the offender) may be befuddled by alcohol. Further, the legal consequences increase the partisanship that may be part of the scene of lethal violence, so that the parties may split into two groups, offering the "victim's" and the "offender's" account, these two differing in significant ways which the research observer may have difficulty resolving. For all these reasons, it cannot be said here that we have verified the applicability of the scheme proposed by Luckenbill.

It should also be pointed out that Luckenbill was describing a framework for all of the homicides he observed, whereas we have applied it only to the confrontational homicides. The nature of the moves and counter-moves he proposes, and the persistent problem of

"face" or honour which he sees as central to the analysis, seem in the present instance to be quite helpful in understanding male to male confrontations, but not the other forms of homicide found in Victoria.

Nonetheless, in cases of confrontational homicide, we certainly can agree with Luckenbill when he asserts that: ". . . homicide does not appear as a one-sided event with an unwitting victim assuming a passive, non-contributory role. Rather, murder is the outcome of a dynamic interchange between an offender, victim, and , in may cases, bystanders (Luckenbill 1977, p. 185).

Luckenbill also notes the important role of maintaining face and reputation, and demonstrating character" (Luckenbill 1977, p. 186) which is observed as a central feature of virtually all of these confrontational homicides in Victoria. It is the defence of honour that makes what an outside observer may take as a "trivial" event as grounds for a confrontation which can lead to homicide. Daly and Wilson (1988) argue along similar lines:

> A seemingly minor affront is not merely a "stimulus" to action, isolated in time and space. It must be understood within a larger social context of reputations, face relative social status, and enduring relationships. Men are known by their fellows as "the sort who can be pushed around" or "the sort that won't take any shit", as people whose words mean action and people who are full of hot air, as guys whose girlfriends you can't chat up with impunity or guys you don't want to mess with. In most social milieus, a man's reputation depends in part upon the maintenance of a credible threat of violence (Daly & Wilson 1988, p. 128).

The concern for masculine honour and face runs through these accounts of confrontational homicide in Victoria. Not only are males exclusively represented among both offenders and victims of confrontational homicide, in virtually all cases there is an audience of predominantly males in which the two play out their violence. Women may be involved in the initial provoking move, and there may be some women among the audience, but the major actors in most scenes, both as principals and as on-lookers, are males.

Some Sub-Themes Within Confrontational Homicide

It will be observed that in the case of confrontational homicide, we are not identifying distinctive sub-types that are set off from other subtypes of such confrontations. Rather, there appears to be the major class, "confrontational homicide", with minor themes that weave in and out of the various cases that fit the type. For example, there is the theme of economic marginality that a ears to show up in so many of these cases. In a majority of the cases of confrontational homicide, either the victim or the offender (sometimes both) are unemployed. There are no cases where it can be determined that either the victim or the offender are drawn from the upper or upper-middle classes.

The absence of "respectable" males from these files of confrontational homicide suggest a couple of possibilities. Firstly, the life and leisure routines of respectables are such that they are less likely to be caught up in the type of leisure scenes which lead to violence. For example, cautious males can avoid pubs known widely for their reputations as being places where fights are likely to occur, or if they choose to patronise such a pub, they can lessen the risk by patronising the lounge instead of the public bar.

Secondly, cautious males can avoid becoming involved when they are in such scenes by either not providing grounds for the initial provocation (in Luckenbill's terms, by not making the opening move), or if they are provoked, adopting a strategy which permits them to withdraw from the scene without participating in actions which escalate toward violence. In most situations, there is ample latitude in the interaction which can deflect the interaction away from a violent confrontation (whether this can be done while preserving "face" is another matter altogether).

Unlike the other forms of homicide, however, in the case of confrontational interactions these sub-themes do not lead to a clear differentiation of distinct sub-types. If the offender is unemployed, he may or may not have consumed alcohol before the lethal event. Cases involving ethnic conflict may or may not involve unemployed persons. There is, instead, the broad category of confrontational homicide, with sub-themes that weave in and out of the various individual accounts.

Confrontational Homicide: Summory Observations

To provide a concluding description, confrontational homicide involves a dynamic interaction between the parties which in the first instance leads to conflict. The confrontation takes place exclusively in non-work, leisure scenes. These scenes in a large proportion of cases involve in one way or another the use of alcohol, and most frequently are acted out in a context of male peers.

The initial interaction, the premeditation at the onset, is the conflict. A defining feature of confrontational homicide is that in no case at the initiation of the steps that lead to violence did the offender have the intention of killing his victim. In fact, in almost half the cases the precipitator of the violence became the victim of the lethal violence.

In most cases, the victim and the offender were both participants in the interaction which leads to the conflict. While all scenes have some amount of complexity, some of the confrontations are brief, escalating quickly to the lethal violence which leaves the victim dead either from a beating or a knife wound. Other scenes show more internal complexity, and extend over a longer period of time, frequently with one of the parties leaving the scene to fetch a weapon to bring back into the confrontation. In fact, all of the deaths

by gunshot wounds in confrontational homicides required that the offender leave to collect the weapon (there is probably a much higher level of confrontational homicide in the United States where many more individuals in these scenes are likely to be carrying guns on their person).

Whether brief or extended in time, the confrontations are masculine in character, and seem to evolve persistently around the problem of "face" and honour. The fact that alcohol consumption is observed in a majority of cases on the part of either the victim or the offender is suggestive of the particular kind of leisure scene in which lethal violence among males can emerge.

The Third Major Theme: Homicide Resulting From Other Crime

The third theme which runs through these accounts of homicide in Victoria concerns deaths which are a result of the commission of other crimes. These account for 21 victims, or 18 per cent, of the total homicides observed. As was true in the case of homicides involving intimacy (but not confrontational killings), these break out into distinct types, of which there are four.

Double Victims. The First Variation

The first variation on this theme consists of those cases where the victim of the initial crime becomes the victim of the homicide as well. There are 11 cases which fit this variation on the wider theme. In three of these events, the case studies are relatively brief, since the crime itself was unobserved, and the offenders never caught.

> One involved a security guard shot outside of a large discount store where he had apparently come across individuals-attempting illegal entry (Case No. 599-85);

> another was an attendant found dead at the service station where he worked, the murder occurring during the robbery of the station (Case No.1837-86);

> and the third of these being the death of a retired migrant where intruders had broken into his home in rural Victoria, and set him and his home alight when they were unable to find money in the house (Case No. 2353-85).

The rest are a mixed group, representing a variety of circumstances where lethal violence is employed in the commission of a crime.

> Three of these were cases where lethal violence was employed in the commission of robbery (two of these involving robbery from homosexuals).

Two involved robberies related to drug deals (one of these being a bit complicated, because in that case the drug dealer not only robbed his customer of her money, but also was exacting revenge because just three days before she had set the dealer up to be robbed by her current boy friend), and one occurred as a result of an attempted rape (this being an odd case where a group of people had partied together at the offender's house, he offered to let a young couple stay the night in a spare bedroom, came into the room with the intent to have sex with the female, and shot her male partner when they both resisted, Case No. 4580-86).

The final case involves an armed robbery of an elderly owner of a milk bar, where he initially survived the robbery, only to die of heart complications shortly afterwards (the Coroner found the death resulted from the robbery, Case No. 2732-85).

The Second Variation: Offenders Who Become Victims

In seven cases among these Victorian homicides, the offenders of initial crimes become the ultimate victims of homicide.

One of the distinct minor variation in this group consist of three individuals who were killed by police. One of these was an armed robber whose narrow pattern of robberies allowed police to stake out likely targets (he and his partner robbed only chemist shops which were sub-agencies of the State Bank), with the robber being killed during their departure after successfully robbing the shop.

The other two cases involve scenes of forced entry by police in order to make an arrest of a suspect, where the suspect becomes the victim of police shooting in the course of the entry.

The other three offenders became victims of the persons they were attempting to victimise.

Two were drug addicts who broke into the house of two brothers, were discovered and stabbed by the brothers before they could make their escape (Case Nos. 2083,4-85).

Another case involved an individual who was, first, unsuccessful in stealing a car (its owner caught him in the act), and was then equally unsuccessful in attempting to fight off the owner. The attempted car thief was badly, even brutally, beaten, and had to go to hospital. He died there a few days later as a result of an allergic reaction to a drug administered to him in the course of an operation to treat his severe facial injures (Case No. 2017-85).

In a final case, a man of 45 who was, according to police reports, of "below average intelligence", had been boarding with a family for 9 years. When the family discovered that he had been sexually interfering with the 7-year-old daughter, various member of the family beat the man so brutally that he died from the injuries sustained (Case No. 645-86).

The Third Variation: Professional Killings

A third variation on this theme consists of two individuals who were victims of a professional killing. In these files, there is one homicide incident which involves two victims. These cases are classified within this category since their deaths could be seen as an outgrowth of the criminal activities of one of the victims.

> One of those killed was simply an innocent flat mate of the other. According to the best information that the police could piece together in this case, it appears likely that the killers were brought in from outside of Australia. According to one tip they were given, the intent of the killers was to give a severe beating to the victim who had angered some of his criminal contacts in the way he conducted some of his drug and prostitution business (which was how he made his living). When the flat mate was found on the scene, the two were apparently shot and killed to make sure that there were no witnesses to identify the killers. (Case Nos. 1584,5-85)

The Fourth Variation: Police Killed On Duty

The final variation of this theme is made up of the cases of two police who were killed in the course of duty.

> In one case, a policeman in a country town was killed when he came across two professional criminals who were stealing a car as part of a planned armed robbery. In a struggle with one of the thieves his gun was taken from him, and the policeman then was shot with his own revolver (Case No. 3589).

> The second was the victim of the Russell Street bombing, Constable Angela Taylor, where a group of individuals with long criminal histories and a marked hatred for the police, exploded a bomb outside the police complex in Russell Street. While notable in many respects, this case stands out in terms of the detailed and extensive use of forensic scientific procedures in assembling the evidence necessary for conviction (including being able to identify a block of wood used in the device as coming from a piece sawn from a post on one of the offender's property, and one of the nails as coming from a box of nails in the possession of another, among many others). (Case No. 1133-86)

An Overview of the Theme

Looking across these events, while they often constitute quite different circumstances, in all cases the offenders in the initial criminal event are males. Looking at those cases where criminal offenders are responsible for lethal violence, it appears that the high level of risk, perhaps desperation represented by such a willingness to employ violence, is a masculine phenomenon.

A further feature is that where criminal offenders are involved, they often have long histories of involvement in crime. The risk of resorting to, or being exposed to, lethal violence in the course of

criminality occurs most often where the offenders are no strangers to crime.

If they are not strangers to crime, they are often strangers to the individuals they become involved with in these events. This is going to be the obvious case in armed robbery, although an unknown feature of the unsolved cases might be the killer was known to the victim, perhaps leading the criminal to cover up his first crime through murder. This might have been a contributing factor in the case where the policeman was killed by the two who were stealing a car, since both the offender and the policeman were from the small town (and since the offender had a long record including imprisonment), the fact that he was known to the policeman may have contributed to his death.

The Fourth Theme: Special Cases

A further important theme in the Victorian files on homicide consists of those cases which involve such an odd or bizarre relationship between victim and offender that they have been termed "special cases". There were six cases of victims of this form of crime in the 1985-1986 files for Victoria (these making up 5 per cent of all homicides). Some brief case illustrations will help to make understandable why this category has been created:

> Just before midnight, H.S. came into the South Melbourne police station and informed the officers present that he had killed his wife. Investigation by the police found the body of his wife, Wanda, dead of stab wounds at their flat. When asked why he killed her, H.S. replied: "I'm not sure". When the officers established that Wanda had been in bed when the attack took place, they asked him if she was asleep or wake at the time, and H.S. again replied: "I'm not sure". When asked when he decided to kill Wanda, he replied: "I don't know - . . it just sort of happened".

> When asked if he argued often with his wife, W.S. replied "No", and when asked if he had argued with her that day, he once again said: "I'm not sure". When asked what he did after he killed her, he said: "I kissed her", and then upon probing if he did anything else, he said: "Yeah, I put my arms around her".

> At the end of the interview after H.S. had acknowledged again that he had killed his wife, and that he knew it was wrong to do so, the interviewing police stated their puzzlement: "The only thing you haven't been able to tell me is why you killed her, can you tell me now?" The reply was: "I don't know why". Both H.S. and his wife had histories of deep psychiatric disturbance, including periods of institutional treatment. (Case No. 965-86).

> This case involves a victim who is a wife and an offender who is her husband. To classify this with other instances of wife killings, however, we would find unsatisfactory since we are unable to say

what it was in the relationship between the married couple that provoked the violence. In virtually all other cases where men killed their wives, there is a theme of possession present, most often linked to jealousy. In this case, the offender (and those who investigated the event afterward) are unable to state what happened within the dynamics of the relationship between the victim and the offender that produced the violence.

A central feature of this case, and many of the others in this category, is a history of mental illness.

In one of these, a 19-year-old offender explained that he had killed a 74-year-old man who had befriended him because the friend ". . . said I had hands like a female..... and, he kept talking about Hitler". The boy also said that the elderly man: ". . . was Austrian and made me watch German movies all the time".

The other involved another young male:

K.M. (age 20) had taken a young woman friend to his flat for dinner (in this case both had extensive histories of mental illness). When the young woman began to scream for reasons unclear, the male bound her and gagged her with masking tape to stop her from screaming. When she managed to chew through the tape and continued to scream, the young man then took out his cross-bow, and loaded it, intending, he states, to scare her into ceasing the screaming. When she continued, he shot her. He then states that since things ". . . couldn't be any worse for me" he raped the badly injured girl. When he left the flat afterwards, the girl was still alive, but she died sometime before he returned two days later. (Case No. 3645-85)

In the remaining three cases, while there was no specific history of psychiatric treatment, the homicide event involves exceptional odd elements. In one case:

Two young work mates had worked together for some weeks and there had been no argument observed between them, they then went to a Christmas barbecue in which again the two seemed nothing but friendly, then together they went to a pub for a final few Christmas drinks. While at the pub one of the two borrowed a knife from an acquaintance, and while the two were walking toward home, he turned on his friend with a frenzy of stabbing (over 100 wounds were found at the autopsy). He then took the other boy's pay packet (they had both been paid that day) and went back to the pub, bragging about what he had done. When the patrons wouldn't believe him, he produced the pay packet to verify the story. (Case No. 3940-85).

In a second case:

A young man who had been discharged from the army three weeks earlier for insubordination and personal difficulties, after spending what be relates was a pleasant and relaxing day with his brother,

> began to wonder ". . . what it would be like to kill someone". To find out, he loaded his rifle and shot and killed his brother as he stepped out of the shower. (Case No. 4155-86).

The final of these "special cases" involved:

> Two males who viciously attacked a mentally retarded girl after both had had sex with her, subjecting her to exceptionally brutal wounding including cutting at her sexual parts. Neither of the young men could offer a reason for the killings, or the savagery of their actions, other than one thought that perhaps ". . . she was going to yell out rape for the assaults". Both showed no remorse whatsoever, one even saying to the police afterward: "I'm glad I done it, I don't care what anybody thinks of me. I haven't slept better since I done it. I feel really great". (Case No. 1606-85).

While the cases don't fall within the 1985-1986 years selected for this specific investigation, some mention ought to be made of two well known instances of mass murderers which took place in Melbourne and which also would constitute special cases in terms of the relationship between victims and the offender.

> Seven people were killed in the "Hoddle Street Massacre", and the motivation that has emerged from the months of intensive investigation appear to be that the murderer, Julian Knight, wanted desperately to experience combat, including the feeling of killing and being killed.

> This was followed a few months later by the Queen Street Massacre in which even more people were killed. That offender committed suicide at the conclusion of his 17-minute rampage, so could not be examined personally for his statement of why he did what he did.

Kapardis (1989, p. 161) warns that there is "... no simple explanation for why Queen Street took place". Nonetheless, the killer, Frank Vitkovic, left lengthy diaries and letters which speak of extreme mental disturbance. More to the present point, his utterances indicate a distinctly different relationship between the offender and his victims than is the case in other homicides. As he was carrying out the last of his killings, he was heard to say by survivors such things as: "I don't care anymore. Where are the police? Why don't they come. The police are going to kill me so none of you bastards are going to stay alive. You're all scum and you're all s... Well, who's laughing now? What's the point of life when nobody loves you? I'm going to take you all with me".

The Six Special Cases. Observations

The focal point of this research into homicide is on the dynamics of the interaction that occurs between offender and victim. In all other forms of homicide, except for these special cases, it is possible for the outside

observer to trace a rational thread that leads from some initial set of interactions between victim and offender to the final stage where deadly violence results. In intimacy, the relationship starts with the close, personal bonds between the two, with these ties disintegrating as offender and victim reach the point of homicide. In confrontational scenes, one can define what is at times virtually a ritual of challenge and counter challenge which leads to the lethal violence. Similarly, when actions are desperate, and often involve men who are desperate, it is easier to understand how events can flow from the commission of a crime on into the ultimate crime of homicide.

The single distinguishing feature of the six special cases is that it is not possible to draw such a pathway of action which links victim with offender. In the extreme case of the mass murderers, the victims are literally total strangers who by some massive stroke of ill fortune are in the wrong place at a definitively wrong time. But in the other cases as well, often the offenders themselves cannot account for themselves, or provide a scenario linking them with their victim that fits within easily understood boundaries of thought. In particular, these offenders are unable to say much about what it was the victim did that provoked their actions. H.S. was unable to provide any reason for why he killed his wife (nor did any seem to be present). A young man is wondering what it would be like to "kill someone", and his brother happens to be there when he decides to find out. Even if some explanation is offered, the extreme of the violence used is simply all out of proportion to the provocation offered up as an excuse.

While in many of these special cases, the offender has been, or clearly could be, labelled as mentally ill, this is not seen as a defining characteristic of these cases. Rather, what is at issue is the quality of what transpires between victim and offender. Failing to find a scheme by which that interaction can be given an appearance of rationality (in that the events follow logically, once one knows what it was about the victim that provoked the offender), we shall say that at this point we are unable to provide an appropriate scenario which makes sense of the relationship between the victim and the offender.

Culpability, Negligence and Death in the Workplace

Each year for the past few years, between 60 and 80 deaths that occur in the workplace resulting from injury are reported in Victoria. In the past, these deaths, and other deaths that result from corporate negligence or wilful violation of the law, have not been considered as a part of the picture of homicide. This view is beginning to change.

In the Ford Pinto case in the United States, the Ford Corporation itself was brought into court and tried for murder in a county in Indiana. The charge resulted from allegations that the company had

knowingly placed a motor car on the road which had mechanical defects which would cause death. While that prosecution was unsuccessful, the fact that the matter advanced to the point where a company as large and prominent as Ford was brought into court on criminal charges indicates the beginnings of a change in legal attitude and approach to corporate violations of law and regulation.

In the Film Recovery Systems case which concerned an industrial death, the company officials involved (including the company president, the plant manager and the plant foreman) were convicted of manslaughter and sentenced to prison. What was central in those cases was that the prosecution was able to show that the three executives knew of the dangers that the worker was exposed to, and that they further understood that their failure to provide protective equipment created a strong probability of death or great bodily harm (Frank 1988, P. 20).

In Victoria, within recent months there was successful prosecution of a metals company for violation of occupational health and safety regulations which resulted in the deaths of four workers. In that case, the deaths were the result of an explosion that occurred in a foundry furnace when a chemical compound that was poured into molten material, instead of being the proper (and non-explosive) compound, was in fact highly explosive under those circumstances. The explosive chemicals, through negligence, had been stored in close proximity to where the proper compound was placed.

In 1985-1986, there would have been somewhere in the range of 140 deaths by injury in the workplace in Victoria. In addition to the four deaths in the metals company case (which occurred in 1986), we have identified at least 10 other deaths in which a reasonable case could be made that negligence on the part of the company contributed to, or was responsible for, workplace death. These cases are not drawn from the homicide files, but instead have been compiled from analysis of other files from the Coroner, the Department of Labour, and other regulatory agencies. While much of the information is contained in the material from the Coroner's inquest, since these cases were not found through the process of pulling of files dealing explicitly with homicide, they are treated here as a separate category and are not counted in the tally of the number of homicides. Some of the typical cases are as follows:

> A.C. was working for a metals company on a furnace used in recycling aluminium cans. The company had made a modification to the furnace, installing a new door, and new door lever, with the new door lever not being protected by a safety shield. Such a shield was known to be necessary, since if the raw materials were wet, as they often were since these were stored out of doors, an explosion of the motel materials could occur. One wet weekend day, as A.C. was operating the furnace, an explosion occurred which resulted in A.C. sustaining burns to 55 per cent of his body, and he died in hospital a month later. (Case No. WD 18-86).

A tyre manufacturing company in Footscray retooled one of the machines used in tyre building. They provided to the engineering company responsible for the retooling incorrect specifications concerning the form of steel used in making the machine. Both the welding technique employed, as well as the nature of the modifications, were improper and violated regulatory guide-lines. The machine exploded while in use, killing a nearby worker. (Case No. WD 21-86).

The company doing the site excavation for the new Carlton shopping complex knew that the soil they were working was unstable and prone to collapse. One set of vertical cuts had been temporarily shored up with timber. The shoring was removed to allow access for a back-hoe. After that work was done, T.C. and R.G. were ordered to place steel reinforcing along the bottom of the wall as part of the permanent reinforcing. The wall collapsed as they were carrying out this task with R.G. being seriously injured, and T.C. killed. (Case No. WD 36-86).

A roof was being constructed on an extension of the Southland Shopping Centre. Since there was no safe working platform (scaffolding, safety lines, roof planks, etc.) the site safety officer notified the plumbing contractor that they were to provide protection underneath the working site. No such protection was protection and T.M., a roof plumber, fell to his death while working at the site. (Case No. WD 42-86).

The other six cases show roughly similar circumstances. In these, a case could be made that negligence on the part of the employer contributed to the death. At times, the negligence was extreme enough that some action was recommended either by the Coroner or by the responsible regulatory agency. In the case of the collapsed excavation which killed T.C., the Department of Labour recommended prosecution against the companies involved. In the last case, where T.M. fell to his death, the Coroner at the inquest found that the plumbing company involved had failed to comply with appropriate safety regulations.

While these circumstances establish clearly that companies have caused deaths in the workplace because of negligence, as yet little has been done to establish the principle that such negligence meets the standards so that individuals could be charged with manslaughter. The criminal law in Victoria has provisions which in theory might apply. Where there is gross negligence, for example where there is a gross and culpable failure to take the steps that a reasonable person would have taken in the circumstances, then a charge of manslaughter could be sustained. There are also some circumstances where the company officials involved knowingly engage in the performance of an unlawful and dangerous act, which would also open the avenues for sustaining a charge of manslaughter.

There are two reasons to include these work deaths in this discussion of violent death in Australia. First, it is important to make the point that there are many ways people die by violence in Victoria.

When work deaths are added to motor car accidents, we find that, in fact, homicides account for only a small proportion of all violent deaths.

Second, if we are concerned with public policy to prevent violent death, then issues such as work death and the road traffic toll out to be addressed for two reasons. On the one hand, these constitute a much larger group of cases than does homicide. On the other hand, it is likely that the circumstances of both industrial accidents and road traffic accidents are such that these are much more amenable to reduction by informed, effective public policy. Put another way, it is much easier to either persuade or coerce companies to abide by reasonable safety standards than, at least in the short run, it will be to alter the deeply imbedded socialisation structures that are responsible for the jealousy and possessiveness, for example, that lead men to murder their sexual partners.

On the Nature of Homicide: Concluding Observations

This investigation which is based on case studies of homicides in the files of the Coroner's office in Victoria for 1985 and 1986 has proceeded with the assumption established in the early work of Wolfgang (1958), and seen explicitly in more recent research such as that of Luckenbill (1977), Zimring, Mukherjee and Van Winkle (1983) or Silverman and Mukherjee (1987) that a key factor in understanding the nature of homicide is analysis of the nature of the social interaction that occurs between the victim and the offender.

In the present research, several distinct "themes" have been found which differentiate forms of victim and offender relationships found in homicide. Once the classification was developed and examined, we are inclined to conclude that the various themes and variations seem to be distinct enough such that any analysis of "homicide" as an overall concept will be of limited usefulness. For example, we have found that the phenomenon of "victim precipitation" which is so prominent in Wolfgang's analysis is likely to be an issue only in particular types, these being confrontational homicides, intimate homicides involving a sexual relationship where the victim is a male and the offender a female, and perhaps in some homicides in the course of another crime, where the offender in the initial crime's violence provokes a response by another which leads to the original offender's death. Even here, despite the fact that the term might indicate a feature of the evolving event between killer and victim, the actual dynamics of these different forms of homicide suggest that there is a different role for the precipitation as well.

For another example, it is common in studies of homicide to report the nature of the weapon used. Once again, what is found in the present study is that the nature of the weapon is a significant

feature of the transaction that takes place. Overall, guns are used much less in Australia than in countries such as the United States.

What is of central importance, however, is both when and how weapons are used. For example, no females themselves used a gun in a homicide (one was involved in contracting with a killer to use a gun in the homicide of her husband). When males use guns in the homicide of their wife or lover (that is, in cases of sexual intimacy), there is likely to be a high level of premeditation involved (for example, the husband who went to the lengths of obtaining an antique, cap-and-ball revolver to shoot his wife). Quite a different dynamic is used in the case of confrontational homicides, where in these Australian cases (and quite at odds with findings from the United States) if a gun is used the offender must leave the scene to fetch the weapon.

Once the role of the weapon is placed with the interactional dynamics of the particular type of interactional event, it plays a role in further clarifying the nature of what transpires in the homicide transaction. Merely summoning across all homicides to find the proportion of homicides where guns are used, on the other hand, provides data of limited analytic value. Without the context of the interaction, one cannot know the role that the gun plays in the evolving transaction that results in lethal violence.

The categories employed here resulted from direct analysis of the case studies, and are at some variance with the categories more commonly used to describe the relationship between victim and offender in homicide studies. The most common categories, which began with the work of Wolfgang (1958) and are now used for the routine data collection of the Uniform Crime Reports in the United States, consist of three: "Family", "Friends or Acquaintances", and "Strangers". Drawing upon the present data, it would appear that these are of limited theoretical value.

First, there are few true instances of "stranger" homicide, that is, where the victim has no meaningful relationship with the offender. What other studies would call "stranger" homicides, in general would fall either in the category of confrontational homicides or in those cases of homicide in the course of another crime. If we go outside the 1985-1986 time frame of this investigation and bring in the two dramatic instances of mass murder that took place in Melbourne in1987 (the Hoddle Street and Queen Street massacres), one of the dramatic characteristics of those events is that there is no meaningful relationship between the offender and his victims. In such cases, the victims happen to be there when the offender chooses to strike. In such cases, there is nothing to be gained from an analysis of the relationship between the offender and his "stranger" victims, once the lack of relationship has been established.

In the other cases, however, classifying across all of these different events homicides into the traditional single category of "stranger" will result in the considerable loss of knowledge about the

actual nature of the event which has occurred. In the United States, for example, a consistent finding is that a majority of "stranger" homicides occur in the course of other felonies, primarily armed robbery and rape (Zahn & Sagi 1987; Reidel & Zahn 1985), with comparable findings being reported in Canada (Langevin & Handy 1987). We would suggest that while it is a fact of some significance that the victim and offender are strangers, in fact one would expect that of these crimes, and that it is more pertinent to describe the interaction as taking place in the course of that crime.

Second, a similar problem exists with the typical use of the label "family". Prior investigations, such as the investigation of Silverman and Mukherjee (1987) have made the important contribution of using a general term "intimacy" in the study of "intersexual" crimes, then proceeding to sub-classify by the various forms of intimacy that cross-sex relationships can take.

This valuable step should be extended. There is no need to limit the analysis of social relationships involving intimacy to intersexual homicides. Such a procedure precludes considerations of father/son or mother/daughter homicides, both of which occur with some frequency. Further, the bond of friendship which we have argued should be included within the boundaries of intimacy involves homicides exclusively between males.

Third, the current use of the label "friends or acquaintances" needs modification. Some within the category are close friends who experience a sudden flareup which results in lethal violence, these cases being quite different than individuals whose "acquaintance" consists of a long-standing feud which leads to a final, and deadly, confrontation. Lundsgaarde (1977) suggests an approach toward the examination of friendship as a distinct category which is in many ways similar to that taken here. However when the case materials he uses are read closely, some of what the homicides he suggests as arising out of friendship seem to be better understood as arising out of intimacy (his Case No. 171, p. 107, involved a man who killed a close friend when he caught him in a sexually compromising situation with his wife), or as what have been termed here "confrontations" (for example, his Case No. 109 which involved an argument between two people remotely connected by family ties).

The present study has, as an alternative, suggested a different set of categories. There is some correspondence between what has been called here "intimacy" and the results reported in earlier investigations (we must, for example, acknowledge a debt to research such as that of Silverman & Mukherjee 1987; and Lundsgaarde 1977). At the same time, new categories are proposed which in our view capture more appropriately the dynamics of the relationship between offenders and victims.

Murder and Public Policy

There are a number of the features of these results that are suggestive for purposes of public policy. For one, it is obvious that running through many forms of homicide there is the dominant theme of masculinity. 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. Educators and philosophers might be advised to take a long-term look at how both males and females are educated with respect to appropriate roles of masculinity, such that oppressive and violent possession, and combative masculine face saving, are seen as unacceptable aspects of such roles.

Responsible policy makers should pay close attention to the stream of marginality and vulnerability that runs through these accounts of homicide. When large proportions of persons are relegated to positions of permanent marginality, as a significant number of young people in contemporary society are *(see* Duster 1987; Polk 1989), then 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 because they drift into the high risk behaviour that flows on outward into lethal violence. Reducing unemployment for adolescents and young adults may prove one of the most significant and accessible steps to lowering the overall rate of homicide.

If Australian decision-makers are concerned about the reduction of violent death, attention needs to be paid to both workplace and road traffic deaths, for two reasons. One, together these account for at least ten times more deaths a year than does homicide. Two, in the final analysis these forms of violent death are much more amenable to reduction through public policy initiatives than are the diverse forms of homicide that have been discussed in these pages.

Finally, not enough can be said about increasing the controls on guns in Australia. This and other studies show that not only is the rate of homicide lower in Australia, Australian homicides differ in character as well. Specifically, in Australia homicides are much less likely to involve guns than is true for countries like the United States. This is not because guns are less deadly in Australia. Rather, it is probably because guns generally are less accessible, this being especially true for hand guns. In all of our confrontational homicides when the offender killed with a gun, he had to fetch the gun into the scene. In the 11 cases where the weapon was fetched to bring back into the confrontation even, in six cases it was a either a rifle or a shotgun. There were no cases of confrontational homicide (that is, where a fight

escalates into lethal violence) in which a hand gun was the murder weapon. This stands in sharp contrast to the common situation where the deadly violence occurs in the initial flareup between victim and offender results in immediate resort to hand guns and then the death of the victim *(see,* for examples, the detailed cases recounted by Lundsgaarde 1977).

To put the matter somewhat differently, the lower rate of homicide in Australia is not because Australians are less prone to violence per se. There is, in fact, a high level of violence in such leisure scenes as pubs and discos. What is crucial is that when the violence occurs, in particular when males seek to protect their honour, in Australia they are initially limited to their fists (and boots) or perhaps knives. In his analysis of homicide in Chicago, Block concluded that: "Whether an assault ends up in death is almost entirely dependent upon the weapons available for the attack" (Block 1977, p. 95). In the United States where guns, especially hand guns, are readily available, routine reports suggest that approximately 60-66 per cent of deaths result from gunshot wounds. In Australia, one-third or less of homicides result from the use of guns.

To conclude, the reality of homicide is quite different than that pointed out in the various forms of the entertainment and news media. There are few murders that represent "strangers", rather, killers are much more likely to be linked through some bond of intimacy with their victims. While a very high proportion of killers in television or book detective stories are likely to be women, unprovoked killing by women is quite rare, and we find not one instance of a jealous woman killing her male partner (whereas many males kill their female partners out of possession and jealousy). There are, in fact, precious few mysteries in these files. In most cases the killer is either immediately obvious, or is likely to become obvious in short order through relatively routine investigations.

At this point there is much too little knowledge available to us to provide a causal explanation of how and why particular murders take place. What can be suggested is that we continue to focus attention on the dynamics of the interactions that occur between offenders and victims. From what we have seen here, these dynamics reveal that there are many different forms of homicide, each type differing from the other in important ways. As we develop better understandings and descriptions, we shall have to pay close attention to the differences between the various themes of homicide.

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The Contribution of Injury Surveillance to understanding Patterns of intentional Violence in Australia

Graham Vimpani

This paper provides an overview of the development of injury surveillance in Australia, including the establishment of the National Injury Surveillance Project, and describes how it might specifically assist in the descriptive epidemiology of intentional violence in Australia. Statistics on intentional injury which were collected during 1988-89 are presented.

History

The National Injury Surveillance and Prevention Project commenced in 1986 following a feasibility study (Moller & Vimpani 1985) which examined the possible establishment of a child accident surveillance system in Australia. The feasibility study had been sponsored by the Child Accident Prevention Foundation of Australia (CAPFA), which, in 1982, had first expressed concern about the inadequacy of the then available data sources to provide a timely and relevant overview of the extent of the child accident problem in Australia (O'Connor 1982).

At that time available data sources on injury included:

* annual tabulations of injury deaths compiled by the Australian Bureau of Statistics (1978-). In the case of children under 14 years, these contained summary information about the 700-800

annual deaths from accidents in this age group. These reports were usually available within two years of a death being registered, but contained very little in the way of useful information about the circumstances leading to the death. For example, for the drowning deaths, it was not known whether these occurred in private swimming pools, baths, buckets, ponds, rivers or at the seaside. All that was known was the age and sex of the individual. Clearly, this kind of information was hardly likely to be of much use in identifying what could be done to prevent similar deaths occurring in the future.

- some of the states, but not all, had information about the causes of admission to hospital (Australian Bureau of Statistics 1979). The range of hospitals covered by the hospital inpatient morbidity collection varied from state to state; some included private hospitals, others did not. As in the case of the deaths, the only information available was a summary of the external cause of the injury--for example, ingestion of a poisonous substance, but provided no information about where or how this occurred, what level of supervision was being provided. As in the case of the deaths, the information took some time to become available, so rapid preventive action in response to the emergence of a newly recognised hazard was not possible.

- some individual hospitals and universities had conducted epidemiological studies of particular categories of injuries occurring over a defined period of time within a defined catchment area (Pearn et al. 1977). These studies usually lasted a period of several years, often involved in-depth studies of some of the injury events by means of site visits and interviews with those who had witnessed the injury. Sometimes these studies were confined to a detailed analysis of deaths; more often they included all injuries of the particular category under study which were treated at or admitted to a hospital. Often they lead to recommendations by the researchers about how such injuries could be prevented in future. Their major drawback is that there was no follow-up--they were a single snapshot in time, and thus there was usually very little known about whether the preventive measures recommended had been implemented, and if so, what effect they had had.

- periodic sample surveys of the Australian population had been conducted by the Australian Bureau of Statistics which collected some information on the injury experience of the Australian population. The first of these--the 1978 Australian Health Survey (Australian Bureau of Statistics 1979)--indicated the extent to which an accidental injury had been sustained by members of the sample within the two weeks prior to being

interviewed. These figures, extrapolated to a full year suggested that up to a half of Australian children had sustained an injury severe enough to require medical attention or cessation of normal activities. However, this study was unable to provide details of the kind of accident which had occurred nor the circumstances surrounding it.

It was recognised that what was lacking in Australia was the kind of ongoing surveillance of accidental injury that had been introduced in the United States (Consumer Product Safety Commission 1983) and Britain (Consumer Safety Unit 1978) during the previous decade and which had subsequently been extended to some other European countries (Stichting Consument en Veiligheid 1984) during the early 1980s. These systems were based on the collection of interview data from patients attending the accident and emergency department of participating hospitals, which provided information about the location, activity and cause of the accident, details of any products which had been causally related to the injury, as well as particulars about the nature of the injuries sustained. Such systems had been introduced because of the deficiencies in the available information systems of the type noted to be present in Australia.

All of the overseas systems had a focus on a particular category of injury--for example accidents occurring at home, accidents related to sports and leisure activities or accidents related to consumer products. None were designed to cover injuries of all types, for example at home, on the road, at work, at leisure or during sport. This was because those responsible for the introduction of the system were those who were going to be using the data--for example consumer safety organisations. The health sector was rarely involved in the management of the data collection system--for example, the British Home and Leisure Accident Surveillance System is currently managed by a Consumer Safety Unit within the Department of Trade and Industry!

Recent Developments in Injury Surveillance in Australia

In the light of his observations overseas, Jerry Moller, who was responsible for executing the initial development of the National Injury Surveillance and Prevention Project (NISPP), recommended the establishment of an all-age all-injury surveillance system based on the collection of data from what was to have originally been a small sample of participating hospitals in Brisbane and Adelaide. This recommendation was endorsed by a national conference held in Adelaide in April 1985, and NISPP received funding from the Commonwealth and State governments of South Australia and Queensland in 1986.

Several important characteristics of NISPP need to be emphasised at this point:

- first, the collection was to include all ages--not just children. Organisations which were potential users of the data--with the exception of CAPFA--were interested in the occurrence of injury in all age groups;

- second, all injuries were to be included. There are practical reasons for this--busy hospital accident and emergency departments require staff to be able to make as few decisions as necessary as rapidly as possible. In the case of the Australian injury surveillance system the only question to be asked is "Has this patient suffered an injury or been poisoned?" No one has to then ask a second question such as "Did it occur as a result of a sporting injury?", or "Was it a result of an accident or was there a degree of intent involved--either by the victim or someone else?"

- third, the Australian system relies on the provision of information by self-administered questionnaire. This is usually completed by patients themselves--provided their injury does not impede this--or by those accompanying them. Sometimes nursing, clerical or medical staff obtain further information by direct questioning where this is required. In some hospitals, the questionnaire is a part of the official medical record;

- fourth, information about the nature of the injury is provided by the medical staff when they examine the patient. Medical staff are also asked to assess whether they think the injury might have been other than accidental--for example as a result of an assault, or suicide attempt.

No attempt has been made at this stage to include general practitioners in the surveillance system on a continuing basis. Evidence from overseas studies (for example Tursz, France, personal communication) suggests that compliance with form completion over prolonged periods is usually poor in the private sector, and the most that can be achieved are one week collections repeated periodically. The main aim of involving general practitioners would be to gauge the extent to which injury is managed in the private sector (the evidence from the cities is that general practitioners have a minor role, especially after hours), and whether the pattern of injuries which they treat, and their severity, differs from those treated in the public hospital system.

At this stage, the surveillance system is in operation in 22 Australian hospitals, in all states and territories with the exception of Tasmania and Northern Territory. In most states, the participating

hospitals are geographically clustered which should enable some population-based rate data to be ascertained. For example, all public hospitals in South Brisbane are included, and in the Canberra region, the surveillance system is being progressively introduced to all hospitals in the Australian Capital Territory and Queanbeyan. Whilst the collection is predominantly urban-based at this point, plans are being made to include for its extension to a representative sample of country hospitals. Over the past two to three years a total of 148,000 cases of injury have been documented and are stored in the data base. The adoption of an identical data gathering system throughout Australia, supported by a custom-designed software system has been a significant benefit of the project.

The project will continue for the next three years under the aegis of the National Better Health Program, an initiative of the Australian Health Ministers Conference, and will be supported by a soon to be established national injury surveillance unit which will be an outpost of the Australian Institute of Health (Vimpani & Hartley 1990; Injury Prevention Project Planning Team 1989).

NISPP and Intentional Violence

About 3 per cent of all cases of injury held in the NISPP database are self-inflicted or due to intentional violence by other people. This is certainly an underestimate of the proportion of such cases which present for treatment at hospital accident and emergency departments. There are several reasons for this.

NISPP usually only captures about 80 per cent of the cases of injury which are treated at accident and emergency departments, although in some hospitals it is close to 100 per cent (Vimpani & Hartley 1990). Intentional violence is overrepresented in the missing cases, as has been shown by a study conducted in Darwin (Battersby et al. 1989) in which ascertainment rates using interviews and self-administered questionnaires were compared; cases of self-inflicted injury and assault were over-represented in the cases being missed by self-reporting procedures.

There are obvious reasons why such patients might be unwilling to complete a questionnaire--intoxication, fear of legal redress, even injuries to the normal writing hand sustained as a result of a fight!

Victims of violence may complete a questionnaire, yet fail to admit that the injuries were a result of intentional violence. This is a well-known phenomenon in child abuse and among adult victims of domestic violence. The true origin of the injuries may be suggested by patterns of injury which are inconsistent with the explanations being given or emerge later after repeated questioning uncovers inconsistencies in the history being provided.

Nevertheless, despite the lost cases, there is sufficient information to detect a pattern of intentional violence which alters as

the victims' ages increase, as is shown in the following series of tables which provide an overview of the descriptive epidemiology of intentional violence in Queensland, Australian Capital Territory, South Australia, Western Australia, New South Wales and Victorian hospitals participating in this project. A list of participating hospitals is shown in Appendix I.

The first thing that is obvious (Table 1) is that intentional violence is predominantly a male phenomenon, and overwhelmingly of adolescent and young adult males, although it should be noted that the proportion of females increases with age. Forty-five per cent of all cases involve people between the ages of 15 and 24 years.

TABLE 1: **Overview of main features of injuries due to intentional violence 1988**

| | Age group | | |
	0-14 years	15-24 years	25-84 years
Number	284 (Males 75%)	1195 (Males 73%)	1141 (Males 61%)
% self-inflicted	17%	25%	34%
% fight, riot, quarrel	83%	75%	66%
Worst days	Monday (18%)	Saturday (26%)	Saturday (23%)
		Sunday (20%)	Friday (19%)
Worst months	August (11.6%)	Dec (11.2%)	Oct (10.5%)
	March (10.9%)	Apr (10.2%)	Sep (9.6%)
	April (10.9%)	Jan (9.8%)	Dec (9.6%)
Best months	Jun (3.5%)	Jun (4.6%)	June (6.1%)
	Jul (4.2%)	Aug(6.2%)	Mar (6.4%)
	Nov (7.7%)	March (7.4%)	Aug (6.4%)
No consent to follow up given	7%	17%	17%

Source: National Injury Surveillance and Prevention Project Adelaide, 1989.

Second, the proportion of violence which is self-inflicted increases steadily with age. These two findings immediately beg the question--is the rise in self-inflicted violence predominantly a female phenomenon? Further analysis is required to answer this question.

Third, in the case of adults and young people, the weekends are the worst time, whilst for children, the worst day is Monday. One could speculate about the possibility that some of the children might be working through (or modelling) some of the weekend experiences

to which they have been exposed at home when they get to school on Monday.

Fourth, in the case of children, the worst months are August, March and April, whilst in adults and young people, the worst months are those associated with holiday periods. The peak in September and October for adults is consistent with other work which has shown that depressive illness is common in spring--people find that spring does not relieve the low moods which during winter they had previously been content to attribute to poor weather and lack of outdoor activity and shorter periods of daylight.

Whilst the home is the commonest place for intentional violence at all ages, it becomes increasingly so as people get older (Table 2). The school playground which features in childhood violence is replaced by the pub and other public places in adolescence. Ingestion of drugs and other substances features more commonly as the age of the population increases. This is associated with higher admission rates in adults compared to children and young people. The overall rate of admission is higher than for unintentional injuries--or accidents.

TABLE 2: **Location of intentional injuries,
        mechanism of injury, and injury severity**

Category	0-14 years	15-24 years	25-84 years
Locations			
Own home	49%	60%	73%
Sch playground	19%	1%	-
School other	11%	0.7%	-
Footpath/road	2%	10%	6%
Pub/shop/cinema	3%	19%	12%
Mechanism of injury			
Hit against victim moving	37%	23%	16%
Hit by other moving	35%	39%	41%
Grazed, lacerated abrased, punctured	5%	14%	12%
Ingestion	14%	18%	27%
Percent admitted or transferred	24%	26%	34%

Source: National Injury Surveillance and Prevention Project Adelaide, 1989.

Alcohol and other drugs thus become more common causal factors in injury as people age (Table 3). It is clear from analysis of

individual cases by means of the one line summary of the injury event which is incorporated in each case record, that alcohol is a feature in both self-inflicted injuries and assault (Table 4). Knives are also more often causally-related to injury in older people.

Fractures become less common in older people, whereas cuts and lacerations become more frequent. Head injuries of various kinds also become more common as the population ages.

TABLE 3: **Nature of injury, body part injured and products involved - intentional injury**

	Age group		
	0-14 years	15-24 years	25-84 years
Nature of injury			
Cuts	17%	30%	30%
Superficial abrasions	3%	4%	5%
Bruises	25%	23%	26%
Swelling/pain	6%	6%	3%
Fracture	32%	23%	19%
Sprain/strain	8%	5%	4%
Concussion or ingestion	19%	22%	32%
Body part injured			
Head	30%	41%	44%
Upper limb	48%	43%	32%
Lower limb	9%	7%	6%
Trunk	6%	6%	10%
Systemic (Concussion or ingestion)	19%	22%	32%
Products involved in causing injury			
Knives	2%	3%	4%
Razors/shavers	-	2.30%	1.90%
Alcohol	0.40%	4%	7%
Other drugs	16%	19%	28%
Walls/ceilings	5%	6%	4%
Floors	2%	1%	1%
Windows/glass	2%	4%	3%
Bottles/glass	-	2%	2%

Source: National Injury Surveillance and Prevention Project Adelaide, 1989.

It is also evident when one looks at the individual case summaries, how difficult it is to separate intentional violence by others

from self-inflicted injuries. For example, as these one line summaries indicate, many cases of self-inflicted injury follow a fight, argument or other violent episode involving people other than the victim. Adult victims of domestic violence, particularly where it has continued over a long period frequently express feelings of powerlessness, worthlessness and a sense of being trapped, along with other symptoms of depression; in this context it is not altogether surprising that aggressive acts may become internally directed. Because of these links it is unfortunate that the terms of reference of the National Committee on Violence precluded the possibility of examining such links more closely.

TABLE 4: **Examples of cases where violence by others and self-inflicted injury are interrelated**

- Had argument with mother and brother and intentionally took iron tablets

- Fought with boyfriend, caught taxi, drank with driver, assaulted, raped

- Had a fight with brother, went to cupboard, drank half a cup of turps

- Had a fight with friend, wanted to kill herself, took 10 nuelin tablets

- Argument with girlfriend. Used 303 rifle to shoot self in groin

- Minor argument with parents--ingested about 10 panadol tablets

- Argued with boyfriend, suicide attempt, slashed wrists, OD tablets, scotch

- Had argument with hostel people. Took bottle of theodur tablets

- Self-inflicted gunshot wound after break-up with girlfriend

- Had been drinking and had argument. Put hand through glass deliberately

- Ingested 100 mylanta tablets after argument with husband

- Trying to get razor blade to kill herself and husband punched her

- Fighting over property settlement with husband and took senquin tablets

- Assaulted by husband and overdosed on 50 nembudeine

- Boyfriend threw victim around house, ingested 9 serepax, lacerated wrists

Discussion

The primary aim of injury surveillance systems in Australia has been to gather data to assist in the prevention of unintentional injuries. However, along with current trends in North America, where the relative importance of intentional violence in the overall spectrum of injury is much greater than in most other developed countries, the Australian surveillance initiatives have recognised that it is often difficult to exclude some degree of intentionality when injuries first come to medical attention. Furthermore, it has been recognised that a better understanding of the circumstances in which intentional violence takes place can identify preventive measures which might be taken, thus providing an alternative perspective to the traditional view of intentional injury as a "crime problem" which requires blame and punishment of the perpetrators (Committee on Trauma Research 1985). Examples to be considered include reducing the quantity of anti-depressive medication which can be made available on prescription, and strengthening the safety features of guns to make it more difficult for young children to discharge them accidentally during aggressive play.

There are a number of issues which need to be addressed to improve the quality of data collected through injury surveillance in accident and emergency departments. First, efforts need to be made to ensure total ascertainment of injured cases presenting at hospital accident and emergency departments. This should not require significant changes to the basic methodology of data collection or major increases in resources, but the development of improved management systems to ensure that questionnaires are completed and the continuous monitoring of injury ascertainment rates. Fundamental to the success of the system is the commitment of accident and emergency department staff to an information system which benefits others rather than having any obvious benefits to themselves in terms of improved case management; good feedback on the use to which data are put is essential to maintain motivation. Second, the representativeness of the current sample of 22 participating hospitals needs to be addressed. Some hospitals have been self-selected and drain populations of uncertain size; this makes calculation of injury rates impossible. Further, the extent to which known catchment areas are representative of the general Australian population is unknown. There is also a pressing need to extend injury surveillance to defined rural communities (Vimpani & Hartley 1990). Some of the existing collections (for example Illawarra, Melbourne) collect data only from children.

The extent to which injuries treated at hospital accident and emergency departments is representative of all injuries for which medical attention is sought needs to be further investigated, especially in the light of preliminary studies in rural communities which suggest that up to 50 per cent of children's injuries in such communities are

treated by general practitioners (M. Taylor, personal communication). Regardless of the intentionality of injury, one would anticipate that hospitals would tend to treat more serious cases. It is self-evident that all cases severe enough to warrant admission are usually seen first at hospital accident and emergency departments. However, one might speculate that general practitioners would see a different spectrum of intentional injuries to those presenting at accident and emergency departments. For example, intentional injuries suffered by adolescents, and women who were injured through domestic violence might be seen more frequently in the anonymous environment of hospitals. On the other hand, some minor injuries incurred during criminal activities might be seen more frequently by general practitioners in an attempt to reduce the risks of official detection and criminal prosecution.

The reliability and validity of collected data also need to be monitored regularly (Vimpani 1989). In general, it appears that collected data are coded reasonably consistently by different coding staff, but there is evidence that further coding conventions need to be developed to ensure higher inter-rater reliability. Without changing the data collection method to a more expensive one based on interviewing, it is difficult to envisage how some cases of intentional violence will not continue to be misclassified as accidental. Questionnaire based methodology, particularly where there is a strong emphasis on the informed individual's rights not to provide information which is not directly concerned with their need for medical treatment, will continue to miss some cases of intentional injury altogether. For example, in one state, considerable emphasis is given to individual's rights not to participate in the data collection system. Consequently, despite assurances of confidentiality, the proportion of cases due to self-inflicted injury in that system is much lower than anywhere else.

Accident and emergency department based injury surveillance systems have proved their worth overseas as a useful element in the strategy for reducing unintentional injuries. They have highlighted the magnitude of the problem of injury in the community--a public health issue secondary only to infectious disease in its size. Surveillance systems have identified patterns of injury which had previously been inadequately documented which were subjected to further investigation. Such investigations have lead to the introduction to new product safety regulations or environmental modifications. At a national level, representative injury surveillance systems have highlighted the need for action on injury prevention by policy makers, for whom safety has frequently been a low priority. Locally-based injury surveillance systems have had an impact on public policy development through the mobilisation of grass roots support for injury control measures, particularly in countries like Sweden. Moreover, surveillance data provide a framework for evaluating injury control initiatives.

Experience in Britain and the Netherlands has lead to the establishment of the European Home and Leisure Accident Surveillance System (EHLASS). There is a growing recognition of the need for harmonisation of injury surveillance methodologies and classification systems in order to be able to make international classifications (Organisation for Economic Co-operation and Development 1990).

In contrast with these European developments, the scope of the Australian system is much broader, and its potential to address issues related to intentional violence much greater. If the required attention to the issues of data quality can be given in the next phase of development, this potential should be even more fully realised. However, as in other categories of injury, the surveillance system provides insights into areas which require further elucidation by in-depth studies, and should never be regarded as providing definitive answers. It is thus a tool for generating hypotheses, rather than testing them.

Appendix I

Hospitals and general practitioners participating in injury surveillance

Name of hospital	Number of cases
Australian Capital Territory	**5392**
Royal Canberra Hospital	4464
Woden Valley Hospital	928
New South Wales	**1063**
Bulli District Hospital	95
Pt Kembla District Hospital	171
Shellharbour Hospital	797
Victoria	**13345**
Royal Children's Hospital	8775
Western General Hospital	2047
Preston & Northcote Hospital	2523
Queensland	**42869**
Mater Children's Hospital	6317
Mater Adult Hospital	7349
Princess Alexandra Hospital	9886
Queen Elizabeth II Jubilee	13553
Redlands Medical Centre	5369
Dalby Hospital	277
Dalby General Practitioners	118
South Australia	**15680**
Adelaide Children's Hospital	5044
Modbury Hospital	5738
The Queen Elizabeth Hospital	4566
Port Lincoln Hospital	162
Port Lincoln General Practices	170
Western Australia	**8471**
Princess Margaret Hospital	8309
Sir Charles Gardiner Hospital	162
Total	86820

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Investigation of the Incidence and Analysis of Cases of Alleged Violence Reporting to St Vincent's Hospital

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The degree to which the "dark figure" of unreported crime applies to serious assault is a question which has been nagging criminologists, law enforcement officers and policy makers for some time. Serious assault is a relatively rare event, and the sample size of conventional crime victim surveys tends to be too small to permit meaningful generalisations about the risk and reporting of assault victimisation. Injury surveillance data, on the other hand, provide some insight on the characteristics of assault victims who seek medical treatment for their injuries. Despite the relative severity of their victimisation, a surprising percentage of these appear disinclined to report their experience to the police.

This article describes one study of assault victimisation based on injury surveillance data. One must take care in generalising from these findings, as the location of the research is somewhat unusual, and there remains some possibility of response bias. The study nevertheless represents an interesting model for developing alternative perspectives on assault victimisation.

Background

Accident and Emergency Centres (AEC) are generally only found in large metropolitan, base or district hospitals. As the name indicates, they are for the treatment of patients suffering from accidents and associated trauma, and medical or surgical emergencies. These centres were previously known as casualty centres.

The Accident & Emergency Centre at St Vincent's General Hospital (SVGH) is located within one kilometre of Kings Cross, the centre of Sydney's night life. The hospital is a major public teaching hospital of the University of New South Wales with 503 beds, and is operated by the Sisters of Charity.

For some years the staff of the AEC have been routinely collecting data on the types of patients presenting for treatment, including data on the number of patients presenting with alleged assaults. In the past three years there has been a marked increase in the number of such patients. There has also been an increase in the numbers referred by police and charitable organisations, and in the numbers of patients affected by alcohol. Additionally, police statistics for the metropolitan area in 1986-88 (NSW Bureau of Crime Statistics & Research 1987-88) indicate an increase in "Offences against the person". These data indicate that violence is increasing in the population from which St Vincent's General Hospital draws it clientele. However, much more information is required to pinpoint how and where the violence occurs and what can be done to prevent its occurrence.

Examination of the scanty literature available relating to presentations of alleged violence in AECs reveals that police statistics may not represent the full picture of numbers of victims and of assaults. Shepherd et al. (1987) in a study at the Bristol Royal Infirmary, found a marked increase in assaults over the ten years 1976-1986 while police records showed lower rates of violence than did hospital records.

Staff members in hospitals also encounter violence against themselves. Walsh (1986) in a survey of AEC staff perceptions and recollections of violence found significant differences existed between city, urban and rural AECs in the frequency and type of abuse encountered by staff members. The problem was worse in city centres than in rural centres. Walsh also found that groups of people were more likely to be violent than individuals. Walsh recommended that all violent incidents in AECs should be accurately recorded and that staff should be given training in the handling of the violent and aggressive patients.

Most of the current information on the extent of violence in our community is based on police records. However the underreporting of violent incidents to the police is well documented (Biles & Braithwaite 1979; Robb 1988). It would seem a reasonable assumption that the victim of a violent act, which causes actual bodily harm, is

likely to seek medical attention. An obvious starting point, therefore, for an examination of the factors involved in violence in our community is the place that many of those injured by acts of violence will first approach for help--the nearest AEC.

Whilst it has been noted that AECs can contribute to an understanding of the problems related to violence through bridging the gap between information available from police/crime reports and infrequent victim surveys (Shepherd et al. 1987), the little AEC-based research that has been undertaken has concentrated on injury surveillance (Hocking 1988). In American studies, the focus has been on the specific issues of the AEC role in evidence collection (Adkinson 1986) and the development of protocols for the management of domestic violence (McLeer & Anwar 1987; 1989).

There was little difficulty in defining the population to be studied for this research. All patients who presented to AEC as a result of an act of violence by another person were entered as Alleged Assaults in the AEC Register System and were considered appropriate for the purpose of this study. To the extent then that they all had "actual bodily harm" there should be a correlation between those seen in the AEC and the police statistics on assaults. An important part of the analysis was therefore to include whether the victim had reported to the police and the reasons involved in their decision to report or not report.

Other factors repeatedly mentioned in the wide-ranging literature on violence that were thought to be useful included age, sex, employment, residence, ethnicity, group/gangs, relationship between victim and assailant, the influence of alcohol and other drugs, and the use of weapons (Lewis 1983; Newman 1979; Stannard 1987). As the information derived from this study was to be used in developing and planning hospital and support services, there was a need also to identify the type and extent of the injuries received from the assault, and the support available to the victim on leaving the hospital.

Methodology

The present study sought to provide Australian data on the circumstances of "alleged assaults" and characteristics of victims presenting to St Vincent's General Hospital AEC. The aims included:

- through the provision of information about the incidence and type of violence that presents to this AEC, to contribute to the evaluation and understanding of violence in the Australian community.

- to use the information obtained from the survey of victims of violence to review and develop protocols for the organisation and management of the alleged assaults presenting to AECs.

- through liaison with relevant support and community services to provide information from the survey which could contribute to the planning and organisation of their services.

From such data it may be possible to formulate more appropriate policies and procedures for victim support and for reduction of stress in AEC staff assisting these persons.

It should be noted here that severely injured victims of alleged assaults were admitted straight to the operating theatres or intensive care unit and thus these persons were not included in the survey. Victims who were dead on arrival were taken straight to the morgue. These victims also were not included in the survey.

The data was collected using a structured questionnaire. A pilot study was conducted for one month. The main study commenced at midnight on December 24 1988 and finished six months later at midnight on June 30 1989.

The proposal and the instrument for data collection were submitted to the SVGH Research and Ethics Committee for permission to undertake the study. Steps were taken to ensure confidentiality of the information obtained in the study.

Members of the AEC staff collected the data in addition to their normal course of duty. Reliability of responses relating to alleged assault was corroborated by accompanying persons whenever possible. Questions relating to actions following discharge were projective and no independent checks were made of the answers obtained.

During the six-month period of the main survey, 60 per cent of the "alleged assaults" patients presenting to AEC consented to participate in the research, and were subsequently interviewed and a form completed. This figure includes all cases where more than 12 questions were answered. A total of 512 questionnaires were eventually completed. It should be noted that the severity of the assault or other circumstances such as influence of alcohol or other drugs may have affected the respondent's ability to answer questions. Consequently not all questions have been answered by all respondents.

Results and Discussion

Table 1 shows the time period during which data were collected, with numbers of presentations for each month. The admission figures given in brackets may be used as an indicator of severe assaults. However where the assault was so severe that the victim was unconscious or dead no questionnaire was completed. The numbers of patients in these categories can be obtained by examination of Table 2.

TABLE 1: **AEC Victim Survey**

Presentations of alleged assaults (Admissions in brackets)			
25 December - January	176	(55)	
February	113	(33)	
March	169	(35)	
April	147	(36)	
May	118	(30)	
June	131	(44)	
Total	1038	(199)	
Surveyed	512	(60%)	Completed forms

It will be noted in Table 1 that "alleged assaults" occur on a regular basis throughout the year but the figures bear out the commonly held belief that the Christmas/New Year holiday period and other holiday periods such as Easter are particularly busy times for this type of presentation to AEC. Sporting fixtures at the nearby Sydney Cricket Ground and Football Stadium were also shown to bring about an increase in the "alleged assault" presentations.

In order to keep in context alleged assaults as a proportion of cases seen in the AEC, Table 2 shows the figures for a number of major categories of patients presenting to the AEC in the period covered by the survey.

TABLE 2: **Summary of AEC Presentations from 1 January 1989 to 30 June 1989**

Total No. of Presentations	16600
Number of Males	10450
Number of Females	6150
Average Age	40
No. of Patients covered by:	
Alleged Assault Category	854
Workers Compensation	691
Victims of Motor Vehicle Accidents	447
Victims of Overdose	337
Drug/Alcohol Patients	641
Known Aids Victims	284
Patients Dead on Arrival	127
Patients Dead in AEC	61

An overview of the results obtained in the survey is provided in Table 3.

TABLE 3: **Overview of Results of AEC "alleged assault" Victim Survey by Modal Category**

Victims	Modal Category	% in Modal Category
Age	20-29 years	52
Gender	Male	85
Marital Status	Single	69
Postcode of victim	Local	46
Residence	With family/ friends	63
Race	Caucasian	89
Occupation	Unemployed	13
Drug influence	Yes	59
Which drugs?	Alcohol	54
Time of alleged assault	12mn-3am	37
Day of alleged assault	Sunday	24
Category of assault	Street attack	78
Treatment required	Outpatients	75
Location of injury	Head & neck	54
Type of injury	Open wound	25
Type of assault	Hit/punched/ attacked	35
Location of assault	Kings Cross/ Darlinghurst	43
Knew attacker?	No	73
Weapon involved	No	52
Reported to police	No	57
Destination after hospital	Own home	62
Accompanied by another	No	38
Relative or friend stay	Yes	62
This happened before?	No	63

The data clearly demonstrate that the great majority of the "alleged assault" victims surveyed were young, single males. Of those who were victims of street violence, which was the most common type of violence recorded in the survey, 90 per cent were males and they were likely to be under the influence of alcohol (54 per cent). Of the families surveyed, 38 per cent had been assaulted in the home.

Seventy-eight per cent of alleged assaults were the result of street violence, often close to a hotel, disco or licensed restaurant. Most incidents occurred between the hours of 9 pm and 6 am (75 per cent) on Thursday, Friday, Saturday and Sunday nights (78 per cent). It was unlikely that the incident was reported to the police (57 per cent did not report). Most of those injured had lacerations, abrasions or bruising around the head and neck area (54 per cent) and were allowed to go home after treatment in the AEC.

Results indicate that child abuse is often not encountered at St Vincent's AEC, as the hospital does not have a paediatric department. Sick or injured children usually attend one of the two children's hospitals in the metropolitan area.

Whilst preliminary analysis confirmed both the anecdotal impressions of the AEC staff and the profiles that have been developed in the literature (Grabosky 1989; Lewis 1983) a more detailed analysis was developed through cross-tabulations. These examined four key factors-- sex differences, alcohol and other drug influences on the victim and alleged assailant, whether the victim had been assaulted before, and the reporting of the alleged assault to the police.

Sex Differences

Single males were far more likely to be victims of violence than females and 90 per cent of the victims under the influence of alcohol and other drugs at the time were males. Where there was drug influence for victims and the drug was identified, it was nearly always alcohol (other drugs 5 per cent).

The time of alleged assaults varied between sexes. Attacks on females were more likely to occur earlier in the night from 6 pm onwards with the peak time between midnight and 3 am. This was also a busy time for attacks on males but males were more likely than females to be attacked between 3 am and 6 am.

Male victims were more likely to be engaged in an assault that involved two or more people (55 per cent of males, and 30 per cent of females were attacked by two or more persons) and usually did not know the assailants, whereas a higher proportion of females did know the aggressors. The assault for males was most likely to have occurred in the street or in or near a hotel or club. Females were more likely to be victims of domestic assault than males (82 per cent of males and 51 per cent of females were victims of street violence while 7 per cent of males and 38 per cent of females were assaulted in the home), and

such assaults usually occurred earlier in the evening than street violence.

Alcohol and other Drug Influence

Victims   Of those victims under the influence of alcohol and other drugs 90 per cent were males. These victims were most likely to be the victims of street violence (84 per cent). The drug most commonly affecting both sexes and both victim and assailant was alcohol (92 per cent). Yates and Chambers (1987) observed that alcohol often affected both the attacker and the victim.) Older victims of both sexes were less likely to be under the influence of alcohol and other drugs. It is worth noting that the modal age of these victims was the same as that for the alleged attackers (20-29 years).

The majority of all victims were single, but the group under the influence had higher percentages in the widowed, divorced, and separated categories and fewer in the married group.

The victims influenced by alcohol and other drugs were also less likely to report the alleged attack to the police.

Assailants   Attackers appeared less likely than victims to have been under the influence of alcohol and other drugs, but where this was a factor alcohol was the most common drug. This was difficult to evaluate with any reliability however, as it was dependent on the victim's perception of the attacker's age and drug influence and in only 23 per cent of cases overall was the attacker known to the victim. When victims were attacked in the street, assailants were much more likely to be under the influence of drugs, particularly alcohol.

The National Committee on Violence (1989) reported a number of studies carried out in Australia in recent years which link alcohol with violent assaults. They suggest that many assaults coincide with hotel and pub closing times and our findings certainly support this statement. Tomsen et al. (1989) in their study of situational variables which contribute to violence in and around suburban hotels and other drinking places found that violence was more likely to occur in the busy periods late at night, and towards or during the weekend and was influenced by the "patron type, the social atmosphere, drinking and staff behaviour". The results of this study support those conclusions.

Previous Experience of Assault

Slightly more females than males reported that they had been assaulted before, and the previous attack was more likely to have been within the last 12 months for both sexes. Of the 34 per cent who had been victims of violence on a previous occasion, over half had required hospital admission or outpatients treatment.

Report to Police

A majority of victims (57 per cent) did not intend to report the alleged assault to the police.

In an Australia-wide study by Biles and Braithwaite (1979), it was found that the majority of all categories of crimes were not reported to police. Only 46 per cent of assaults were reported and by far the greater number of these were reported by males. However, sex did not influence the reporting of alleged assaults to the police in this study.

Conclusion

Although this study only examined the alleged assault population of one AEC in an area close to the entertainment heart of the city, the findings suggest that this is a considerable and growing proportion of the patient population. Further research is required to determine whether cases of alleged assault are a significant proportion of other AECs in Australia, whether the patient characteristics are similar to those of the St Vincent's General Hospital AEC population and whether the needs of these types of patients and the staff who care for them are being met.

The fact that many of these assaults are not reported to the police suggests the view that all AECs should collect similar data on an ongoing basis. Such data could provide information on the types of violent actions committed in suburban and rural areas as well as metropolitan precincts. These data could be compared to that obtained by the police, because it appears that hospitals may well be dealing with a population different from that dealt with by the police.

This study certainly fulfilled the original aim of providing an understanding of the characteristics of the patients presenting to St Vincent's General Hospital AEC suffering from an alleged assault. It also enabled the staff to arrange inservice education on issues concerning ways of dealing with aggressive patients.

The study has also led to recognition of the needs of particular groups of patients such as those suffering from domestic violence. Until this study was undertaken, this group was not recognised as a significant proportion of the patient population, and it is possible that staff may have been missing cases. Since the study the awareness of this problem in the vicinity of St Vincent's General Hospital has grown. Domestic violence victims have formed mutual help groups, which will be a useful resource for AEC staff.

However, for both domestic violence and child abuse cases, it is necessary to have a protocol which staff can follow when patients are admitted who are suspected of suffering this type of violence. Ricci (1986) provides a protocol for children who are suspected victims of abuse. The method used by McLeer and Anwar (1987; 1989) in

domestic violence cases could well be a model to guide protocol development in AECs: they found that its use in female trauma cases increased detection of battering by 25 per cent.

It is hoped that this report will be used by other hospitals, health services and police organisations so that appropriate policies can be formulated to reduce the incidence of assaults. Within AECs there is a need to monitor the patient population and ensure that the policies and protocols meet the needs of both patients and staff for the best possible care. We suggest that the costs to the community of monitoring of these assaults and strategies for their prevention will be more than met by savings in the costs of treatment and ongoing care.

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The Ecology
of
Community
Violence

Don Edgar

Much of the discussion about violence in the community ignores the actual community context and its changing ecology. If we are to explain apparent increases in the incidence of violence we have to ask ourselves what is different in the current context compared with other contexts where violence is less prevalent.

It is useful to look at some of the anthropological and historical literature for insights into relative levels of violence. David Levinson (1988), in a cross-cultural study of 90 different societies, found that there are some clear patterns which seem to explain the incidence of community violence. For example, in a study of social change in Yugoslavia by Erlich (1966), it was found that in the traditional *zadruga*, where men held total authority within the large family kinship group, women were never beaten and violence was at a minimum. When the authority of women increased relative to men during the transitional period towards a smaller extended family household, there was a much higher incidence of wife beating and violence. However, as men and women became much more equal in power as the small extended family or nuclear family became more common, there was a reduction in wife beating and violence generally.

Levinson (1988) argues that this illustrates the importance of a particular ecology as an explanation of violence. Of the 90 societies he looked at there were 16 in which all forms of abuse were classed as violence. The distinguishing features of the non-violent societies were:

- Sexual equality in decision-making. This included equality in decisions about household matters, finance, freedom for either

partner to initiate divorce, and no double standard regarding pre-marital sex.

- Monogamous marriage and a low divorce rate which involved an inter-dependence between spouses on both an emotional and economic level.

- A situation where adult disagreements were resolved by means of avoidance of conflict situations, mediation or disengagement, rather than being resolved by the use of violence.

- Intervention from neighbours or at least the provision of shelter if violence was threatened or used within the family situation.

What this suggests is that when family roles are being questioned and altered, the instability arising from this social change leads to the use of violence. In Australia, as in most other western societies, the last two decades have seen unprecedented change in the place of the family and the relative roles of men and women which may be symptomatic of confusion, threat and the use of violence on a wider scale.

Secondly, the cross-cultural research suggests that violence is lower where either kin or neighbours who are prepared to intervene are present. It is unlikely that in modern societies, with a high rate of mobility and female workforce participation, we can return to a situation where neighbourhood interaction is widespread, but we need to find substitutes for that form of potential intervention, provide shelters for victims and ensure that criminal justice and social welfare intervention occurs where violence does arise.

The third point that follows from this cross-cultural research is that many behaviours are classified differently by societies as being either legitimate or illegitimate. We cannot assume then that all classes or ethnic groups will necessarily see violence in the same way, and we have to focus on creating a shared language which de-legitimates the use of violence across the whole society.

The fourth point that obviously follows from this research is that the more equal men and women become, the less likely we are to see violence occurring, but we should not be surprised that in the transition period from a patriarchal system to one of shared partnership we are likely to see a relative increase in family violence. Another problem in much of the literature on family violence is that it focuses too much on the interpersonal relationships between members of a particular family. This too has to be put within the changing context of family life. Figure 1 illustrates that context and may assist in clarifying a variety of intervention points.

Figure 1: **The Social Context of Family Violence**

Social Context

Legal indifference
- 'privacy'
- 'family autonomy'
- 'domestic'

Lack of family support and neighbourhood links

Laws on equality
- Property
- Divorce
- Men hostile

Family Isolation

Life events and stress

Male work con-text

Husband
- dominance
- aggression
- low self-esteem
- confusion

- Unequal resources
- Communication failure, inability to negotiate

Wife
- Passivity
- Submission
- Low self-esteem
- entrapment

Barriers to equality

Family 'disruption' A refusal to accept violence and inequality

Socialised aggression

fear   distrust

Child
- Violent role models
- Conformity vs self-control
- Male power base

School
- Competition cf. Co-operation
- Human relationships

Financial inequalities

Culture of violence

Major Issues affecting the Incidence of Violence

Broadly, there are four major problems contributing to the incidence of violence: financial inequalities, family isolation, several aspects of the law, and the role of the media.

Financial Inequalities

There are financial inequalities between men and women and between different social groups, Though violence is no observer of class boundaries, it is more prevalent in lower socioeconomic groups where the frustrations of poverty undermine the male stereotype of high status, dominance and control over family resources, It is also no coincidence that over 60 per cent of divorces in Australia are now initiated by the woman, even though the evidence is there that divorce

is likely to throw her and her children into poverty and dependence upon social security benefits. The male work context has shifted towards one in which women, at least in principle, have equal opportunities and equal pay for equal work, and a number of men, though they depend upon the second income of the wife for financial survival, are not yet able to cope with the assertion of power in other areas that inevitably goes with a more equal financial contribution to family resources.

TABLE 1: **Two-earner couples with and without dependent children: wife's educational qualifications by wife's median share of family earnings in two-earner couples, 1985-86**

	Wife's median share of family earned income	
	Couples without dependent children	Couples with dependent children
Wife's educational qualification	%	%
Left school under 16 years	39	30
Left school 16+ years with no qualifications	39	28
Completed secondary school	45	33
Certificate, trade or diploma	44	30
Bachelor or higher degree	49	38
Total	43	31

Source: Australian Bureau of Statistics 1986, Income Survey, Unit Record Tape.

Note: Couples included in this analysis are those of working age (husband less than 65 years, wife less than 60 years) whose family earnings make up at least 90 per cent of total family income. There were 525,000 couples without dependent children and 919,000 couples with dependent children.

The Law

The second broad social area of difficulty is that of the law. This operates on several fronts. First there has been a major shift in laws relating to marriage, divorce and matrimonial property. The law now asserts that both partners to a marriage are equal in their contributions and that matrimonial property shall be divided according to both contribution and future need. This is a major shift from the previous laws in which marriage was essentially a means by which male property rights were preserved, even to the extent of the "ownership" of children. The Australian *Family Law Act 1975* (Cwlth) now also insists that both parents must contribute financially to the support of

children. The contradiction between that insistence and the existence of a winner/loser mentality regarding custody/access, has in itself created a good deal of violence over the children of a split family.

On a different level, there is still a degree of legal indifference regarding domestic violence. Police are still reluctant to invade the privacy of a family whose "autonomy" from public interference has long been enshrined in the law. The very use of the term "a domestic" indicates both a trivialisation of the use of violence and an ideology which permits behaviour inside the family which would be totally illegal and unacceptable in a public arena. Overseas research estimates that one-third of couples would be involved in violent acts, with one-eighth having the potential of a seriously violent incident. The California Department of Justice estimates 50 per cent of wives will be victims (Western Australia Task Force on Domestic Violence 1986); Canada that one-tenth of all wives are bashed per annum (MacLeod 1980). A study of four police stations in New South Wales indicated that, over a twelve-month period, domestic violence calls constituted 32 per cent of all police peace-keeping calls (New South Wales Task Force on Domestic Violence 1981). The South Australian Crisis Care Unit's workload in 1983 was 40 per cent on "domestic violence" (Healy 1984) and the South Australian Legal Services Commission (Healy 1984) claims that 50 per cent of all family law clients are victims of domestic violence.

One-quarter of all murder victims are killed by a family member. The 1988 Victorian Law Reform Commission's study of homicide states that over 40 per cent of all murders occur in a domestic context, with women the most frequent victims. The vast majority of all child abuse (sexual, physical and psychological) and all child neglect is perpetrated by immediate family members, close relatives or intimate family friends. In the United States of America in 1984, domestic assaults accounted for 21,000 hospitalisations, 99,800 hospital days, 28,700 emergency room visits, 39,900 doctors' visits and accounted for an estimated 175,500 days lost from paid work and $44m per annum in health care costs. Every country reports similar findings, though figures are often missing and suspect because of under-reporting. The only hopeful sign was that violence against children appeared to have decreased between 1975 and 1985 (Gelles 1987) and "Even if", as Gelles says, "the change is only one of attitudes . . . this is a significant change for a ten-year period--a change that may well lead to an actual change in behaviour".

Why then are "these intimate savageries" (Blinder 1984) tolerated? Why do they occur? The answer lies in the culturally approved "privacy" of the home and the sanctioned power relations that constitute family structure.

Family Isolation

A third area that must be addressed is that of family isolation and the increasing lack of family support services and neighbourhood

networks. As commented earlier, there is not much sense in harking back to some mythical age of community involvement and concern, but there is no doubt from the research evidence that the growing isolation of the nuclear family unit is a major facilitator of violent behaviour. For example, the work of Whittaker and Garbarino (1983) shows that comparisons of local areas with the same demographic and social characteristics, but differing levels of the incidence of violence, can be explained by the fact that the low incidence areas have much more extensive neighbouring networks and better provision of support services such as child care, community networks, after school care and links between schools, doctors and social work agencies.

What this suggests is, of course, that policy efforts to prevent family violence need not be concentrated solely on the families in which violence occurs, but rather on the mechanisms by which families can be "re-surrounded" and supported by linking family support services. Much of the rhetoric of social work in recent years has addressed the need for self-help, for empowerment, for community-based services building on the informal support systems that already exist.

Throughout the western world, there is a paradigm shift going on in relation to the way social welfare services are delivered, and Australia is no exception. Partly in reaction to the "blame the victim" passivity of the professional social work model; partly because of the "crisis of the welfare state" arising from cost blow-outs and objections to "the public servant in the bedroom"; and partly as a result of the rediscovery of the informal networks that ordinary people use in their everyday lives, there is a move to redesign the personal social services within an "ecological" framework which builds on the resources within each local context and its sub-systems. The United Kingdom Seebohm Report (1968) called for people's human needs to be met "on the total requirement of the individual or family, rather than on the basis of a limited set of symptoms". The 1982 Barclay Committee Report argued for "a return to the use of social support networks of informal helpers", the aim being to decentralise power and to use the channels already created by families in their local communities. Researchers such as Garbarino and Sherman (1980) have shown how rates of child maltreatment, domestic violence, and marriage breakdown are higher in areas that are low on neighbouring, where the social links between people are too narrowly confined to the private family. Elise Boulding (1983) has documented how coping families deliberately send their members out into the schools, churches and clubs of new communities in order to activate networks of support which will meet their needs. Others are too unsure, too private to be this sort of "familia faber" (the family as maker) and their constricted linkages lead to further impoverishment of family well-being.

More recently there has been a critical reassessment of the move towards "social support networks" as a substitute for more formal

public service provision and help. Writers such as Leffler, Krannich and Gillespie (1986) point out that informal community networks can be characterised as much by conflict as by positive support (*see also* Wellman 1981; Barrera 1981).

Others show how risky it is to expect every family to cope alone or by drawing on their assumed support networks. The move towards promoting voluntary effort, self-help, building on informal networks does not absolve governments of their responsibility. Rather it redirects the human service professionals towards active dissemination of information to local "gatekeepers" whom people will trust. It redefines state-provided social services as "instruments to enlarge freedom, promote social betterment and aid greater equality". And it sounds a warning against asking too much of informal networks. As Olsen (1986, p. 21) puts it, "community networks must not be expected to provide life-belts for the victims of the government's economic policies". The aim is surely to enhance people's capacity to cope, thus decreasing the need for social support, to empower people to make use of the resources available within their wider community.

The case studies analysed in the book, *A Bit of a Struggle* (McCaughey 1987), attest to the differential capacities of families to activate the networks of support, both informal and formal, that exist in their own communities. Not every family is a "maker", the familia faber that Elise Boulding (1983) describes.

The most recent trend in coping with dysfunctional families is less naive. It draws upon the ecological framework of Garbarino and Sherman (1980) and Whittaker and Garbarino (1988) but argues that professional workers should find ways of complementing rather than ignoring or competing with informal social support networks.

Whittaker and Garbarino (1983) argue that "social policy in the compassionate society ought not to be concerned simply with relieving individual needs but with furthering a sense of common citizenship". What is now needed in the human services is a new conceptual framework that allows us to use simultaneously the contributions of both formal and informal helping. Increasing professionalisation alone is not the key to improving quality but rather the key lies in the ability creatively to combine professional and lay helping resources in an overall service strategy. A healthy and vital human service requires options for clients and a strong and central role for voluntary associations and lay helping. Especially in a time of reduced formal services and funding it is imperative that social workers develop skills to work effectively with the informal support systems at each stage.

Garbarino and Stocking (1981) also stress the potential trouble that arises from social isolation. Lack of income and other basic resources, together with isolation in the family home and the so-called "neighbourhood" is a deadly combination. Anne Tietjen (1981) points out how effectively Sweden uses the linking and distribution of health,

education, cultural and recreational services in the prevention of child maltreatment. Gottlieb (1981) highlights the lack of skills of many families in activating and maintaining supportive relationships, the lack of time to make new contacts and the burden of everyday living which, together with the norm of self-reliance (especially in relation to stress from parenting) leads to further isolation.

It is ironic, indeed, that the very privacy of family life which we hold so dear is a major cause of family violence, child neglect and abuse. In our scramble to assert the family's right to privacy we lay open the channels for abuse of the rights of particular individuals within those families. Our patterns of suburban living, in separate houses, together with the separation of work from home and neighbourhood and the decline in the relevance of those institutions such as the church which once "surrounded" the family, leave abuse to take place in secret, with little recourse other than to destroy the family unit itself.

The Media

The fourth area that needs to be addressed is that examined by the Australian Broadcasting Tribunal enquiry into media violence, and the National Committee on Violence, that is the whole culture of violence which surrounds families and informs the socialisation process. Though the evidence is quite unclear about whether larger numbers of violent acts are triggered by violence in the media, the more important point is that the message conveyed by the media, particularly in their portrayal of the news, is that we live in a violent society and that violent methods are effective in coping with that society. This means that there are violent role models provided for children and there is a legitimation of violent behaviour through showing violence as a satisfactory means of conflict resolution. One might extend this argument to the notion of "symbolic violence" in which harm is done to people simply because they are less powerful and have less access to resources for control (Bourdieu & Patteron 1977; Mueller 1973).

The Internal Family System

It is in that particular context that we must look at the internal dynamics of family relationships and why violence occurs in some families and not in others. The main factors lie in the elements of socialisation of men, women and children, which tend to perpetuate a model of socialised aggression, fear and distrust.

Men

We are still subject to the dominant imagery of the "real man" as one who must be in control and who does not lose status if he is labelled aggressive or tough. The irony is, of course, that the violent male is

one who is low in control and low in self-esteem. In fact the violent male is a confused person who is unable to muster those resources such as money, jobs, prestige, success, intelligence, love and attraction which society says he should have in order to be successful as a male. Violence for such a person is an ultimate resource drawn upon in frustration to assert his expected control within the family.

Society must realise that the use of violence depends upon that wider cultural context and is not only to be sheeted home to the individual offender, though this is not to excuse his behaviour in any way.

As pointed out earlier, where the norms of equality in marriage are ambiguous there is likely to be more resort to the use of violence within the family. Unequal resources make this possible but so too does a failure to learn how to communicate and the inability to negotiate conflict without resort to violence.

Men find it difficult to understand the new challenge to their superior status and authority because they have been brought up to believe in its legitimacy and have developed the resources with which to maintain their power. While there is no clear "marriage contract" which spells out the joint nature of marital life, its decision-making and the later consequences of those decisions, we have created a "back to front" assertion of that equality and jointness through our divorce laws. On physical property, both partners' contributions are recognised as equal, even though broad social values regard "home-making" as less worthy than paid labour force participation. On the division of children, we have even greater difficulties.

Society has given men contradictory messages about their offspring. As "head" of the family, children are his property, an attitude which varies across cultural groups but one embedded in the need to prove virility, the male dominance of discipline and moral authority. Yet modern theories of child development, plus the separation of male work from the home, reduced both the male's moral authority and his physical presence in controlling children. Attachment theory enhanced the significance of the mother's role and was picked up by the legal system in its concern for the welfare or "best interests" of the child and in its stubborn resistance to father custody and to notions of joint custody. More recently, fathers have been told they should participate in child-rearing and, with wives entering paid employment more rapidly and more commonly, men are practically forced into greater involvement with their children.

Now, the law (via the new Child Support Agency) is insisting that men carry a continuing financial responsibility for their children post-divorce. The Family Law Act 1975 held to that principle, but in practice judges and counsellors saw the mother as the best carer and gave custody to women; the law did not enforce maintenance and children were seen as a burden for women, not men, to carry. Indeed, the male's obligation (and right) was to his new family and new children. Now they are being told their children are their ongoing

obligation; maintenance will be enforced and increased; so the sense of contradiction and injustice with custody and access orders may well be exacerbated.

Australian society must ask itself some hard questions about the nature of marriage and the family. It must insist that marriage is a joint contract in which decisions are shared and the consequences of those decisions are shared. It must be realistic about the different levels of "resources" in the form of material property and non-tangible but convertible resources such as education, training and experience which are brought by partners to the marriage. A clear contract agreeing upon what is joint property and what is not needs to be spelled out, and the responsibility for children must be mutually shared. Only in this way will we reduce litigation and potential violence when that marriage partnership breaks down.

Women

Socialisation processes have taught women to be passive and submissive, and it is those women who lack resources and who have been most effectively socialised into the submissive mould who become the victims of violence. They are trapped not only in a marriage situation where the male either controls all resources or uses violence as a means of control: they are also trapped in their low self-esteem and distrust. They are locked in a system of marriage which says the male has the right to exercise his "rule of thumb" and others will not interfere, so their isolation is not only self-inflicted, it is socially produced.

It must be said that a good deal of violence in families is caused by women, both in the form of provoking violence and in the form of abusing children. A re-examination of the data from the Office of the Status of Women's study on domestic violence indicates that female violence against children is almost as widespread and of as much community concern as the violence of men against women.

The Child

The third element of the family system is, of course, the child. Here we have a lot to answer for because it is through the child that we perpetuate the culture of violence and educate them in the role. We teach conformity to the authority of others rather than the development of self control; we perpetuate the sexist assumption of male superiority; we encourage competition rather than co-operation, and we reward children for individual success rather than for what they can contribute to the well-being of others. The school, as our major alternative parent, also perpetuates this model of competitive aggression and it is small wonder that many young men grow up to regard aggression as acceptable.

Cultural toleration of violence derives in large part from our child-rearing values and practices. The Wesleyan emphasis on the

doctrine that children inherit "original sin" and must have it beaten out of them has taken a long time to overturn, despite the dictates of modern developmental psychology. Children are punished physically and often see their parents in physical acts of aggression. The lesson is that it is acceptable to hit those you love, to hit others both as an end in itself and to achieve some goal, and for the more powerful to use physical force over the less powerful. Given the greater strength and status of males they can hit and not be hit back or hurt as much. Parents allow their children to watch television programs (including the news) without comment on the unacceptable levels of violence being used. The lesson is that violence is normal, peace does not pay, the powerful always win, swift and violent action gets results, attack is better than defence. Boys are encouraged to be physical and aggressive, girls less so with heroes and heroines in children's literature usually modelling the "appropriate" qualities of passivity and machismo.

Reasoning, explanation, controlling anger and conflict management techniques do not typify the average home.

In the United States of America, national surveys of the incidence of violence show that 68 per cent of parents "slapped or spanked", 32 per cent "pushed, shoved or grabbed", 5 per cent "threw something at the child", 13 per cent "hit the child with something". Sibling violence is high. In homes where there was couple violence, one quarter of the victims were women, one quarter were men (we forget that wives can be violent too) and in one half both male and female were violent, either as the initiator or in self-defence. Even with teenagers, 3.5 per cent were violent to their parents. We have no comparable figures for Australia, though Institute of Family Studies' figures show an unacceptably large number of parents (mostly mothers as the disciplinarian) using physical hurt and coercion as a means of control.

Such forms of coercion are known to result in poor self-control, low self-esteem and other negative developmental outcomes in children, and better parent education seems essential if we are to stop producing fearful, hostile and badly controlled children.

Conclusion

Financial inequalities, aspects of the law, family isolation and the influence of the media have all contributed in some way to a climate conducive to violence in Australian society. The whole consumer ethic of modern industrial society encourages self-assertion, aggression, competition, distrust, and the use of violence in forms that are legitimate. Until we can change this whole process of socialised aggression we have little hope of reducing the incidence of domestic violence. However, something can be done.

TABLE 2: **Percentage of children reporting the use of punishment methods by mothers and fathers**

Form of punishment		Primary school		Secondary School	
		Boys (n = 89)	Girls (n = 106)	Boys (n = 96)	Girls (n = 111)
Yell at you	Mother	94	96	86	84
	Father	78	82	69	64
Hit you	Mother	81	74	14	17
	Father	76	63	30	22
Send you to your room	Mother	81	71	33	17
	Father	66	51	22	17
Stop you from watching television	Mother	60	63	53	48
	Father	54	45	50	42
Stop you from seeing friends	Mother	53	39	10	21
	Father	39	20	12	21
Make fun of you	Mother	12	8	6	16
Tell you they don't love you	Mother	6	2	6	4
	Father	4	0	6	2

Source: Amato, P. 1987, Children in Australian Families: the Growth of Competence, Prentice-Hall, Sydney.

There needs to be

- a concerted attack on legal indifference to the use of violence;

- a reduction of the barriers to equality between men and women and between social groups within society; and

- a much more concerted effort to develop substitute links for the extended family and neighbourhood networks which have served in some societies to reduce the incidence of both private and public violence.

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Explaining Violence: Socioeconomics and Masculinity

Christine Alder

There are many different forms of violence in our society, some of which are taken for granted: in the home, parents hit children; on the playing field, sportsmen assault each other; at work, industrial "accidents" occur; in our community, dangerous chemicals are dumped; our government turns a blind eye to the practices of some police officers; and our governments are responsible for the mass violence of war. A more detailed discussion of the socioeconomic causes of violence in our society than is possible here, would begin with an analysis of the social and political factors which determine why some forms of violence are defined as "criminal" while others are not.   While acknowledging the political and ideological construction of crime, this paper will concentrate on some of the socioeconomic explanations for violent "street crime"3/4crimes such as homicide and criminal assault.

For some time in criminology the study of "street crime" was considered a conservative project; to do so was to accept and reinforce the state's definition of crime. More recently it has been argued by Left Realists in Britain (*see also* an earlier paper by Platt 1978) that to ignore such crime is to deny that it is a significant problem for the least powerful people in our society (Young 1986). Violent street crime is predominantly intra-class and intra-racial. The victims of this form of crime are most often the economically oppressed members of our society. While the suffering caused by white-collar crime is extensive and damaging, the more vulnerable people are socially and economically, the more likely it is that they will be victims of both street crime and corporate/white collar crime. To ignore violent street crime is to deny that, ". . . the reality of crime in the streets can be the reality of human suffering and personal disaster" (Young 1986, p. 21) .

Official crime statistics indicate that most violent street crime occurs between young (in their twenties), working-class or underclass, males. This suggests three factors for consideration in explanations of violent street crime: class, gender and age. In socioeconomic analyses, perhaps the most widely researched and empirically supported factors have to do with economic inequality. The present essay begins with a brief overview of this literature before turning to the least researched issue3/4maleness and masculinity. This discussion is followed by consideration of the implications of a third factor3/4the "legitimation of violence" in our society. In the conclusion it is maintained that an understanding of violent street crime will require further examination of these three factors and their inter-relationships.

Inequality and Unemployment

In his discussion of crime in America, Currie (1985, p. 146) comments that, ". . . there is an accumulated fund of sophisticated research linking serious crime with social and economic inequality". While some studies have found a relationship between poverty and crime (for example Loftin & Parker 1985; Taylor & Covington 1988), others indicate that income inequality (the degree of relative poverty) is a better determinant of crime than absolute poverty (Loftin & Hill 1974; Danziger & Wheeler 1975; Blau & Blau 1982). Braithwaite & Braithwaite (1980) concluded from their study of homicide rates in thirty-one nations, that higher homicide rates were strongly related to economic inequalities. They used a number of measures of economic inequality including the gap between the rich and the average wage earner, the disparities in income between workers in different sectors of industry and the percentage of gross national product spent on social security.

In the United States, Blau and Blau (1982) also found that high rates of criminal violence were strongly related to economic inequalities, particularly when those inequalities were based on race. The independent variables they used included: percentage black, percentage poor, income inequality and racial socioeconomic inequality. In interpreting their findings, Blau and Blau argue, "Thus aggressive acts of violence seem to result not so much from lack of advantages as from being taken advantage of, not from absolute but from relative deprivation" (Blau & Blau 1982, p. 126).

Race is a key factor in studies of violent crime in the United States where race is recognised as a major vector of social and economic inequality. In fact it has been argued that the two factors, race and economic inequality, are so interrelated that it is difficult in quantitative studies to separate their effects. While in Australia there is also extreme racial inequality in both social and economic terms, the implications of this inequality for violent crime have not been fully explored. However, there is some indication that the homicide rate

within the Aboriginal community is substantially higher than it is in the non-Aboriginal community (National Committee on Violence 1990).

Unemployment or labour force participation rates have frequently been used in studies of the economic influences on crime. From a review of sixty-three such studies, Chiricos (1987) concluded that there was sufficient evidence of a link between unemployment and crime to remove the "consensus of doubt" in criminology about this topic. Particularly in the United States, some of these studies found that unemployment rates were positively related to rates of violent crime (for example, Kau & Rubin 1975). Bechdolt (1975) concluded that the unemployment rate was a significant and strong predictor of both violent and property crime rates. However, findings of a positive and significant relationship with unemployment are more frequent in instances of property rather than violent crime (Chiricos 1987).

Studies of the relationship between unemployment and crime are plagued by methodological problems. In her review of the literature on the general issue of the "economics-crime link", Belknap (1989) comments on the overall inconsistency of the findings. She observes that it is in the few analyses of individual-level data that the finding of a relationship between unemployment and crime is found most consistently (Belknap 1989, p. 145). Few of these studies however, focus on the implications for violent crime in particular.

Overall Belknap concludes that "There is still much to be learned about the relationship between economic variables and crime rates, which at times appears murky and difficult to assess" (Belknap 1989, p. 151). In part this uncertainty is probably because there is not a simple, direct, inevitable link between unemployment and crime (Alder 1986). However, it is also the case that methodological and statistical problems with the types of aggregate data analysis often used in studies of economic influences in general and unemployment in particular, contribute to the difficulties of using them as the basis for conclusive evidence (Belknap 1989; Archer & Gartner 1984). Belknap concludes from her review of such studies that perhaps macro-level measurements of unemployment and income levels may be too imprecise or vague to be useful (Belknap 1989, p. 151).

Others have argued that the important factor for understanding criminal involvement is not whether a person is out of work but rather the nature of that person's relationship to the workforce. The increasing marginalisation of some groups, particularly the young (Polk 1989), and the development of an "underclass" (Duster 1988), means that some people are not simply out of work, they are so far out they have ceased to look for it (Currie 1985, p. 117). People who cannot see the opportunity to work in either the present or the future, have little incentive to abide by the rules of a society which has rejected them.

Further, the development of social commitments is thought to require more than simply having "a job". The importance and the value of work is not only that it provides materially, but that it also enables a person to participate in society, to feel that they have something to contribute. Work which does not allow a person to experience a sense of worth, is less likely to develop a commitment to society. As Currie argues:

> Whether work can avert crime, in short, depends on whether it is part of a larger process through which the young are gradually integrated into a productive and valued role in the community. Similarly, whether it is a temporary interruption of a longer and more hopeful trajectory into that kind of role, or represents a permanent condition of economic marginality that virtually assures a sense of purposelessness, alienation and deprivation (Currie 1985, p. 117).

Thus it is argued that an important feature of unemployment is the absence of secure and satisfying work. Once unemployment is considered in this way, then it is apparent that the discussion of the relationship between unemployment and crime is inevitably linked to that of the inequality and crime relationship.

Those who are sceptical about a link between economic status and crime argue that the relationship, observed in official crime statistics, is an artifact of race and class bias in criminal justice system practice. While not denying that such bias exists, the strength of the relationship would seem to be beyond that which could be explained simply in terms of bias (Braithwaite 1979, pp. 32-46; Currie 1985). Further, to try to explain the relationship away simply in terms of bias, is to deny the reality of life for those people suffering the consequences of economic inequality.

Braithwaite concludes from his analysis of studies of these issues that "there has been an absolute dearth of counter-theories predicting that poverty and powerlessness do not encourage crime" (Braithwaite 1979, p. 230). There are however, he argues, "reasonable theoretical grounds" and "substantial empirical evidence" to suggest that a redistribution of wealth and power would diminish crime.

A Problem: Male Blindness

The fact that gender is perhaps the most powerful predictor of violence and a major dimension of economic inequality is virtually ignored in studies of the socioeconomic causes of violence. This is particularly true of research based on aggregate data. Most research in this area is what Cain describes as "masculinist", it "treats gender relations as redundant . . . as if they were not present" (Cain 1986, p.258).

Some research indirectly acknowledges that there may be differences in the nature of the relationship between economic factors and crime for males and females by specifically using data from male populations. Such studies thereby ignore females. They also do not pursue the implications of the fact that their data do concern only males; that is, maleness as a causal factor is ignored. In fact Braithwaite, observing that research analysing employment and labour force participation typically relied on male data, commented that this is evidence of "the accumulated sexism of criminology as a discipline" (Braithwaite 1979, p. 54; *see also* Belknap 1989, p. 151).

Recently there has been a growing body of research indicating that economic marginalisation is a factor to be considered in efforts to understand female crime. In the United States, for example, Jurik (1983) found that female ex-offenders were less likely to commit economic crimes if they had legal employment or were receiving unemployment benefits (see also Chapman 1980). In England, Box and Hale (1984) found that increases in the rate of female unemployment were significantly related to increases in rates of conviction for violent crime (assault and wounding) theft, handling stolen goods, and fraud. Similarly, in her most recent book, Women, Crime and Poverty, Pat Carlen (1988) identifies four factors involved in the law-breaking and criminalisation of her female subjects3/4poverty, being in residential care, drug (including alcohol) addiction, and the quest for excitement.

However, the inclusion of women in the inequality/crime discussion creates a dilemma for those who want to conclude that ". . . the worse the deprivation, the worse the crime" (Currie 1985, p. 146). The economic deprivation of women relative to men would lead to the assumption that women should commit more violent crimes than men. Since this is not the case, the question most often posed by criminologists in the past has been "Why aren't women more criminal or violent?" (Brown 1986). Less frequently posed has been the question "Why is it that men are more likely to commit violent crimes?" That is, in their examination of the observation that violent street crimes are most often committed by lower class, young men, criminologists have focused upon economic status but not gender.

Masculinity and its implications for violent behaviour were important aspects of the theories of Miller (1958), and Wolfgang and Ferracuti (1967) (see also in Cuneen 1985). Wolfgang and Ferracuti note that with respect to violent crime, ". . . almost universally . . . Males predominate everywhere" (Wolfgang & Ferracuti 1967, p. 258). They conclude from this observation:

> In general, a review of the statistical and clinical literature from many societies indicates that the age-sex category of youthful males exhibits the highest association with violent crime and that physically aggressive behaviour for this group converges with notions about the masculine ideal (Wolfgang & Ferracuti 1967, p.260).

Both the criticisms and the research which flowed from these studies, focussed on the "sub-culture" and class assumptions in both: their comments regarding masculinity were not taken up to nearly the same degree. The Australian feminist, Judith Allen, has commented on this phenomena:

Men's criminality can be discussed in terms of their class, their race, their age, their religion, education, occupation, or marital status; but the role of their membership of a sex is never investigated as it is for women, by non-feminists and feminists alike (Allen 1988, p. 16).

Allen's observation is supported by a review of the literature on violent street crime. In the past we have observed the maleness of violent crime, but we have rarely considered "masculinity" as "a variable, an analytic dimension, a causal factor, a discursive condition" (Allen 1988, p. 16).

Feminism, Male Violence and Masculinity

More recently feminist researchers, particularly in Britain, have taken up the "maleness" of violent crime as a major issue for research and theory development. Their work begins with the argument that most violent crime is committed by men against women. This is contrary to official statistics which indicate that men are most often the victims of violent crime. However, a major concern of feminist scholars has been the extent of "hidden violence" against women. Findings of victimisation studies indicate that official statistics significantly underestimate the level of violent crimes against women. Factors which contribute to this include: the criminal justice system response to violent crimes against women; the unwillingness of women to acknowledge themselves as victims of violence at the hands of male partners; and their difficulty in identifying these violent encounters as "criminal".

The term "street crime" is appropriate for describing the sorts of crimes that have been of concern to criminal justice agencies, not only because it distinguishes them from "crimes in the suites", it also reflects concern with crimes which occur in public rather than those which occur in private. Men are more likely to be victims of crime outside of the home, while for women it is in the privacy of their own home that they are most vulnerable to violence (Stanko 1988, p.41; Scutt 1983). Police and other agencies of the criminal justice system have been reluctant to define such incidents as "criminal", or to respond to such "family" matters (Stanko 1988; Scutt 1983). Consequently violent assaults against women are marginalised and trivialised within the legal system (Hanmer & Maynard 1987, p. 7) and a good deal of the violence against women is never recorded in official statistics.

Women themselves have been reluctant to define violent interactions as "criminal" or to report them to outside authorities. This reluctance has to be understood in the context of the ideology of the family and gender relations within which women may blame themselves for such incidents or they may fear that in reporting them, their own respectability will be threatened (Stanko 1985; Kelly 1988). As a consequence, these events may not even be revealed in victim studies.

Feminists researching in this area have been identifying the mechanisms which inhibit women from defining physical assaults against them as criminal or violent and have been developing research strategies which are sensitive to women's definitions of violence (Kelly 1988). The identification of the processes by which violence against women remains "hidden", has contributed to a growing awareness of the extent of violence committed against women by men and the extent to which violence is a feature of men's control of women.

Feminist theories of male violence against women emphasise the social construction of masculinity, violence and sexuality in patriarchal societies (Dobash & Dobash 1979; Edwards 1987; Hanmer & Maynard 1987; Hanmer, Radford & Stanko 1989). For feminists, male violence against women in male dominated societies is an expression of male power which is used by men to reproduce and maintain their relative status and authority over women.

For some feminists the use of violence is so integral to the maintenance of a male dominated society that it is regarded as pervasive, affecting all women in one way or another (Stanko 1985, p.9). Thus, some feminists maintain that the concept of "class" is irrelevant to an understanding of male violence in a society where the central power dimension and basis of inequality is gender stratification (Hanmer & Maynard 1987, p. 11; Hatty 1988). Other feminists have argued that to understand male violence we need to recognise the complexity of interactions between gender stratification and other power structures including class. For example, Hanmer et al. (1989, p. 6) argue that while it is true that all women are in an inferior social status in relation to men, power structures other than male supremacy affect the social status of women, in particular power structures based on systemic inequalities such as race and class.

From a quite different theoretical position, two psychologists, Daly and Wilson (1988), concur with the observation of femininists that violence is predominantly perpetrated by males in order to establish and maintain control of women. They argue that man's psyche is "obsessed with social comparison, with the need for achievement and with the desire to gain control over the reproductive capacities of women" (Daly & Wilson 1988, p. 136). However, unlike feminists, their main concern is male to male violence. They observe that there is no evidence that the women in any society have ever approached the level of violent conflict prevailing among men in the same society (Daly & Wilson 1988, p. 149).

According to Daly and Wilson (1988, p. 125), the most common type of homicide involves two acquainted, unrelated, males in a dispute over status or face: such altercations are described by Wolfgang as "relatively trivial in origin; insult, curse, jostling". However, Daly and Wilson question the "triviality" of these altercations:

> A seemingly minor affront is not merely a "stimulus" to action, isolated in time and space. It must be understood within a larger social context of reputation, face, relative social status, and enduring relationships. Men are known by their fellows as "the sort who can be pushed around" or "the sort who won't take any shit," as guys whose girlfriends you chat up with impunity or guys you don't want to mess with. In most social milieus, a man's reputation depends in part upon the maintenance of a credible threat of violence (Daly & Wilson 1988, p. 128).

This 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. Such altercations are thus directly or indirectly tests of masculinity in a society where the "accepted masculine man" must "adopt the values of male superiority" (Rutherford 1988, p. 24).

Another theory (Black 1984, p. 1) claims that "much crime is moralistic and involves the pursuit of justice". He argues that behaviour defined as criminal is often a response to the behaviour of someone else which the offender defines as "deviant". Black thereby contends that crime is in fact a form of social control (see also Katz 1988, ch. 1).

While men are responsible for most of the violence in our society, not all men use physical violence to resolve their conflicts with other men, and not all men are physically violent towards their female partners. The relationship between masculinity and violence is thus complex and requires further analysis.

Morgan (1987) argues in his article on "Masculinity and Violence", that both of these notions are in fact variable and diffuse; there are different masculinities and some violence is legitimated while some is not. He points out that often we do not acknowledge the different forms of masculinity. Morgan argues that our paradigm of masculinity, particularly, I would add, in discussions of violence, is often taken to be something derived from studies of "working class lads, the lower echelons of the military or civilian organisations, football hooligans or street corner gangs" (Morgan 1987, p. 191). To illustrate the different constructions of masculinity, Morgan points out that even within the public school system in England, different schools may aim for different types of the ideal man: "the hearty all-rounder; the cultivated gentleman; the gentlemanly scholar; the healthy Christian and so on" (Morgan 1987, p. 191). To recognise only one form of masculinity, most often that construction identified in the

literature as working class, is to ignore its complexity, to neglect other constructions of masculinity and their relationship to the construction of violence.

Further analysis of the various constructions of masculinity and their relationship to violent behaviour, Morgan argues, will facilitate the identification of ways to alter some violent processes. For example, he notes that even within groups which encourage violence in some circumstances, a man who can control his violence may be held in higher regard than one who engages in indiscriminate violence. That is, in some male groups the control of violence is as much an expression of masculinity as engaging in violence. For example, he observes that, "Calling the dozens, duelling and even bar-room brawling (Dyck 1980) are forms of rule governed behaviour" (Morgan 1987, p. 186). He then gives the following example of the complexity of the relationship between cultural norms and engaging in violence.

> For example, "scrapping" may be a common activity in some western Canadian bars (Dyck 1980), yet men are not obliged to scrap in these contexts and are not thought of as "unmasculine" if they define themselves as "non-scrappers". In contrast, certain types of scrappers known as "chicken-shit bastards" (cowardly bullies) and "ranatangs" (from orangutan) are feared and avoided rather than admired. Admiration may be accorded to "man who can take care of himself" but even that may not extend beyond the bar (Morgan 1987, p.189).

The complexity of the interrelationship between masculinity and violence illustrated in this example, indicates the need for more detailed analyses of the social constructions of both violence and masculinity and the relationships between the two. Once we understand both masculinity and violence as social constructions which are inter-related, then the control of violence will entail the re-definition and the re-construction of some masculinities to those that "no longer resort to violence and misogyny to maintain a sense of coherence" (Rutherford & Chapman 1988, p.18).

The Legitimation of Violence

While there is some variability to masculinity in our society, violence itself is also a "various and diffuse" concept (Morgan 1987). There is some indication that the form of violence engaged in by males may vary to some extent by class. Wife battering is an example of a form of violence that occurs across class lines and we are uncertain of the extent to which it may or may not be more likely to occur within one class or the other. On the other hand, some other crimes are less likely to remain hidden. Homicide, for example, has higher levels of reportability and uniformity in interpretation than any other crime category (Braithwaite & Braithwaite 1980, p.45). Research consistently

finds that males who resort to this extreme form of "street" violence are more likely to be young and lower class.

In the past, perhaps the most influential theories to attempt to understand the relationship between masculinity, violence and class, have been the "sub-culture" theories of Miller (1958), and Wolfgang and Ferracuti (1967). These theorists postulated a distinct set of lower class values within which the model of masculinity was one of toughness, overt physical aggression and "badness" (see Katz (1988, ch. 3) for a more recent discussion in subcultural terms. However, his analysis does not explicitly attempt to develop a theory of the relationship between class, gender, and violence). A "compulsive masculinity" is thought to derive from the efforts of young males to separate themselves from their female dominated home lives. Within this subculture, the display of the capacity for violence may be admired in a man or even be obligatory. On the other hand, it is argued, middle and upperclass males tend to condemn overt physical violence and to manifest their masculinity in more symbolic ways such as, "debating societies, musical virtuosity and literary talent" (Wolfgang & Ferracuti 1967, p.306).

This theory has been roundly criticised over the years. In general these criticisms have to do with the lack of empirical support, particularly with respect to the identification of a distinct "subculture of violence". Wolfgang and Ferracuti (1967, p.306) themselves lamented the fragmentary evidence with which to evaluate their propositions and since their writing the empirical support remains at best inconclusive. Researchers have had difficulty establishing the extent to which the variance in violence between cities or states can be attributed to cultural values as opposed to more structural factors such as low income and poor education (Currie 1985, p.164). For example, in their investigation of this issue, Blau and Blau (1982, p.114) concluded that, "if there is a culture of violence, its roots are pronounced economic inequalities, especially if associated with ascribed position". In fact the most consistent criticism of subcultural theory is that it postulates a subcultural set of values independent of the exploitation and economic circumstances in which some people are living.

In an interesting critique of Miller along these lines, Greenberg argues that the masculine anxiety hypothesised by Miller, has more to do with economic circumstances, such as unemployment, than with family configuration. Greenberg argues in terms of a masculine status anxiety which has to do with an economic reality which prevents young men from fulfilling traditional male role expectations concerning work and the support of the family. He comments:

> In this interpretation, a compulsive concern with toughness and masculinity arises not from a hermetically sealed lower-class subculture "with an integrity of its own" nor from the psycho-dynamics of a female-headed household but as a response to a contradiction between structural constraints on male status

attainment imposed by the larger economic and political order and the cultural expectations for men that permeate American society (Greenberg 1978, p.65).

The resultant masculine status anxiety may mean that some young men turn to whatever means are at their disposal to establish their masculinity. Thus, Greenberg argues, attempts to dominate women and other forms of interpersonal violence may produce the sense of potency not available to these young men in other spheres of life (Greenberg 1978, p.65). However, Greenberg fails to question the content, or the source, of the expectations of the "traditional male role model".

A further problem for the subculture theories of violence is that researchers have not been successful in their efforts to isolate a "subcultural" set of values that are distinct from values held by males in other classes (Braithwaite 1979, p.77). The approval and practice of violence are more pervasive than is acknowledged by these theories. This becomes most apparent in studies of wife battering. In Australia there is evidence that the use of physical force by one spouse against another is condoned by many people (Public Policy Research Centre 1988). In the United States, one study concluded that "one fifth of all Americans approve slapping one's spouse on appropriate occasions. Surprisingly, approval of this practice increases with income and education" (Stark & McEvoy 1970, quoted in McCaghy & Cernkovich 1987, p.137). Public opinion polls in the United States also show widespread support for violence committed by police (Archer & Gartner 1984, p.63). Thus to find justifications for violence we do not have to look to subcultural values.

In society in general some forms of violence are accepted, normalised and legitimated. In fact, Morgan (1987, p.182) points out, in some cases the legitimating process may be so effective that the violence is not recognised, for example corporal punishment in schools or at home. The extent to which violence is legitimated in a society is thought to affect the incidence level of unlegitimated violence, or violent crime.

In their study of the increase in homicide rates after war, Archer and Gartner (1984) found support for what they referred to as the "legitimating of violence model". The model suggested that the social approval of killing, or the legitimating of violence during the war period produced a lasting reduction of inhibitions against the taking of human life. They concluded that when acts of violence occur, and more particularly when at least some such acts seem to be socially acceptable or even lauded, then general attitudes toward the use of violence shift in the direction of acceptance, and thresholds for resorting to violence fall.

This research supports the obvious, although often ignored, proposition that the extent to which we condone and allow any violence in our society will affect the rate of violent crime. If we are concerned to reduce the incidence of violent crime, we will have to

address those norms, values and structures which legitimate and glorify other forms of violence in our society. As Gelles has commented, "To reduce violence in our homes, we must reduce violence in our society" (Gelles 1987, p.9; *see also* Schwendinger & Schwendinger 1983).

Conclusion

From his analysis of the research on economic inequality and crime, Braithwaite (1979, p.236) concluded that, "A strong prima facie case has been made in this study for the proposition that reducing inequality of wealth and power will reduce crime." My review of the literature on violent crime supports this proposition, but additionally we will also have to confront gender stratification and male power. Most apparent, is the need to confront our construction of masculinity. Overseas research also indicates that racial inequalities will have to be addressed. Of course, these three vectors of structured inequality (class, race and gender) are not mutually exclusive, but are highly interactive. The challenge for socioeconomic explanations of violent crime is to further refine and elaborate the nature of these interactions and their implications for violent behaviour.

Within the context of these inequalities, whether or not a person will resort to violent crime is affected by the degree to which other forms of violence are condoned and accepted in the society. Violence breeds violence and thus to deal with violent crime we will also have to look more closely at the other forms of violent behaviour which are presently tolerated in our society.

Overall, to control the level of violent crime, we ultimately have to address the structured inequalities of our society and the values and attitudes which maintain and reproduce them. These are the hard issues to confront, but ultimately they have to be addressed because they constitute the context within which all other efforts have to operate.

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The Causes of Public Violence: Situational "versus" Other Factors in Drinking Related Assaults

Stephen Tomsen, Ross Homel, Jenny Thommeny

The research literature on violence gives very different accounts of the etiology of such behaviour. Some accounts place a stress upon the broader structural origins of violence, regarding it as the outcome of some general feature of our society and culture, such as inequalities of power or material well being (for example, Braithwaite 1979). Others emphasise the more immediate correlates of violence, often seeking individual or group explanations at the micro-social level (for example, Olweus 1988; Toch 1984).

Whereas wider structuralist accounts are in danger of descending into a determinism which denies volition in human behaviour, micro-social accounts may move towards a narrow empiricism. The latter can take the directly observable features of a situation or incident to be the most important or plausible factors of cause and explanation.

Single and multi-causal accounts of violence may both fall into such pitfalls of structural determinism or narrow empiricism. This can lead researchers onto a tightrope walk between reductionist perspectives which cannot address the real complexity and variation in human behaviour as lived experience, and a viewpoint that is incapable of distinguishing between the most and least important causes of a phenomenon.

Researchers who endeavour to unearth what they believe are the localised "situational variables" relating to some problematic

behaviour, may then confer an analytical privilege on them, dismissing other less apparent variables and factors as irrelevant. However, it is argued here that empirical research that explores some social phenomenon by direct observation at the local level, need not necessarily fall into this sociologically narrow position. A reflexive position can consider the effects of the observable and also the broader forces that may less obviously impinge upon the phenomenon studied.

The situational factors that appear to be tied to the occurrence of violence in our society cannot stand by themselves in grand isolation, and do not have a separate existence unrelated to broader social forces. We illustrate this point by reporting here on the early results of our current research--an observational study of violent public drinking locations in Sydney.

This study examines the situational variables in the public drinking environment which characterise occasions of violence. The data collected for this research cannot be meaningfully understood without giving due consideration to broad aspects of culture, social inequality, the state and public policy, and how these have historically shaped the response of the legal system to public violence.

Certain features of the public drinking environment owe their existence or prominence to these wider forces. It is evident from this research that there is a whole range of public violent crime in our society which is of marginal or no interest to the state. This is disregarded within an official discourse about violence, and ignored until it offends some de facto victim termed the "public order". Its denial or existence in this mutated form, cannot legitimise the considerable social injustice that proceeds from these situations.

Alcohol and Violence

There is a vast international literature which seeks to draw out the links between alcohol and violent crime (see Collins 1982a). One of the present authors has elsewhere (Tomsen 1989) classified these into four major categories as follows.

Studies of convicted criminals and alcoholics: these have found a positive correlation between high alcohol use and a personal history of involvement in arguments, fights and criminal assaults. Some of them suggest a link with domestic violence, with excessive alcohol use by assailants, victims, or both in the families studied (Tomsen 1989; Collins 1982; Roslund & Larson 1979; Hamilton & Collins 1982).

Studies of past criminal acts and violent incidents: these retrospective analyses have found a high level of alcohol use by assailants, and frequently by the victim as well. They find that drinking appears to help precipitate such incidents and increase the risk of victimisation (Collins 1982; Gerson 1984; Abel & Zeidenberg

1985, NSW Bureau of Crime Statistics and Research 1977; 1974; Wallace 1986).

Clinical studies of aggression: these are studies by clinical and social psychologists, observing the behaviour of people who have consumed alcohol in laboratory settings. They note a general rise in aggressive feelings among subjects, particularly groups of men (Taylor 1983; Zeichner & Pihl 1980).

Studies of public drinking: these mostly comprise wider surveys of public drinking habits involving calculating the levels of consumption among different socio-demographic groups. But there is also a slowly growing number of direct observational studies of drinking in natural settings (Single 1985; Clarke 1985).

Tomsen (1989) also points out what are seen as the chief methodological flaws, limitations, and advances of these studies. In particular, studies of criminals/alcoholics and other "types", and violent criminal incidents, are open to the charge of biased samples. They study social groups and occurrences which have been subject to exceptional levels of state scrutiny and regulation. The criminal/deviant behaviour which can be linked to the drinking habits of participants in violence may be pre-existing. The supposed relationship between excessive alcohol use and violence in these groups may also be misleading if both phenomena are features of some common third factor, such as the poor or deprived social conditions from which these researched groups mostly originate.

It is worth noting that both levels of drinking and the likelihood of violent incidents rise during periods of high social interaction. Their occurrence during the same time periods may lead to the misleading belief that they are necessarily connected. This research also has to meet the problem of "deviance disavowal": these subjects may frequently cite their drinking as an excuse for their behaviour or actions. A husband may claim that his use of alcohol is the single or major cause of his mistreatment of his wife, so as to relieve his guilt or to seek leniency in the legal system.

Aggression studies in clinical settings have come to reject the notion that it is merely the pharmacological effects of alcohol that result in aggressive behaviour, acting as a disinhibitor of some innate instinct or drive (Greenberg 1982). Situational factors such as an all-male setting, group drinking and stressful surroundings are now considered important in the production of aggressive feelings (Carpenter & Armenti 1972; Boyatzis 1974; Levinson 1983). As Carpenter and Armenti put it, "the circumstances of drinking produce greater changes in behaviour than the alcohol does" (Evans 1986).

However, these studies are limited in their generalisability to natural settings, where the salient situational factors may be quite different. Some researchers have begun to theorise about drinking in these settings, with a resulting interactionist perspective which stresses the importance of patterns of social relations in these contexts, and the effects of excessive drinking upon social competence.

The "cognitive impairment" resulting from a drunken state leads to a frequent misinterpretation of social cues and a misunderstanding of the actions and intentions of others, especially in situations of group drinking (Pernanen 1982; Zeichner & Pihl 1980; Hull & van Treuben 1986). This theorising could be used to complement the small number of studies of aggression in drinking locations. The best of these is Graham's study of aggression in different bars in Vancouver (Graham 1980). This concluded that such environmental features as general atmosphere, physical appearance and staff behaviour can signal and encourage the appropriateness of aggressive behaviour.

As well as all these factors, cultural anthropologists have observed a great variation in the behaviour of different people in drinking situations, in accordance with what McAndrew and Edgerton term the "drunken comportment" of each society or culture (McAndrew & Edgerton 1969). It does not seem, however, that the link between violence and drinking, rather than alcohol, is an entirely spurious one. Certain drinking situations in our society are characterised by violence. This is regardless of whether the connection with alcohol is an indirect one, and the result of social relations and interaction rather than chemistry. These violent drinking situations merit some far more intensive study than they have so far been given.

Studies of Public Drinking

Several studies indicate that the majority of incidents of public violence occur in settings which involve young working-class males as both assailants and victims, that they are focused around "time out" periods at night and towards or during the weekend, and are centred on entertainment areas and venues (Robb 1988; Victorian Ministry for Police and Emergency Services 1989). Principal among these are the public drinking locations where large numbers of young Australians spend their leisure time.

A 1988 (Robb) report by the New South Wales Bureau of Crime Statistics and Research on the growing number of serious assaults in that state, found that 40.12 per cent of incidents had been marked by police as alcohol related (Robb 1988). Between 1971 and 1986-87, 19.53 per cent of these are recorded as having occurred in licensed premises. But it is noted that police are quite literal about the incident having taken place right within the premises.

Unpublished figures obtained from the New South Wales Police Department show that of the 6,103 alcohol related assaults (serious and common) recorded within the period July 1988 to February 1989, 1551 (approximately one-quarter) are recorded as occurring in licensed premises. This figure is also probably considerably understated. The data show a general correlation between assault "peaks" and hotel and licensed club closing hours.

The 1989 study from the Victorian Ministry of Police and Emergency Services, referred to above, which monitored the effect of the liberalisation of licensing hours in that state, has also led to political concern regarding the marked increase in assaults both generally and particularly in licensed premises which followed those changes. This found a sharp rise in serious assaults of 18.5 per cent between 1986-87 and 1987-88, and a further 20 per cent between 1987-88 and 1988-89. Assaults in or immediately outside pubs or clubs grew from 17.5 per cent to 27.7 per cent of the total in this latter period. This report concludes that, apart from the domestic violence category, most of the serious assaults on civilians reported to police occur between strangers, commonly in public settings, particularly in and around pubs and clubs or in the street, and on young male victims.

There is still a paucity of detailed information worldwide, and particularly in Australia, which might explain these apparent increases in levels of violence. We have attempted to begin to fill some of these gaps in our knowledge through a study of public drinking funded by the Australian Institute of Criminology and New South Wales Directorate of the Drug Offensive. This study, which is nearing completion, utilises various research methods. Data sources include police statistics, interviews with general duties and other police, and an observational study of public drinking, the tentative results of which are presented here.

Study of Public Drinking Establishments in Sydney

This study of violent and non-violent control drinking establishments is the first of its kind in this country, and commenced in April 1989. It involved field visits by a small number of observers to different pubs, clubs and nightclubs in the Sydney region. Although premises are sometimes marked on assault records, at that time there were no central police records of the most violent locations. We attempted to overcome extensive sampling problems by gathering information from interviews with licensing police around Sydney, who by law are responsible for the regulation of these premises.

This information was supplemented by contacts with chamber magistrates, who operate an old and well known free legal service in New South Wales courts, with many assault victims coming to them for help. We also had discussions with local general duties police and officers from the security industry. Some of the research team had a first hand knowledge of violent and other drinking locations which proved useful.

The level of information obtained proved to be uneven in quality, and after several of our first field trips it was considered not feasible to study all of the emergent types of regularly violent

premises coming to our attention within the constraints of time and limited resources.

Those locations which we classified as "skid row/marginal" drinking establishments were not studied. These places were generally physically rundown. But it could also be suggested that the aggression and violence of these locations derived principally from the patron type rather than other aspects of the drinking environment--a view which needs to be tested by other researchers. This "skid row/marginal" category included places where all or the majority of patrons comprised such groups as bikies, skinheads, punks, drug addicts and dealers, certain racial minorities, and people released from prisons or mental institutions. These were distinctly territorial and the researchers felt most conspicuous and unwelcome in them.

The exclusion of these premises from more detailed study has admittedly taken many of the more violent locations in Sydney out of this research. But the aim of this study was not just to observe as much violence as possible, but to have generalisable findings through a focus on locations which although violent, are mainstream drinking venues frequented by everyday Australians.

Another type of location which we have not subjected to very detailed study, perhaps surprisingly, is the venue popularly associated with the most violent drinking occasions. This is the commonplace local workingman's pub. Police interviews and our observations would suggest that although many of these locations are "rough" and rowdy, and middle-class people feel quite out of place in them, most are not as regularly violent as is commonly believed.

Some of these are obviously trouble spots, and there is a difficulty interpreting whether or not police assurances that these places handle problems "inhouse" simply means they are little trouble to police, rather than actually non-violent. But from our own observations it seems that trouble and fights here are generally defused by the publican or groups of patrons who are often known to the parties involved, and that the violence does not seem to follow the regular patterns that we have found in other locations.

Several of these types of bars exist within the sites chosen for more intensive study, and were visited often. But this venue "type" seems to carry far less violence than the sites we focused on. This may be partly only a consequence of their generally lower number of patrons. Further research into violence in this type of location also needs to be conducted.

Our conclusions regarding the key variables which most often correlate with violence in public drinking locations, are so far based on information from 47 visits to 16 different locations. These have taken observers a total of more than 300 hours of observation. To date we have conducted more intensive observations on six premises. Four of these can be readily classified as violent. The other two were selected as non-violent control locations.

The control sites were studied for the features which distinguish them from the violent locations. However, the "violent" premises are not violent for most of the time. Violent occasions in these establishments seemed to have characteristics that clearly marked them out from the non-violent times. In effect, these locations were acting as controls for themselves. This unexpectedly helped to refine our ideas about the relevant situational variables.

All six of the premises so far studied intensively are in suburban locations as it is easier to link public violence and local police problems with a particular venue in the suburbs. Although statistics published by the Police Department of New South Wales show that the rate of "offences committed against the person" for the Sydney (city) Police District was well above that for any other area of Sydney (Police Department of NSW 1988), the problems in these areas are often dispersed.

The two control locations which have been studied intensively so far are both licensed hotels, two of the violent locations are hotels and another two are licensed clubs. Hotels have commonly been regarded as rougher places, and the more likely locations for violence. Licensed clubs have often been credited with being more orderly and having good control over their patrons. But in many cases this latter reputation is no longer deserved.

It has been suggested in interviews that clubs have become more troublesome to police in the last few decades. Financial pressures are thought to have led many of them to develop forms of entertainment--principally late night discos or live music for young people--which draw unexpected problems. Some clubs do not have the experience or staff to cope with this situation.

Form of the Study

The general characteristics of the more violent mainstream premises chosen for full study, were soon rather striking. These were all popular, young persons venues with live music or a disco and with late (>12pm) trading. However, this does not indicate straightaway the "causes" of violence and trouble in these locations. We caution against the ready acceptance of possibly spurious variables which seem to offer quick and easy explanations of drinking violence, and which fit readily into the prevailing "commonsense" ideas about it. There are plenty of venues with these characteristics which are not violent.

As already noted, observers found that these locations were violent and non-violent at different times. If we chose to, it was eventually possible to concentrate observations at the times that were regularly violent. Of course, these were usually the busy periods late at night, and towards or during the weekend. But other less obvious variables altered the patterns of violence.

The occasions that were very placid, or more interestingly seemed to have the potential for violence but it did not break out,

provided contrasting periods which demanded some sort of explanation. This sort of transition was also frequently observed within the same visit; as time passed, different variables became more prominent or weakened.

Observers usually conducted visits in pairs. Sometimes they went without other researchers, but always in the company of at least one or more friends. The observations have varied in time from thirty minutes to more than five hours. Variables noted included aspects of physical and social atmosphere such as attractiveness, cleanliness, activities available, music and entertainment, movement, crowding and comfort, friendliness, boredom, hostility, roughness and aggression. We have also recorded the details of patron types, staff and staff behaviour, drinking and any incidents of violence.

These visits were then written up as separate narrative accounts by each observer. These narratives were cross-checked and later coded (within a choice of more than 150 variables) at group meetings in search of the key variables that were recurrent during high violent, violent, potentially violent, and peaceful periods.

Useful and generally reliable information about these venues was also often obtained from informal conversations with regular patrons. As the situation allowed, they were asked about their impressions of the venue, why they came there, the type and behaviour of patrons and staff, and the regularity and timing of occasions of violence. Some thought this line of abstract questioning to be peculiar, and refused to be drawn by it. But others were willing to speak freely, and our anonymity was apparently retained.

The literature on observational studies and participant observation refers frequently to the ethical questions raised by this type of data gathering--where research subjects do not know the real identity of the researcher or why it is that their knowledge or views are being solicited (Becker 1958). However, these ethical dilemmas seem minor compared with others arising in this study. The charge of sociological voyeurism which could come from our experience of seeking out and following fights and assaults in and out of these venues, is more likely, even though we have not merely been seeking out violence of any sort and without purpose.

We have observed plenty of rowdiness, aggression and arguments. Along with this we have witnessed 25 assaults, and three brawls, some incidents being quite sickening. But observers have also been abused and challenged, and on two different occasions assaulted, though without real harm. In our defence we also confess that we have twice committed an objectivist sin--we called staff who have broken up fights before they could become very serious.

Situational Variables

A tentative analysis of the data so far gathered suggests that much of the violence is not due to anything inherent in public drinking or in the typical patrons of these venues. The most recurrent and relevant

situational variables seem to be aspects of the patron type, the social atmosphere, drinking and staff behaviour outlined below.

Patron type   The typical patrons in violent premises are young, working-class males. Violent premises do generally attract a rougher more working-class clientele than the control sites studied. But the social class of patrons cannot explain the differences between these and more peaceful venues with patrons from a similar social background. Nor can it explain why the violent venues are at other times peaceful, although the patrons present are much the same.

Youthfulness may also not have an effect in the way expected by some; that young people are by nature rowdy, impulsive, unable to accept authority, and unable to hold their drink. Older people do not come to these venues in the same numbers, and for the same time--drinking for hours and staying till late. Obviously, young drinkers devote a lot more of their leisure time to attending these sorts of places.

The proportion of males, and presence of male groups, in any venue seems to exacerbate sexual competition, which causes feelings of frustration and arguments and fights. Males in groups, especially as strangers to each other, have been seen to come into conflict more readily. The venues we have studied seem to draw a larger number of these groups of strangers than others, attracting people from a fairly wide area.

Atmosphere   The adverse reputation of some premises cannot explain the considerable variation in levels of aggression and violence at different times. It is also noteworthy that a "rough" atmosphere, with plenty of rowdy behaviour, is not as good a predictor of the likelihood of violence as is usually thought or was first expected by the researchers.

"Roughness" is obviously not a single variable but a series of variables which may not include aggression and violence. Some sites are rough but at the same time friendly and free of hostility and aggression. There seems to be a buried assumption in many studies of aggression, per se, that it is part of a behavioural continuum ending in violent behaviour, and that therefore studies of aggression and alcohol may tell us something meaningful about the link with violence. This is doubtful: despite all the myths or expectations, rough pubs (which would include many of the local workingmen's pubs mentioned above) are not necessarily the same thing as violent pubs.

Two other relevant aspects of atmosphere are comfort and boredom. Comfortable premises are not necessarily the most attractive, renovated places. The most important aspects seem to be roominess, ventilation, and, especially if there is music of poor quality, only moderate noise. If patron movement, bumping and shoving are low, there is usually minimal aggression and violence.

Patron numbers are a relevant factor here. Big crowds tend to mean further discomfort, and a lack of seating aggravates the problem. Patrons on these occasions alleviate their discomfort by more rapid

drinking. This causes higher levels of drunkenness, and eventually aggressive reactions to discomfort directed at individuals or property.

The level of comfort also interacts with the level of boredom--possibly the key variable in social atmosphere. Entertained crowds are less hostile, moderate their drinking to a slower pace (though overall consumption may be the same), and seem to be less bothered by uncomfortable surroundings. The music/bands variable can affect boredom. Very loud music adds to the "cognitive impairment" of a drunk. But bands per se, even loud ones, do not cause aggression and violence.

Violent and non-violent occasions do not follow a simple bands/no-band dichotomy. Quality bands that entertain an audience generate a positive social atmosphere, that has been observed to counteract other negative variables. Some headbanger bands do on occasion draw aggressive style patrons to a venue, but if they are boring they also seem to have an adverse influence on regulars as well. A smaller crowd with a bad band seems more likely to present trouble than a large crowd entertained by quality musicians.

Drinking Higher levels of intoxication are an obvious feature of more violent occasions. This is worsened by discount drinks, or by rates that are artificially raised by high discomfort and boredom. Drinkers vary in their reactions to alcohol. However, it generally adds to cognitive impairment, and leads to less predictable and less rational behaviour. Many patrons appear to pass through stages of drunkenness--with aggression coming later. Substantial amounts of food that can lower levels of drunkenness are generally not available in violent premises or on violent occasions.

Doormen/bouncers The behaviour of barstaff does not appear to figure as highly as expected in the creation of an aggressive or violence prone atmosphere. However, edgy and aggressive bouncers, especially when they are arbitrary or petty in their manner, do have an adverse effect.

They have been observed to initiate fights or further encourage them on several occasions. Many seem poorly trained, obsessed with their own machismo, and relate badly to groups of male strangers. Some of them appear to regard their employment as giving them a licence to assault people. This may be encouraged by management adherence to a repressive model of supervision of patrons ("if they play up, thump 'em"), which in fact does not reduce trouble, and exacerbates an already hostile and aggressive situation. In practice many bouncers are not well managed in their work, and appear to be given a job autonomy and discretion that they cannot handle well.

Summary

Violent incidents in public drinking locations are caused by an interaction of several variables. Chief among these are groups of male strangers, low comfort, high boredom, high drunkenness, and aggressive and unreasonable bouncers.

Drinking Regulation and Social Inequality

The findings of this research to date suggest that there is nothing inherent in public drinking or in the typical patrons of working-class venues which makes violence inevitable. Violence is highly dependent upon the presence and interaction of a number of environmental variables, which may not be commonly regarded as linked to the incidence of violence. Nevertheless, they have an observable and major effect on its presence and degree in natural drinking settings.

The drinking environment is an evolving historical and cultural product, which can be left unchanged or altered for the better. Continuous patterns of violence in these locations are clearly a problem of management practices and government regulation, and a responsibility of both the liquor industry and state officials. Violence could be much reduced by changes to management and regulation, but the paths pursued so far have tended to ignore or worsen this social problem.

To explain how this untenable situation has historically come about it is necessary to consider the broader effects of structures of social inequality, on the forms and control of public drinking. As noted above, the typical patrons in the high violence establishments are young, working-class males. This social grouping have low status and low power within the two principal systems of social stratification in our society, these being the structures of social class and patriarchy. This reduced status and power has effects at all levels in the criminal justice system, which deploys enormous resources towards the surveillance and control of young men.

More widely it is also reflected in an elitist, simplistic, and unjust ideology about this social grouping which pervades our society. This widespread ideology, which is here termed the "hooligan myth", stereotypes all young working-class males as socially deviant, and reckless rule-breakers, without individual variation.

"Hooligans" are quickly recognisable by their particular appearance, and leisure activities--public drinking being principal among these. This stereotype of the young is reproduced constantly in the press and the media. It often directs the ideas and actions of politicians and state officials.

A frequent result of this hooligan myth is that the imputed deviant and immoral nature of this entire social grouping, means that it is considered reasonable to claim to know and judge their actions through this stereotype. This is despite the complexity and variation within the real circumstances of their actions and behaviour.

As with other socially deviant "types", the misfortunes incurred by these young males are seen as deserved by virtue of their very existence as "hooligans". Because the main victims of public violence in our society are young, working-class males, this has had a major effect

on how this violence is popularly conceived and the state's reaction to it. In particular, criminal assaults upon individuals who are classified as part of this "type", are thought of as deserved or as essentially victimless incidents.

The real victim in such cases, is regarded as being a more abstract and subjective notion termed the "public order". The injuries incurred by the actual victim do not match the supposed seriousness of the offence given to "decent" citizens who may have to witness or become aware of some incident of violence.

The strength and ubiquitous quality of this ideology or myth, may partly explain the great disparity between officially recorded assaults and the results found in victim surveys in this country. On occasion, assaults have been found to be far greater than the number officially recorded (New South Wales Bureau of Crime Statistics and Research 1974).

These features of the hooligan myth have also structured official thinking, policy and actions regarding the regulation of public drinking locations in our society. There is a fairly strong tradition of rowdy drinking among Australian working-class men which is evident in these venues. But this does not mean that ongoing violence is typical of rough or rowdy occasions, or that if it eventuates it is deserved by its victims. Progressive work on "deviant" subcultures, especially of youth, has grown in the 1970s and 1980s. These stress the complexity and contradictory nature of these subcultures, and the great variation amongst their adherents. However, a pitfall of the culturalist perspective always is the unintended apparent confirmation of negative stereotypes (*see* Hall 1976).

Our analysis of the causes of public drinking violence, places a stress upon the importance of local situational variables which have been observed by our group of field researchers. However, information gathered suggests that the level of regulation of licensed premises is also a major external variable, which will have important effects on the level of violence in different premises.

Regulation means the extent to which the state, and in particular the police, effectively control premises. This can be done by checks and agreements with licensees regarding a whole range of aspects of trading, and the threat of sanctions under liquor legislation. It is difficult to measure this, as most of the different aspects of regulation exist at the informal level and are not public knowledge, apart from the obvious cases of police presence. However, the effects of regulation in particular premises are probably critical, and may determine whether or not the negative situational variables in a violent location will be allowed to prevail.

In a sociological, rather than legal sense, it could be said that the majority of assaults in public drinking locations are legal. Licensed premises may be closely regulated with regard to such matters as sales, trading hours, and possibly, underage drinking. But there is a relative lack of interest in the occurrence of violence occurring on these

premises, until it is thought to breach public order. In New South Wales police prosecutions against these premises mostly take the form of s. 104 "quiet and good order" breaches under the *New South Wales Liquor Act 1982*.

Action under the Liquor Act taken against premises on the grounds of regular violence are virtually unheard of. Such violence is usually not understood to be the direct responsibility of a licensee. The legal odds weigh very heavily against victims of violence in these locations. An extension of the hooligan myth with regard to pub assaults is the mistaken notion that these assaults are generally against victims who have no merit and who "asked for it". Our findings suggest that it is only in a minority of cases that the attack is really invited by the victim or victims. This was possibly the case in 5 of the 25 assaults we have so far observed.

Another myth is that the majority of incidents are equal conflicts freely entered into by the participants. These assaults are then classified as "fights". If more than two parties are involved they can be further trivialised as "brawls", with the equal responsibility of all parties-- assailants and victims--implied by this. By our reckoning, equal responsibility is usually not the case.

Assailants--whether patrons or staff--who deliberately seek out a violent encounter, appear to pick their mark. These victims are most often fewer in number, younger, and smaller. Assailants also appear to focus on victims who are quite drunk, or at least far more intoxicated than they are. The observers on this project feel that they have been passed over by would be assailants who have seen our relative sobriety. This increased likelihood of the victimisation of drunk persons has been well established in various studies of violent crime (Collins 1982b, Gerson 1978, Abel & Zeidenberg 1985, Wallace 1986).

The great majority of legitimate victims are immediately disadvantaged by their lack of social status, a possible lack of witnesses, and their low perceived credibility. This is especially the case if they are drunk or at least partly intoxicated, as most patrons are in the busy drinking venues by late in the evening.

These difficulties are greater in cases of bouncer assault. At least six of the 25 assaults we have observed have been from a bouncer or group of bouncers, who use excessive force in breaking up arguments or fights, and often become involved as ongoing participants. We have also observed at least 10 rough ejections, that were borderline assaults, with excessive force and plenty of verbal abuse being used. In the worst cases they commence an attack on patrons (often solo) as their first response to some nuisance behaviour.

Due to the greater difficulties experienced by victims of bouncer assaults, these are probably understated in official records of drinking venue attacks. However, it is noteworthy that violence deriving from bouncers was considered a significant factor in relation to the recently recorded increases in pub and club violence, in the Victorian Police Ministry report mentioned above.

It was noted that researchers believe most public, as well as most private, violence in Australia remains unreported. Our study indicates that this pattern is similar, if not more marked, in cases of public drinking violence. Police were called and attended in only two of the assaults we have observed (once called by staff and once by a victim, with no action taken in either case).

Police appear to be generally reluctant to become involved in pub assaults that are reported by victims unless they are very serious. Most victims appear to leave the premises with bad feelings, and then perhaps seek medical attention. A common avenue taken by police is to advise victims to seek civil redress. This is a very difficult process especially as the assailant's identity is probably unknown. There is a strong need for Australian research into the reasons why victims of public violence either do not elect to report attacks, or cannot or do not proceed with any legal action.

There are great difficulties and a slim likelihood of a legitimate victim of public drinking violence getting adequate redress from the legal system. This injustice is even reflected in legislation, and the remedies available to the aggrieved. It is paradoxical that although rowdy drinking is regulated with consideration to the "public order", that instances of violence are conceived as individualised disputes between different patrons. Assaults on individual victims are the responsibility of those victims. They are not thought of as contravening the "public interest" in citizens being free from unreasonable violence.

We have not yet heard of any legal aid cases in Australia which have challenged the management of a venue because of its negligent violence-encouraging practices. If this cannot be the legal basis for a challenge, it should at least be the reason for helping different victims in assault cases. The conservative way in which public drinking violence is viewed is inscribed into the law as well as the daily functioning of the legal system. Both are overlaid with notions of the lack of merit and deserved misfortune of young victims.

These beliefs may not be commonly understood as perpetuating and perhaps causing violence. But this happens in two ways. Where the regulation to prevent regular violence as violence in different venues is minimal, this encourages assailants who may feel smug about the remote chance of being charged or sued. Secondly, this laissez-faire response to much violence allows the negative environmental variables to prevail in many locations without adequate action taken to alter the situation. This also results in a greater level of violence and its continuation.

All major cities in Australia, have drinking locations which locals know of as "bloodhouses". But official efforts to alter this situation are ad hoc and inadequate. There is a strong need for a restructuring of the system of liquor regulation, more in line with the principle that violence in public drinking locations is contrary to the

public interest (deriving from the victims' interests) and is the twin responsibility of the industry and government.

Conclusion

Accounts of the local variables which are tied to the occurrence of violent incidents need to be complemented by an analysis of how broader forces give rise to and reinforce the prominence of different variables. These forces include structures of social inequality, and the related form and effects of state policy in different periods. The existence and outcome of certain situational factors is actually dependent on the influence of these broader social elements that are not always obvious at the empirical level.

   A perspective which stresses the interaction and interdependence of these different factors need not become a form of incoherent and blind eclectism. It can allow that some factors historically have become firmly embedded in our social structure and culture. Others are more readily alterable through policy measures. Support for the alteration of the local environmental variables which are linked to violence should not lead to a disregard for the wider factors which generate it--issues of inequality and injustice--and which need to be addressed.

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Australian Violence: an International Perspective

Hans Joachim Schneider

Violence is employed as a means of conflict resolution, and as an expression of personal dissatisfaction and frustration, if no alternative means of communication exist or seem to exist. On a social level, violence appears less to be the "crying of the mute" but rather the "parole" of those who were not sufficiently integrated into the dialogue or who resisted integration.

Learning Processes

Learning processes play a considerable if not decisive role in the inter- and intrapersonal processes which finally lead to violent behaviour. They influence not only personality features related to the individual's aggression-proneness and his readiness to use violence. Those learning processes which directly support violence, and through which the individual acquires violence-favouring attitudes and violent techniques of behaviour, are even more significant for the prevention of violent crime.

Social Norms and Mechanisms of Neutralisation

Social norms and definitions which support or inhibit violence are acquired in learning processes. People live in social groups which

develop their particular definitions of legitimate and illegitimate violence and pass them on to their individual members. Mechanisms of neutralisation which help the individual overcome internalised social taboos on violence are acquired in learning processes (Cressey 1981, 1983). The individual learns to attribute the image of hostility to potential victims of his aggression or even violence ("dehumanisation"). The denomination of opponents as "barbarian", "monster" or "subhuman being" helps in committing acts of violence against "dehumanised" victims. The phenomenon of "deindividuation" of the offender is related to the mechanism of dehumanisation. The individual submerges in a crowd of people or in an organisation with a strict hierarchical order; or he hides his individuality behind a disguise or a uniform dress and thus rids himself of personal responsibility for his violent behaviour, or veils it to himself and to others (Zimbardo 1983). Such deindividuation does not occur exclusively on the side of the violent offender. Police leaders, for example, must remain alert to the danger that during extended operations with officers in uniform, possibly with the addition of special protective clothing, deindividuation can also occur.

The Influence of Alcohol as an Initiating Factor

Alcohol, as a triggering factor, plays an important role in the process of initiation to violent behaviour. The mere impression that someone has consumed alcohol may increase aggression more than the actual drinking of alcohol itself. Exaggerated drinking may in itself be a flight from conflicts which cannot be resolved. Alcohol usually aggravates the problems, and at the same time provides a welcome justification for the lack of controlled behaviour and violence.

Transfer of Violence

Learning processes which lead to violence predominantly occur in the family and in the peer group. The most important institution where young people of the same peer group meet is school. Thus, family and school hold key positions in the origination of violence.

The family is the place where most people experience violence for the first time. Experiences of violence within the family exercise a considerable influence on the child's set of values. They mould the attitude towards the use of violence by the child and the later adult. A combination of parents' punishment-oriented education and covert acceptance of aggression favour the child's willingness to use violence. Violent modes of behaviour as acquired in the family are transferred to school. It is difficult to compensate for them there. The dangerous

reality is rather that school may actually reinforce aggressive behaviour in students. For socially inadequate or retarded children, school is often a source of failure and conflicts (Brusten & Hurrelmann 1976). Moreover, teachers often reveal themselves as incompetent when confronted with aggression. Aggressive children are given more attention by the teacher than inconspicuous children. This often does not involve reproach, but rather positive and thus inappropriate attention.

The mass media play a significant role in the development of violent crime. They increasingly assume the role which before was held by schools, churches and families, in influencing the values, aims and modes of behaviour of a society. Through their flood of information and their orientation to sensations, the media convey a rather negative, chaotic picture of the world. For the entertainment of their customers the mass media concentrate on the superficial aspects of a violent conflict rather than its causes and its significance for social change. The media rarely reflect on causes, or show the misery which precedes and follows violence. Thrilling action is shown out of context. Violence is met with violence and is "embellished" (Schneider 1988a; Theuner 1987; but see Kunczik 1987). Aggressive models who appear successful may reduce inhibitions about violence.

Causes of Violence

Family

Every form of violence in the family is a product and a component of socio-psychological interaction processes within the family and between the family and its social environment. As well as the offender, the victim and the other members of the family are involved in these interactional processes. The parental right of corporal punishment, which makes violence a legitimate means of child-rearing, always contains the danger of maltreatment (Schneider, H.J. 1987; Schneider, U. 1987). The borderline between admissible punishment and inadmissible maltreatment is indistinct. Situations of emotional excitement, in particular, involve the danger of corporal punishment escalating beyond control. Violence between partners is surely not legal, yet socially it is tolerated as a "bearable sin" as long as it happens within certain limits, which again are not clearly defined.

Numerous investigations have concluded that there is a statistical correlation between the abuse of children and partners on the one hand and stressful socioeconomic living conditions of families, such as poverty, unemployment, bleak employment prospects, illegitimate parenthood and a large number of children on the other. Although family violence occurs on all social levels, a higher frequency can be found in families marked by material need and slim prospects. The social isolation of the family as well as the social

disintegration of its surrounding community are essentially significant socio-ecological conditions for the development of child abuse and violence between partners (Schneider H. J. 1987; Schneider U. 1987; Honig 1986; Engfer 1986). Families in which child abuse occurs often live in neighbourhoods which are not only marked by material poverty but also by isolation within the community and by an agglomeration of high risk families. Life in an environment marked by instability, frequent changes of tenants, little neighbourhood aid and considerable social conflicts robs the family of the opportunity for help and support from outside.

School

Above all, the size of the school classes (over 30 students) and big school units (over 800 to 900 students) are recognised as adverse starting conditions which favour the development of violent behaviour. Big, anonymous school complexes experience an excessively high proportion of student vandalism (Klockhaus & Habermann-Morbey 1986; Klockhaus & Trapp-Michel 1988; Kube & Schuster 1983). Untidiness of schools, and, in particular, previous damage, encourage vandalism. Poor planning in building design as well as unclear organisation of school operations pave the way for aggression and violence because they create areas of non-consolidated norms and make the control of students' behaviour more difficult.

Unsatisfactory social relationships among the teaching staff go together with violence in schools. If teachers cannot come to an agreement about social rules, academic standards, or about the most important educational principles, this leads to strong feelings of insecurity in students (Dann et al. 1982; Bach et al. 1984). Democratic decision-making in important educational questions, and other opportunities for participation which are distinctly recognisable to students and teachers, have a positive influence on human relationships in schools and encourage students to identify with the school's set of values and contacts. Calculable and democratic structures in the student-teacher relationship are favourable pre-conditions to positive impulses in students. Students who perceive teachers as unfair, because they cannot recognise the criteria and standards for academic evaluation of their performance, or the social evaluation of their behaviour, show an increased tendency to aggressiveness and violence.

Student violence in its turn produces repercussions on social integration within schools. Consequently, the use of violence is a result of the disintegration of communities and at the same time the cause for further disintegration of communities (Toby 1983). Students and their families may no longer commit themselves to school education. Teachers are discouraged by the students' aggressive or indifferent behaviour. They cease to employ the considerable interpersonal commitment that is necessary to teach even motivated

students. Through their defensive behaviour they lose more and more authority in the eyes of their students.

Sport

The effect on spectators of violence in sport is a matter of dispute. Supporters of the catharsis-hypothesis are of the opinion that by watching violence in sport, the viewers will "let off steam" (aggression) and that in this way sports events may serve as outlets (Lorenz 1964). This catharsis-model can no longer be sustained empirically, even though it is still deeply rooted in public consciousness. Sports officials refer to the cathartic effect of aggressive matches to belittle their impact on the spectators. By contrast, according to social learning theory (Bandura 1979), which is supported by most evidence, watching violence between players increases the spectators' proneness to violence.

Soccer, for example, offers aggressive stimuli and models which may result in spectators imitating the aggressive behaviour presented (Mummendey & Mummendey 1983). The proneness to imitating a certain mode of behaviour grows along with the degree of identification with the soccer player and the team. This individual identification is supported by the high symbolic value which is attributed to a successful match by society at large. In addition, exaggerated coverage on the part of the media has led to the sports match becoming a struggle about symbols of moral value, status, collective identity, and the standing and prestige of clubs and towns. Judging the success of a match only by who wins contributes to the aggressive degeneration of behaviour in both players and spectators. Already at school aggressive tendencies are supported by overemphasising the competitive character of sports lessons. Other values, such as fair play, character and technique of a game, aesthetics of interplay and human cooperation come second.

The commercialisation of soccer contributes to the increasing danger of violent escalations. It leads to a further over-emphasis on success. In competitive sports the athletes--the idols of adolescents--can be bought by other clubs. This interferes with the young fans' identification with their soccer idols (Schneider, H.J. 1987). Processes of identification can help adolescents to find their own identity. In view of the fact that many sports idols are also immature adolescents who happen to be highly valued merely because of their physical performance, identification with them can hardly be of any value to adolescents. Furthermore, the quick change and exchangeability of sports stars result in young fans abusing an adversary today whom they admired as a member of their own club only yesterday.

Violence in Streets and Public Places

Architectural design of the environment contributes considerably to the occurrence of violent behaviour. Architecture which allows only little social control, which does not sufficiently differentiate between public and private areas and which is characterised by monotony, encourages acts of vandalism and other forms of violence (Leaute 1977). Vandalism is directed predominantly against public buildings and institutions, because they are characteristically subject to less control and because they are often regarded as symbols of a state order which adolescents do not feel bound up with. Moreover, damage to public institutions does not have a direct victim and thus evokes little feeling of guilt.

Although they are supported by strong emotions and accompanied by uncontrollable excitement, mass riots have rational, pragmatic causes and an historical function as mechanisms of protest and as instruments of social change (Graham & Gurr 1969; Theuner 1987; Smelser 1971). Riots originate from social deficiencies, deficits or relative deprivation, when, for example, an improvement in objective social conditions is suddenly followed by a deterioration or relapse.

In the interactional processes of rioters and police, the parties concerned do not only react to each other's behaviour, but they also define and interpret this behaviour (Toch 1969). By misinterpreting each other's actions both parties contribute to a spiral increase in the potential for violence. The first step in this process of amplification consists of actions by one group being taken as a provocation and threat by the other to the conception of itself. Every riot is triggered by an incident. Provocations and counter-provocations mutually enhance each other. The use of violence, which now follows as the second step, is also seen as a threat to honour and freedom of will by the other group. Confrontation and escalation of violence may then occur. Participants in a riot incite each other with their behaviour. The process of dehumanisation begins: the participants in a violent riot regard each other as objects. This interactive element in the development of riots is ensued by a situational element: if conditions favour anonymity, people are more willing to behave aggressively. Concealed by anonymity, people give free reign to such a mode of behaviour, which is otherwise controlled by adjustment to social norms and by fear of social disapproval (Bartol & Bartol 1986). Crowding is characterised by a loss of sensitivity and of personal, rational reflection.

Politically Motivated Violence

The potential for political violence within a society takes expression when citizens feel the necessity for influencing politics in a direct way. Although the parliamentary system in the Federal Republic of Germany, for instance, is held in great respect, it must be acknowledged that it suffers from a lack of opportunities for

participation, which causes young people especially to look for unconventional ways of taking part in politics--ways that have not yet become institutionalised--while party-oriented participation is on the decline.

If the police intervene repressively in a potentially violent situation, this may not in itself kindle the indignation and violent resistance of the protesters. Indignation is caused mainly when such repression is judged inappropriate. Thus, an important factor in the aggravation of protests is a police action that does not distinguish between violent and non-violent participants: for example, the use of tear gas hardly allows for any such distinction. Any indiscriminate treatment of participants in a demonstration causes indignation, especially by those who feel the police reaction towards their own non-violent behaviour to be inappropriate, and so it increases the proneness to escalation. Therefore, severe police action can lead to different consequences depending on how and when it is carried through. Above all, demonstrators consider the following issues to be demonstrations of power and deliberate annoyance: the presence of an inappropriately large number of policemen; policemen appearing anonymous and militarised by their gear and arms; the appearance of closed police units; and observation with films and photos. The final conflict then becomes embedded in an increased fear of failure by violent offenders on the one side and strategies of neutralisation by the police on the other side. Rigid strategies and attempts to transfer experiences from other contexts often turn out to be ineffective in the control and peaceful handling of conflicts.

During confrontation between protesting groups and representatives of state authority, all persons involved have experiences which will influence their future actions. Experience in handling conflicts and solving them, develops into learning processes that constitute an important part of political socialisation and has considerable influence on future behaviour in conflict situations.

Recommendations for the Prevention of Violence and the Treatment of the Violent Offender and his Victim

Improvement of the Social Situation

The first requirement for the prevention of violence is to give a distinct social definition of what is to be considered as violence and to restrict the term to physical acts. The state and its representatives must work against society attitudes which tolerate and justify violence. As the family, school and peer group present steps in the development of future violence proneness (transfer of violence) and as they are the areas in which learning processes of violence may manifest themselves, the families and schools must practise non-violence. The

mass media should demonstrate non-violent forms of conflict-solving in models. Legislation and the criminal justice system should have a clearly defined, distinct concept of violence. The state and its representatives must be models for citizens. Politicians and other symbolic figures should become more aware of their function as models and idols. Communication between politicians and citizens must be improved. Citizens must be convinced that they have real opportunities to influence decision-making without having to resort to acts of violence. Politicians must not give in to the "pressure of the streets", the "pressure of violence". The state must create peace.

The state must reassure its citizens and let them participate in important processes of decision-making. In communities, cities and suburbs, councils for the prevention of crime should be constituted, in which citizens should have a considerable influence. The mass media should give social minorities ample opportunity to express their opinions freely, even if they are extremely critical of the ruling parties. New social problems must be given early and extensive coverage by the mass media. Depictions of violence on television and in videos must be considerably reduced. Reports about riots must carefully examine the social and emotional causes of these events and their social and emotional consequences. The damage resulting from the use of violence must not be "embellished". The mass media should, for example, give ample coverage to personal reports of injured policemen and of shop-owners whose premises are looted, in order to make it evident to violent protesters and to the public how much damage and suffering is inflicted by riots. Reports on sporting events must not be "reports from the battlefield": fair play and the fairness of players must move more to the centre of reports. The reporters of the mass media should employ peaceful vocabulary.

Social control must be shifted from formal to informal controls and from the offender to the victim. In the juvenile criminal justice system formal procedures should be replaced by informal reactions (diversion); formal custodial measures should be replaced by the offender's restitution in the sense of a creative emotional and social effort. Punishment should always remain the last resort, the "ultima ratio". Criminological research and counselling must support the measures taken by the state. Regular inquiries into the phenomenon of victimisation via victim surveys must be effected on a large scale. Governments should provide annual reports on the situation of security. Such reports should be worked out by a criminological commission of experts who should evaluate the situation of criminal policy. This body should advise the mass media actively on how criminality, and in particular violent crime, should be portrayed in accordance with truth and reality. It should objectively criticise sensational, incompetent representations of criminality in the mass media and thus have a considerable influence on the representation of crime to the public. The conditions of membership of such an expert commission should be personal integrity and absolute independence.

Family

Non-violent education in the family can be supported by declaring as unacceptable the use of physical violence as a method of child-rearing. This would signal a legal ban on corporal punishment in child-rearing. Such a complete legal interdiction was put into practice in Sweden in 1979 and more recently in Austria. In order to make such an interdiction a reality, training courses must be offered where parents can learn non-violent child-rearing techniques.

Pre-trial arbitration and mediation procedures should be implemented, in which all those directly entangled in the violent conflict and other family members would participate on a legal basis (Schneider 1988b, 1989). The court should mediate the violent conflict with the help of the prosecuting attorney and the defence counsel and reach a peaceful conflict solution by settlement or award. It should supply the family endangered by violence with social and psychological support services. The family needs to be integrated into a network of informal and formal aid. Family crisis centres, which offer all services of crisis intervention for families "under a single roof", and which operate on a 24-hour basis, may contribute to this kind of family integration.

School

A shared feeling of responsibility must be communicated to both students and teachers. All groups within the school, the parents and the entire social environment, must participate in the process of reorganisation of the school. The students should be allowed to help to shape the lessons, the organisation, the school buildings and in particular the space they use (Lerchenmuller 1986). Classes should be as small as possible. Teachers should know all students personally, for big classes and schools, as well as being complex architectural and organisational structures, endanger the development of communities ("Gemeinschaften") and the informal controls which prevent violence. Teachers should come to an agreement about social norms and the norms of academic standards and evaluation. Good human relationships in schools are important for preventing violence within schools. Teachers should be aware of their function as models and idols. Students must be able to identify with them, for the task of school is not merely to convey knowledge but also to contribute considerably to the development of personality. A new subject, called "family education", must be developed, in which non-violent solving strategies in family conflicts can be taught. In sports lessons, students should be taught the importance of fairness in team sports. Alternative programs must be created for "school-weary", aggressive adolescents, which can provide training in practical tasks, so that these students too can experience success in school. The assessment process must be clear. The entire behaviour of teachers and the handling of

human relationships in schools must be oriented to constructive ways of dealing with conflicts.

Sport

In team sports, clubs and fan clubs must be given a share of responsibility for maintaining order at sporting events. They must have an obligation to prevent riots on the part of their supporters and should contribute to the security expenses of the police. Fan clubs should also assist in maintaining order at sporting fixtures.

The organisation of events in the stadium has to include measures to calm down overexcitement. First, a strict ban on alcohol is necessary. Additional entertainments have to precede important sporting events as a means of relaxation and diversion: at large events, specially trained police officers are needed who are prepared for conflict and stress situations and who operate as speakers for the police in the stadium. In the case of emergencies, prominent players of the team should be prepared to make announcements, because the supporters will listen more readily to their idols. Rather than an extreme orientation towards performance and success, team sports should focus on the fairness of the game. Fair play should be an essential category in the decision on championships.

Streets and Public Places

Children and adolescents need ample space in the residential area they live in, to give them the opportunity to explore their environment. In "adventure playgrounds" they should be given a chance to experience "adventurous" situations. Schools should offer supervised leisure activities. Youngsters should be allowed to help shape their surroundings, and in particular to decorate their own rooms. Architectural design of urban environment should observe aspects of crime prevention (defensible space) (Schneider 1981). City planning and architecture should be suitable for communities and families. Suburbs and large buildings must be subdivided in order to promote community spirit, which renders informal social control possible. Uniformity, monotony, boredom, lack of comfort and cheerfulness have to be avoided in architecture and town planning. Urban districts and buildings must be designed to look lively, colourful and merry. One must not allow for developed social structures to be destroyed when old buildings are replaced by new high rise buildings. Rather, old buildings must be renewed, and developed social structures must be handled with care. Slums and socially disintegrated areas must not develop.

Conclusion

The state must always attempt to achieve its goals by peaceful means. It must demonstrate to its citizens the reasons for the enforcement of norms, and the damage which will, as a result of the violation of norms, be inflicted on victims.

Violence has to be the very last resort of the state, when no other, non-violent means are available to bring about peace. The use of violence by the state has to be appropriate and must be bound by law. Moreover, the state must establish and support institutions that will render private violence superfluous.

Finally, the state must not accept or tolerate private violence and authoritative public figures must set an example for the peaceful solution of interpersonal conflicts.

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Perceptions
of Violence
on Television

Peter Sheehan

This paper analyses the data in hand relating to the Inquiry of the Australian Broadcasting Tribunal (ABT) into, among other things, the portrayal, presentation and reporting of violence on television. The Inquiry was instituted formally on 22 August 1988 and concluded in January 1990. In the intervening period, data have been processed that stem from three major sources: submissions invited publicly on the terms of reference of the Inquiry; qualitative analysis of the community's perceptions of violence on television, studied by interacting directly with selected age and gender groups; and quantitative study of perceptions through the conduct of a telephone survey of people in different age ranges selected from the general population. The research commissioned by the ABT was aimed at revealing the nature of the complex sets of views held by the public on a range of issues relating to violence on television; as such, the Inquiry was concerned with the perceptions of violence, rather than its effects. A full report of the data is provided in volume II of the Tribunal's Report (Australian Broadcasting Tribunal 1990).

There is much to discuss in the data gathered from each of these three sources, but this paper focuses specifically on the points of consistency and inconsistency in the data collected in the second and third phases. It searches for themes that are in common and for points of similarity and difference in the two types of evidence. In the spirit of "heteromethod replication" and "methodological pluralism" promulgated by social scientists, additional faith can be invested in conclusions that derive from data gathered in separate methodological ways. It is useful to summarise the qualitative and quantitative phases at the outset so that the procedures defining these two parts of the data collection can be understood.

The Qualitative Phase

Essentially, this phase of the commissioned research involved the conduct of interviews about the perceptions of violence on television of children, adolescents, and both young and old adults. Particular programs seen on television were shown to each of 17 groups and their reactions discussed in detail. Table 1 (from ABT 1989a) summarises the design of this component of the work.

TABLE 1: **Summary of Method for Qualitative Research (Phase 2)**

- Exploratory state used to investigate beliefs and motivations underlying attitudes and behaviour

- Research concerned with developing an understanding of the nature and structure of attitudes

- A total of 17 group discussions were conducted with a broad cross section of the community:

  - 4 groups of 10-13 year old boys and girls
  - 4 groups of 13-17 year old boys and girls
  - 4 groups of parents aged 25-45 years
  - 4 groups of adults aged 25-45 years with no children
  - 1 group of adults aged 60 years and older

- Each group comprised a minimum of five and a maximum of ten participants

- In addition to age and sex, each group was selected on the basis of socioeconomic status giving representation to the affluent and less affluent sections of the community

- The process led to the development of hypotheses about community attitudes which were then tested in the quantitative survey stage.

Source: Adapted from ABT 1989a (see also ABT 1990).

The principal issues isolated in this phase were the variability of perceptions across different age and gender groups, the importance of the degree of realism of programs as a factor determining perception of violence, sensitivity to the treatment of violence in news and current affairs, concern about the influence of television on children, and the general lack of community awareness of the existing regulatory system or infrastructure for controlling television content.

The Quantitative Phase

This phase was quantitative in the sense that the data (unlike in the previous phase) lend themselves, far more readily than in Phase 2, to quantification: 2030 individuals aged 13 years and older were selected across urban and rural areas of Australia and a survey of attitudes and opinions about violence on television was conducted by telephone. The sample was selected at random and weighted to Australian Bureau of Statistics population profiles, measurement focusing on the incidence and prevalence of attitudes, concerns and behaviour identified in the previous (qualitative) research stage. Table 2 (from ABT 1989b) sets out the design features of this component of the research.

TABLE 2: **Summary of Method for Quantitative Research (Phase 3)--Community Survey**

- A survey of 2030 individuals aged 13 years and older across urban and rural areas of Australia was conducted by telephone

- The survey measured the incidence and prevalence of attitudes, concerns and behaviour identified in the qualitative research stage as being relevant to the issue of televised violence

- The sample was selected at random and weighted to Australian Bureau of Statistics population profiles to ensure survey results were entirely representative of the Australian population 13 years and older

- A pilot study of the questionnaire was conducted to ensure the validity of the questionnaire and the efficiency of the field procedures.

Source: Adapted from ABT 1989b (see also ABT 1990).

Results indicated that people were concerned about violence on television (Phases 1 and 2 had indicated this also). Twenty-five per cent of the sample expressed concern spontaneously, and when respondents were prompted the rate of expressed concern rose to in excess of 75 per cent. Data showed that 40 per cent of adults watch whatever is shown on the television; about half the population believes violence on television can be justified; and violence is especially justified when it depicts real events. Many adults believe that violence viewing affects children, and children are more enthusiastic consumers of "action, blood and guts" than adults. The news, as before, emerged as a special problem and most people were ignorant, as in the previous phase, of the country's present system of regulation.

Points of Similarity and Points of Difference: the Variability and Breadth of Perceptions

The major finding of the qualitative study was that when people are divided into groups based on age, sex, parental status, and socioeconomic status, differences in perceptions of, and opinions about, television violence become readily apparent. Reflecting the assumptions of current censorship policy, we obviously live in a pluralist society where no one should assume uniformity of perception or effects.

At this point, we must concede that the issue of violence on television is potentially a very important one. We can say this because, on average, adults and children in Australia spend between 21 and 22 hours a week watching the television screen, and detailed analysis of the content of Australian television programs (McCann & Sheehan 1985) shows that the amount of aggression on television justifies looking for the possible negative consequences of exposure to aggression. What is seen is, according to Murray (1980), a "televised reality" where the spectator "must interpret the reality presented on the screen in relation to his or her own view of the world". The appearance of passivity can also easily mislead; watching television is an active, not a passive process.

Age

The qualitative work suggested that as people become older, their tolerance of television violence decreases, as does their reported exposure to video material--considered by many to be potentially very violent. In keeping with these age-dependent trends, the quantitative work revealed that 86 per cent of people aged 55 years or over believe the world to be a threatening place, which is in contrast with data for subjects overall. Consonant with these findings, the quantitative work showed that there is a linear decrease with increasing age in the belief that television violence can be justified. Put succinctly, 67 per cent of 17-24 year-olds believe that violence can be justified, but by the time we get to those aged 55 years or older, only 33 per cent believe that it can be justified. Age is an important, and often ignored factor that clearly affects the perception of television violence. The age data reflect the fact that older viewers tend to answer not just for themselves, but also "on behalf" of others, especially the young.

Gender

Gender also is important. The qualitative study indicated that many females (as compared with males) believed television programs are more violent, except in cases perhaps where a male is victimised by a female. The quantitative study demonstrated that approximately 42

per cent of females claim that they often turn the television off because of violent content, but only about 20 per cent of males claim they do the same. The general pattern is one of greater apprehension among female viewers. Interestingly, 53 per cent of females believed that violence on the NEWS (a program showing "real" violence) is justified, but only 43 per cent of males agreed.

The NEWS

The NEWS is obviously a critical area of concern, despite the fact that relatively few children prefer to watch it. With respect to the NEWS, the qualitative study pointed to it being perceived by most people as being on a par with "AO" fictitious violence. Animated cartoons which largely lack realism were considered the least harmful. The quantitative study went further in showing that about one third of children are upset by movie violence, but almost two-thirds are upset by NEWS violence.   An especially interesting aspect of the qualitative study was that as people get older, explicit NEWS violence is possibly less disturbing, and that implicit NEWS violence can be more disturbing than explicit violence for some people.

Just over 60 per cent of adults surveyed in the quantitative study believed that NEWS depicting violence should be shown late at night. This was in accordance with many of the opinions expressed in the 1100 submissions received in Phase 1. The quantitative study indicated that this view was strongest in the elderly.

Identification

Identification with the victim emerged as important in both the qualitative and quantitative studies. In the qualitative study, the data suggested strongly that identification with the victim increased the viewer's perceived level of violence. This was most obvious, across sexes, with the male victim who was assaulted at the hands of a female aggressor. In the quantitative study, 65 per cent of adults and 79 per cent of children believed that some violence upsets them because it could happen to them. Many people clearly, at some time or another, identify with the victims of violence on the television screen that they watch.

Realism

If one could single out the most salient factor of influence in this Inquiry, that appears to shape viewers' perceptions of violence and their opinions about it, it would be the factor of realism. It is real aggression that appears to concern viewers the most. The data gathered in the Inquiry showed clearly that the level of violence perceived by viewers generally rises in accordance with the degree of realism thought to be present. This may well be because it is real aggression that has the greater potential for viewers to identify with

the violence being shown. Both the qualitative and quantitative phases of the work indicated that the level of realism in televised violence has a demonstrable effect on the emotions of the viewer. Violent material which is both explicit and realistic has a definite impact on viewers' emotions; and it is precisely the significance of the realism factor that implicates the NEWS as a special area of concern, since news is necessarily made up of events that actually happen in real life.

Effects

The major effects on children viewing television violence were perceived as "making violence more acceptable" and "making people copy or imitate". These were also considered to be the major risks for teenagers. By far the largest perceived risk for psychologically disturbed people was the factor of imitation. It is important to realise, however, that this work did not deal with actual effects, only opinions about them.

Education of the Viewing Public

The quantitative study confirmed a trend which was evident both in submissions made to the Inquiry and the qualitative phase of the work. This was that knowledge of regulatory bodies pertaining to television programs is very limited. Less than 20 per cent of adults were aware that the ABT has an active function in this area. And only one in four adults noted that programs on television were subject to classification.

Links with the Research Literature

The major issue of debate in the research literature is clearly the controversy that rages about the question "Is there a causal (or long-term predictive) relationship between aggression and the viewing of television violence?" In a review of the literature, Friedrich-Cofer and Huston (1986) concluded that there is a relation, and that it is bi-directional in character. This conclusion was given, despite the common accusation against laboratory studies lacking external validity, and field studies only providing weak support for an association. Freedman (1986), however, disagreed with Friedrich-Cofer and Huston and claimed that their bi-directional model is not supported by the literature. Until the experts can agree, it seems wise to take notice of those (for example, Linz, Penrod & Donnerstein 1986) who propose that explicitly violent material should be limited until a clear picture emerges. Indeed, considering the exceedingly violent material now available on video, there should be a sense of urgency in our attempt to uncover the effects, if any, of violence on television.

Fortunately, this Inquiry did not have to grapple with this thorny question, though submissions to the Inquiry kept on returning

to aspects of the question and often expressed a view about how it should be answered (*see* ABT 1990). What the data collection in the Inquiry did do, however, was to implicate a number of processes which are quite likely mediational in nature. These are processes that reflect what could be called "primary factors of influence" determining viewers' perceptions. They also represent, in many instances, major processes of influence that co-determine, in turn, the effects of television watching. In this context, there are two factors that are useful to single out in some detail. These are: the process of identification, and the factor of realism and the perceived degree of effect that realism conveys. In both these instances, it may be helpful to relate the findings of the ABT Inquiry to the experimental literature.

The Process of Identification

When watching violence on television, viewers may identify with either the aggressor or the victim of a violent situation shown on the screen. Identification with the victim was an easier process to detect in this Inquiry, given its overall emphasis on conscious perception, but both aspects of identification are important. An especially plausible hypothesis is that the process of identification with the aggressor is one that often can't be articulated and it tells us most perhaps about the consequences of television watching. The process of identification with the victim, on the other hand, expresses more the concern of the viewer about what is being watched and is more amenable to conscious reporting. The interplay of factors is especially significant. According to Huesmann (1986), for instance, children who are more aggressive identify to a larger extent with television characters, and those who identify more with television characters tend to watch more television. Thus, a potentially alarming correlation holds between identification with what is on television, acted out aggression, and violence viewing itself.

　　　　With respect to identification with the victim, the focus of the findings on this process is important because so much of television is about events that instil fear and apprehension in the viewer. The world depicted on television is "meaner" than it is in reality--at least as far as Australia is concerned at this point in time. It is especially important, then, to examine whether identification with the victim is something that leads us to avoid television. This appears not to be the case, however. As Berkowitz (1986) makes clear, apprehension about violence and simultaneous identification with victims does not necessarily produce avoidance of the televised violence; it may even promote an interest in the violent material. Possible reasons for this (according to Berkowitz) are that: fear may excite or create curiosity about violence and the possible urge to learn how others respond to it; viewers may feel comforted by viewing others with similar problems; and viewers may even derive reassurance from viewing violent

scenes. Repeated exposure to violent news of people being attacked or murdered could also habituate the viewer to violence, leading to the viewer not actively avoiding televised violence but watching more of it than someone who is less habituated.

Realism and Perceived Degree of Threat

The research tells us that realism is a potent factor affecting people's reaction to violent television viewing and it interacts strongly with other factors of influence. As parents' education and social status decline, for instance, both the parents and their children believe more readily that television accurately depicts reality (Huesmann & Eron 1986). The same research tells us that sons of aggressive parents identify more with television characters and tend to be aggressive, but also they believe the television violence closely approximates reality. Further, as socioeconomic status declines, the amount of television viewing increases, thus putting some of these viewers at least at greater risk.

In 1922, Lippmann made the distinction between what he labelled as the "environment" (that is, the world as it really is) and the "pseudo-environment" (that is, the world as we privately perceive it). Lippmann argued that it is the news media especially who map out our perceptions of the world for us. McCombe and Gilbert (1986) go one step further in postulating that news journalists "structure experience for us, filtering out many of the complexities of the environment and offering a polished, perhaps even literary version" (p. 2). Schudson (1982) agrees, and states that the manner in which the content of the news is communicated--often using unnoticed conventional narration--greatly determines its influencing power with respect to the determination of our perceptions of the world as it is. Cohen's (1963) work leads to a subtle but compellingly relevant distinction: news does not tell us to think, so much as it tells us what to think **about**.

It is a sobering fact that over 75 per cent of potential news is rejected out of hand (McCombe & Gilbert 1986) and this is the beginning of the manipulation of audiences' perceptions of the world in which they live. News items which are accepted (that is, considered "newsworthy") vary greatly in the amount of coverage which they receive, as well as the method of coverage (for example, pictorial and verbal, versus verbal only) given to them. Thus, if someone is murdered, and the news audience is shown an occupied body bag being carried out of a house, viewers must perceive and think about the news differently when the bag is shown visually, compared to when it is (only) described verbally.

Several studies have demonstrated that viewers are more prone to influence from real violence as opposed to fictional or unreal televised violence. For example, Feshbach (1972) showed children a

film of a riot on a campus. Half the children were informed that it was an actual (that is, real) incident, and the other half were told that it was acted. The half who believed that they had witnessed a real scene were more aggressive to a peer than the half who believed that they had witnessed fictional violence. Soon afterwards, Berkowitz and Alioto (1973) showed the same effect for adults. Berkowitz (1986) posits that viewing fictitious violence enables the viewer psychologically to distance him or herself from the observed event. This notion clearly implies that news viewers are not in as good a position psychologically to distance themselves from violence on the news, as are viewers of fictional violence. Berkowitz (1986) goes on to note that viewers will vary in how "caught up" they get in fictional violence, and this serves as another reminder of the inherent complexity of the viewing population and their reactions to what they see. Also, another reason why fictitious violence may have less impact is because of the distracting nature of the themes of programs like movies (*see* Leyens, Cisneros & Hossay 1976).

Other Issues

Clearly, there are major findings in these two phases of research that may be due to conformity pressures or artifacts arising from people being tested who are intelligently aware that they are being examined, or that their opinions are being measured--what psychologists call the "reactive" component of testing. One may have doubts, for example, that the degree to which people say they turn off violence when it confronts them is, in fact, true. Here, people could be responding in a socially acceptable way when they say they switch off their set or turn to another channel when violence appears on the screen. They may well simply know the interviewer would think better of them if they say they did.

The processes of interconnection are obviously critical in this brief analysis, but the study did not investigate them. Conclusions about the factor of realism, for example, may be rephrased to emphasise more the process of identification. Violence that is realistic may well be aggression with which we identify the most, and it is the process of identification that is more strongly mediational of effects that can flow from television watching. The nature of violence, both in how we perceive it, and in how we relate to it behaviourally, is far from being a single issue. It is a very heterogeneous one.

Finally, we obviously must ask ourselves in an Inquiry such as this whether concerns that are perceived matter, in fact. How informed are the perceptions of those who were studied? And what is the scope for increasing the responsibility of the viewer who expresses concern? Questions such as these highlight the need for further research and the relevance, in particular, of media education. Promotion of responsibility is a theme developed elsewhere (Sheehan 1987) and

education of the viewing public looms large as a major option for change in the Australian community.

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The Victim of Violence and the Criminal Justice System

Chris Sumner

If the criminal justice system in a democratic society is to correspond with the actual feelings and demands of the community it controls, then sentences must be such as to ensure that the community does not lose confidence in its courts and that support for them does not diminish. If this does happen there is a risk that people will seek their own remedies outside the law. This means that proper consideration should be given to the needs and concerns of crime victims. There is little doubt that the community demands justice for victims of crime. To the extent that the community does not see this being exhibited by police, courts and other agencies, then support for a system of law enforcement is weakened.

Moreover, justice requires that as well as punishing offenders, victims of crime must be given all the support they need, so that they are not isolated or alienated from the community or criminal justice system, and indeed that they are able to begin to rebuild their lives.

When we talk of "victims of crime", we are not talking about an abstraction. On the contrary, we are talking about families and individuals who may have suffered great trauma--possibly as a consequence of a violent event or crime. There is a real obligation on all of us in the community to ensure that, in the interests of justice, victims are treated with compassion and understanding.

A person's perception of whether or not he or she has been a victim of crime and wishes to participate in the criminal justice system is perhaps the most important decision that is made from the time the alleged offence is committed. It is somewhat surprising that despite the importance of the victim's cooperation in the investigation and trial, little attention has hitherto been given to victim satisfaction in his or her dealings with the criminal justice system.

Australian and overseas studies show that in the case of personal violence and property offences, the numbers and types of cases entering the criminal justice system and thereby eventually providing the workload for police, courts, prison and probation services appear to be determined largely by the reporting behaviour of victims, and not by action initiated by police.

The importance of victims reporting offences to the police becomes even greater when it is realised that the report is also critical in solving the offence. For many offences, whether or not the victim reports the offence very soon after its commission, together with the particulars of the offence and names of suspects or descriptions necessary for the investigation, will determine whether or not the offence can be solved.

South Australia and Victims of Crime

In recent years, most Western societies have seen a growing interest in, and sympathy for, victims of crime. Australia is no exception. Indications of the difficulties experienced by crime victims have arisen over a period of years in an ad hoc manner with varying degrees of intensity.

Historically, concern for victims of crime focussed on the need for compensation where the offender, because of lack of means, could not adequately compensate the victim with common law remedies.

In her 1951 classic *Arms of the Law*, Margaret Fry, the British magistrate and social reformer, directed attention to victims and the failure of the state to develop a plan to compensate them. This work centred on restitution being provided by the offender. In the late 1950s she refined her thesis, postulating state compensation for victims as a means of providing them with adequate restitution. The debate which followed led to the eventual enactment of criminal injuries compensation legislation, first in New Zealand in 1963, followed by the United Kingdom in 1964, with New South Wales enacting the first legislation in Australia in 1967.

During the 1970s the women's movement was also most effective in drawing attention to the emotional stress experienced by victims of sexual assault and to the particular problems facing victims of domestic violence, and South Australia, together with some other States, implemented legislation and specialised services--both within the police force and within the welfare services. These included a rape inquiry unit within the police force, a hospital-based sexual assault referral centre, and a crisis care unit which enables twenty-four hour assessment and intervention in all types of domestic conflict. In addition, reforms were made to the criminal process designed to minimise the impact of the trial experience on victims, particularly in the area of committals. Police receive training to ensure that they are aware of the crisis services available to assist victims, and training to

assist them to carry out their duties where victims fear further violence from their spouses. Women's shelters have been established.

In 1979 the victim movement became broader-based, with the establishment in South Australia of the Victims of Crime Service (VOCS)--a very active and effective non-government force for counselling and victim advocacy. During the same year a committee of inquiry into victims of crime was proposed. Its report, delivered in 1981, ranged across five major topics:

- provision of more adequate information on crime and crime victimisation;

- more effective co-ordination of victim initiatives;

- improvement and extension of services for victims;

- amendment to court procedures, and

- compensation for victims. (South Australia 1981)

The committee made sixty-seven recommendations whose impact has been felt in such diverse issues as education, health and welfare programs and the design of courts.

In many respects, views articulated by the committee of inquiry still underpin South Australian policies on victim issues. Put briefly, priorities are placed on ensuring that victims are provided with support, treated with greater sympathy and understanding and kept informed on the progress of their cases. Our key words in dealing with any reforms are "concern, consideration and communication".

The Victim and the United Nations

The victim of crime has also been the subject of a number of reports and initiatives at the international level. The victim is implicit in the United Nations Conventions on, for example, genocide, war crimes and crimes against peace and mankind, traffic in women and children, and slavery. However, it was not until the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Milan in 1985, that the topic of victims was dealt with as a subject in its own right.

The Sixth United Nations Congress in 1980 resolved "That the United Nations should continue its present work on the development of guidelines and standards regarding abuse of economic and political power" (A/CONF 87/14 Rev 1 p. 10). In 1981, the United Nations Committee on Crime Prevention and Control determined that the principles to be developed under the 1980 resolution should cover the

full spectrum of victimisation, that is both victims of illegal abuse of power and victims of conventional crime.

The documents prepared for consideration by the Seventh Congress treated victims of common crime and abuse of power in a unified manner. The position was taken that there were shared common needs of victims no matter what the source of victimisation. However, after considerable debate the Declaration adopted by the Seventh Congress was divided into two parts.

Part A dealt with victims of crime defined as:

"Victims" means persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that are in violation of criminal laws operative within member states, including those laws prescribing criminal abuse of power.

Part B dealt with victims of abuse of power defined as:

"Victims" means persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that do not yet constitute violations of national criminal laws but of internationally recognised norms relating to human rights.

Part B called on member states to consider incorporating into the national law norms prescribing abuse of power and providing remedies to victims of such abuses; such remedies to include restitution, compensation and necessary material, medical, psychological and social assistance and support.

Part A, dealing with victims of criminal laws operating within nation states, was more specific. A person could be considered a victim regardless of whether the perpetrator was identified, apprehended, prosecuted or convicted, and regardless of the familial relationship between the perpetrator and the victim. The term victim also included, where appropriate, the immediate family and dependants of the direct victim and persons who suffer harm in assisting victims or preventing victimisation.

Part A covered:

(1) Access to justice and fair treatment: this including being treated with compassion and respect for their dignity, having prompt redress for harm suffered, through formal or informal procedures that are expeditious, fair, inexpensive and accessible: having information about their cases: allowing the views and concerns of the victim to be presented and considered at appropriate stages of the proceedings: having proper assistance throughout the legal process: minimisation of inconvenience and protection of their privacy and safety: avoiding unnecessary delays.

(2)   Restitution from the offender to victims, their families and dependants, which should be available as a sentencing option.

(3) Compensation: States should endeavour to provide financial compensation when it is not fully available from the offender or other source.

(4) Assistance: Medical, psychological and social assistance should be available and police, justice, health, social service and other personnel concerned should receive training on the needs of victims. (A/CONF 121/122)

The Declaration was formally approved by the General Assembly of the United Nations in December 1985.

Considerable work has already been done in South Australia to implement the United Nations declaration. We have sought to identify those areas where the capacity of the criminal justice system to respond to victims' needs can be improved without jeopardising the rights of the accused or, indeed, the integrity of the system.

In 1985, the South Australian Government formulated principles, derived from the UN Declaration, which give rights to victims at various stages of the criminal process. All relevant government departments have been instructed to ensure that their practices and procedures comply with the principles.

These principles are included in a booklet prepared by the Attorney-General's Department entitled *Information for Victims of Crime* (South Australia 1988), and which is given to each victim by the investigating police officer. They provide that victims shall:

(1)   Be dealt with at all times in a sympathetic, constructive and reassuring manner and with due regard to the victim's personal situation, rights and dignity;

(2)   Be informed about the progress of investigations being conducted by police (except where such disclosure might jeopardise the investigation);

(3)   Be advised of the charges laid against the accused and of any modification to the charges in question;

(4)   Have a comprehensive statement taken at the time of the initial investigation which shall include information regarding the harm done and losses incurred in consequence of the commission of the offence. The information in this statement shall be updated before the accused is sentenced.

(5)   Be advised of justifications for accepting a plea of guilty to a lesser charge or for accepting a guilty plea in return for recommended leniency in sentencing;

(6)   Be advised of justification for entering a nolle prosequi (ie to withdraw charges) when a decision is taken not to proceed

with charges. (Decisions which might prove discomforting to victims should be explained with sensitivity and tact);

(7) Have property held by the Crown for purposes of investigation or evidence returned as promptly as possible. Inconvenience to victims should be minimised wherever possible;

(8) Be informed about the trial process and the rights and responsibilities of victims;

(9) Be protected from unnecessary contact with the accused and defence witnesses during the course of the trial;

(10) Not have his or her residential address disclosed unless deemed material to the defence or prosecution;

(11) Not be required to appear at preliminary hearings or committal proceedings unless deemed material to the defence or prosecution;

(12) Be entitled to have his or her perceived need for physical protection put by the prosecutor before a bail authority which is determining an application for bail by the accused person;

(13) Be advised of the outcome of bail applications and be informed of any conditions of bail which are designed to protect the victim from the accused;

(14) Be entitled to have the full effects of the crime on him or her made known to the sentencing court either by the prosecutor or by information contained in a pre-sentence report; including any financial, social or physical harm done to or suffered by the victim. Any other information that may aid the court in sentencing including the restitution or compensation needs of the victim should also be put before the court by the prosecutor;

(15) Be advised of the outcome of criminal proceedings and fully appraised of the sentence, when imposed, and its implications;

(16) Be advised of the outcome of parole proceedings;

(17) Be notified of an offender's impending release from custody.

While most of the principles have been established by administrative direction, principles 12 and 14 have also received legislative backing.

Other legislative changes that back up victims support before our courts are:

- Section 10 of the Bail Act 1985 (SA) which requires a bail authority, in determining whether an accused person should be

released on bail, to have regard to any need the victim may have, or perceive, for physical protection from that person.

- Section 7 of the *Criminal Law (Sentencing)* Act 1988 (SA) requires that the prosecutor must furnish the court with particulars of any injury, loss or damage suffered by any person as a result of the relevant offences. Section 14 of the same Act gives the courts power to order the offender, as part of the sentence, to pay compensation to victims of crime for the injury, loss or damage they have suffered as a result of the offence. This right to compensation has precedence over other monetary penalties that may be imposed.

Many of the principles pick up the needs of victims which have been identified in the reports already referred to--the need for understanding, information and consultation. The South Australian Declaration of Victims' Rights is designed to ensure that the victims are kept informed and consulted and their views considered at all appropriate stages of the criminal justice system--from the investigation of an offence to release of the offender from prison.

These aspects of the Declaration are unlikely to be controversial in principle. However it is clear that the past practice of authorities has given insufficient attention to ensuring that victims of crime are accorded these rights. The major challenge in this area is to ensure that all agencies in the criminal justice system accord these rights to victims in their day-to-day dealings with them. Changing attitudes and administrative practices are not easy, particularly when there are limitations on the resources that are available.

However, the principles have been generally well accepted by all agencies (police, prosecutors, courts and corrections) and are being implemented. For instance, the South Australian police have developed a policy document on victims which points the way to policies, strategies and possible innovations aimed at improving assistance to victims as part of crime prevention.

These reforms, which ensure that victims are treated with greater compassion and respect, given more information and consulted about the progress of the cases in which they are involved, have been generally well received and accepted as desirable in most jurisdictions around the world.

The Victorian Sentencing Committee, which reported to the Victorian Government in April 1988, acknowledged that

> It is quite apparent on the examination of the existing system, that in the administration of it and through the carrying out of its processes, victims are shabbily treated. In particular they are not paid the fundamental courtesy by police and prosecutors of being informed of significant events and occurrences in the prosecution of those cases in which they have a personal interest in the outcome. So one

> significant issue concerning victims in the criminal justice system is the right to information (Starke 1988, p. 525).

It then endorsed a set of principles similar to those outlined above and in operation in South Australia.

Compensation Reforms

Other key reforms implemented in South Australia include those relating to compensation. These include:

- Doubling the maximum amount payable to victims of crime from $10,000 to $20,000. (Note: from 1 September 1990 the maximum amount payable is $50,000).
- Introducing a levy to be paid by all those convicted of offences. This levy is paid into the criminal injuries compensation fund.
- Provision for a payment of up to $5,000 in respect to pain and suffering and other non-economic loss suffered by the victim where compensation from other sources is not available for this.

The Victims of Crime levy imposed on all offenders consists of a $5 levy imposed on all traffic infringement notices and certain other offences paid by way of expiation fees; a $20 levy imposed on persons convicted in courts of summary jurisdiction; and a $30 levy imposed on persons found guilty of indictable offences. For children, the levy is $5 for expiated offences and $10 for all other offences.

Along with provisions that provide for the confiscation of assets and the profits of crime, the introduction of the levy has significantly boosted the resources available to the criminal injuries compensation fund. As well, since 1987, the time limit for victims to apply for compensation has been extended from 12 months to three years.

The Victim and the Sentencing Process

The Victorian Sentencing Committee, besides identifying the generally shabby treatment of victims, also referred to a second important issue which has emerged in recent times, namely the role of victims in the sentencing process. This issue and the general role of victims in the criminal trial is much more controversial and raises specifically the question of the desirability or otherwise of victim impact statements as part of the sentencing process.

Both Victoria and New South Wales have so far rejected the implementation of victim impact statements. The Victorian Sentencing Committee specifically recommended against their use,

and the New South Wales Task Force on Services for Victims of Crime in 1987 stated, in relation to victim impact statements, "until the schemes operating can be properly evaluated the task force feels that no attempts should be made to implement such a scheme in New South Wales" (New South Wales 1987, p. 105).

In South Australia, on the other hand, in accordance with the Principle 14 mentioned above, victim impact statements are provided as an aid to the sentencing process.

The difference of approach exhibited within Australia reflects the controversy which has surrounded the general debate on the role of the victim in the criminal trial and sentencing process in other countries of the world. It was one of the main issues debated during the formulation of the United Nations Declaration of the Rights of Victims of Crime and Abuse of Power.

The provision ultimately adopted by the United Nations under the heading of "Access to Justice and Fair Treatment" was:

(6)   The responsiveness of judicial and administrative processes to the needs of victims should be facilitated by

. . . allowing the views and concerns of the victims to be presented and considered at appropriate stages of the proceedings where their personal interests are affected without prejudice to the accused and consistent with the relevant national criminal justice system (A/CONF 121/122, s. A).

The provision is heavily qualified: it refers to *appropriate* stages where the personal interests of the victim are affected and is to be consistent with the relevant national criminal justice systems. These qualifications were a reflection of the difficulty in getting agreement across all jurisdictions on a topic where the issue is treated quite differently depending on the system of law applicable. Despite the heavily qualified nature of the clause eventually adopted, the delegation of the United Kingdom made an explicit reservation when the declaration was adopted at the United Nations Congress as follows: "in the view of this delegation, the rights of victims should not extend in any way to sentencing, case disposal or course of trial".

It is beyond the scope of this paper to examine the different approaches to the role of the victim in the criminal trial process under different systems of law operating throughout the world. Suffice it to say that in continental Europe a much more direct right is given to victims in the criminal trial process either by way of the *partie civile* procedure (for example France and Italy) or the adhesion process (Germany). These give the victim the actual right to appear with counsel during the criminal process. The extent of intervention varies and in some jurisdictions the right is not used greatly.

Within the common law systems, the United Kingdom (like Victoria and New South Wales) has steadfastly rejected the notion of victim impact statements. In the United States, on the other hand,

victim impact statements are permitted in many States and the most extensive form includes the right of the victim to appear personally and make a statement to the sentencing judge or jury on the harm inflicted. It should be noted that although the use of victim impact statements in the United States has generally been accepted their use has been restricted in cases involving the death penalty. In the case of *Booth and Maryland* (482 US 496 (1987)) and *South Carolina v. Gathers* (1989) the United States Supreme Court decided that the victim impact statements authorised by State law in those cases were not valid as they created a constitutionally unacceptable risk that the jury might impose the death penalty in an arbitrary and capricious manner such as to offend the Eighth Amendment ban on cruel and unusual punishment.

The Court said,

> While the full range of foreseeable consequences of the defendant's actions may be relevant in other criminal and civil contexts we cannot agree that it is relevant in the unique circumstances of a capital sentencing hearing . . . (482 US 505).

In the United States then, while there are reservations about the use of victim impact statements in death penalty cases, there have been no challenges and apparently no reservations about their use in other cases as determined by State legislatures.

South Australian Victim Impact Statements

In South Australia, in accordance with principle 14 outlined above, victim impact statements (see sample attached) can be made available at the sentencing stage of criminal proceedings. However, it has been done in a way which does no abuse to traditional sentencing principles, and harmonises existing legal principles with the emerging concerns about the rights of victims.

The legislative provisions dealing with this topic are contained in the new *Criminal Law (Sentencing)* Act 1988 which came into operation on the 1st January 1989.

One of the key objectives of the legislation is to ensure that imprisonment is used by the courts as a penalty reserved for serious offenders, and that courts have a range of sentencing options that allow them to tailor appropriate sentences and penalties for each offender.

The relevant statutory provisions relating to victim impact statements are as follows:

Section 7 provides that:

(1)   Subject to subsection (2), the prosecutor must, for the purpose of assisting a court to determine sentence for an offence, furnish the court with particulars (that are reasonably ascertainable and not already before the courts in evidence or a pre-sentence report) of -

(a)   injury, loss or damage resulting from the offence;

and

(b)   injury, loss or damage resulting from -

(i)   any other offence that is to be taken into account specifically in the determination of sentence;

or

(ii)   a course of conduct consisting of a series of criminal acts of the same or a similar character of which the offence for which sentence is to be imposed forms part.

(2)   The prosecutor may refrain from furnishing the court with particulars of injury, loss or damage suffered by a person if the person has expressed a wish to that effect to the prosecutor.

(3)   The validity of a sentence is not affected by non-compliance or insufficient compliance with this section.

Section 3 defines injury as follows:

"Injury", in relation to an offence, includes pregnancy, mental injury, shock, fear, grief, distress or embarrassment resulting from the offence.

Section 10 provides:

A court, in determining sentence for an offence, should have regard to such of the following matters as are relevant and known to the court:

(a)   The circumstances of the offence:

(b)   Other offences (if any) that are to be taken into account;

(c)   If the offence forms part of a course of conduct consisting of a series of criminal acts of the same or similar character--that course of conduct;

(d)   The personal circumstances of any victim of the offence;

(e)   Any injury, loss or damage resulting from the offence;

(f)   The degree to which the defendant has shown contrition for the offence -

    (i)   By taking action to make reparation for any injury, loss or damage resulting from the offence;

    or

    (ii)   in any other manner;

(g)   If the defendant has pleaded guilty to the charge of offence--that fact;

(h)   The degree to which the defendant has co-operated in the investigation of the offence;

(i)   The need to protect the community from the defendant's criminal acts;

(j)   The deterrent effect any sentence under consideration may have on the defendant or other persons;

(k)   The need to ensure that the defendant is adequately punished for the offence;

(l)   The character, antecedents, age, means and physical or mental condition of the defendant;

(m)   The rehabilitation of the defendant;

(n)   The probable effect any sentence under consideration would have on dependants of the defendant;

(o)   Any other relevant matter.

These provisions generally enshrine in statute law the principles which have been applied at common law to sentencing. Insofar as there has been any doubt about victim impact as a relevant factor in sentencing, section 10 has made it clear.

What then are the traditional principles? The place of the victim in the sentencing process is illustrated by the following quotation by South Australian Supreme Court Judge Wells J. in R *v. Kear*, (unreported No. 16 of 1977) when articulating the difficult course which sentences must run to avoid giving inappropriate emphasis to any one of the aims of punishment:

> In the span of centuries during which judges have been sentencing, the possible purposes that have again and again presented themselves to judicial minds, and that jostle one another in their endeavours to gain paramountcy are (1) to deter; (2) to prevent; (3) to reform, or in modern parlance, to rehabilitate; (4) to exact retribution.

It is not possible in any one case to give full rein to any one of those purposes. To adopt one to the exclusion of the rest is likely to produce results that are absurd, unjust and ineffectual.

. . . (the sentencing judge) must obtain a good grasp of the facts of the crime and of such details relating to the prisoner's history, character and mentality as appear relevant and helpful. He must consider, where pertinent, pre-sentence, police, medical, psychiatric and all other reports tendered by defence or Crown. He must keep prominently before him the victim, the harm and pain suffered, the loss incurred. He must remember those affected by the victim's experiences. He must have regard to other potential victims and other potential criminals.

He must weigh every relevant circumstance and endeavour to reconcile the purposes of punishment which, in certain circumstances, are not really reconcilable if taken to their ultimate conclusions in logic.

He must bear in mind the interrelation of those purposes imprisonment may not only deter, but help to reform; a sentence aimed at visiting retribution is likely also to deter; an order designed to rehabilitate may, in the right sort of case, protect the community better than that designed simply to deter or to visit retribution. He must, in short, protect the community by and through the orders he makes, as far as may be with justice to all, and where it can be extended, with mercy.

The age, conduct, character, antecedents and status of the victim of a crime, as well as the effect of the crime on the victim are factors taken into account in sentencing. In addition, the vulnerability of the victim is treated by the courts as an aggravating factor calling for a heavier sentence. The vulnerability may be on account of the youth of the victim or the advanced age of the victim or other incapacity, such as ill-health or mental or physical handicap.

Wells J. in *Arkins v. Dennett* (SA Sup. Ct 23 December 1986, unreported) named but a few whom he regarded as vulnerable and attracting the special protection of the law:

. . . umpires in the precincts of the football grounds, men and women who run stores and service stations in the remote parts of the state; young children walking home alone from school; elderly persons who live alone; a ship under navigation in her captain's reliance on signals; a lone policeman faced with a riotous assembly; a young girl walking home at night through the parklands.

Taxi drivers are also to be included in this category (Salt v. *Galkowski* (1978) 19 SASR 130).

A marked discrepancy between the ages of an older offender and younger victim can also be regarded as an aggravating factor (*Butler* (1971) VR 892), as will the fact that the victim encouraged or provoked what subsequently transpired to be a criminal offence (*Bruzzese* (1970) VR 813). The character and antecedents of the victim

are pertinent. In R *v. Butler* ([1971] VR 892) the prosecutrices, all under the age of sixteen, were described as "neglected and wayward girls of loose moral character" (p. 895) and this was considered mitigatory. The fact that the victim is a virgin at the time of the offence is referred to as an aggravating factor in sentencing for rape and related offences.

By definition the status of a victim may be made an aggravating factor. For example, in South Australia there are specific offences of assaulting or obstructing clergymen in the discharge of their duties (*Criminal Law Consolidation Act 1935* (s. 41), assaulting a magistrate preserving a wreck (s. 42), assaulting police in the execution of their duty (R *v. Huffa* [1975] 13 SASR 205). Walters J. said that a custodial sentence is perfectly proper for a first offender where the crime is marked by violence and *a fortiori* where there is an unprovoked assault on a policeman in the execution of his duty.

The effect of the crime upon the victim is also reflected in the sentencing process. In cases where the effects form part of the ingredients of the charge, for example, assault occasioning actual bodily harm or injuring persons by dangerous or reckless driving, the extent of the harm (either physical or psychological) is directly reflected in the penalty imposed. Where the crime is not aimed directly at the person of the victim, for example breaking and entering and larceny, it is generally assumed that victims suffer in the sense that the security of their home has been violated.

In the cases of sexual assault, particularly on young persons, courts take the view that long-term psychological harm will have been done (R *v. Myer* (1984) 35 SASR 137, in particular Wells J. at p. 13) but that the extent is unknown and some component for this is built into the sentence.

If a victim is badly injured or suffers psychological trauma, or becomes pregnant on account of a rape, or if pregnant, suffers miscarriage, a heavier penalty is called for. In R *v. Webb* (1971) VR 147 the accused had pleaded guilty to rape with mitigating circumstances. It was alleged, but not admitted, that a child was conceived as a result of the intercourse. The court said (150-1):

> It is always open to a judge to have regard to the fact that no evil effect resulted from the crime to a victim. That is common occurrence and a fact properly taken into account. But, conversely a learned judge is equally entitled . . . to have regard to any detrimental, prejudicial, or deleterious effect that may have been produced on the victim by the commission of the crime . . .

There are very few views to the contrary. A.L. Goodhart in a note in the *Law Quarterly Review* ((1964) 80 LQR) refers to two cases in which an opposite view was taken. In both cases the accused had pleaded guilty to causing death by dangerous driving.

In sentencing Streatfield J. said:

> The fact that a death resulted from a piece of dangerous driving did not make the dangerous driving any more or less. It would be quite wrong for the court to measure a man's culpability by the amount of damage he did.

This is not a view supported by Goodhart himself or by the general case law.

The fact is that Australian courts do not impose punishment solely according to the moral culpability involved in the act itself without regard to the consequences (R *v. Webb* 1971 VR 147; Wise v. R (1965) Tas. SR 196; R *v. Bayley* (WA Sup. Ct unreported 77/1972). If some physical or mental characteristic of the victim makes him particularly vulnerable to physical or mental injury, then that is the offender's misfortune.

It should not, of course, be forgotten that the effect of the crime on the victim is but one of the factors to be taken into account in sentencing the offender. It needs also to be borne in mind that a court can only sentence an offender for the offence of which he has been found guilty so the effect of the crime on the offender can only be reflected within the bounds of the penalty laid down for that offence.

For the sentencing authority to take into account the effect of the crime on the victim when imposing sentence is consistent with the principle of substantive law that an offender has to take the risk that his victim has less resistance to ill-health or injury than the next man (Howard 1970, p. 38). As Lawton C.J. said in *Blaue* (1975 3 All ER 446 at 450):

> It has long been the policy of the law that those who use violence on other people must take their victims as they find them. This in our judgment means the whole man, not just the physical man.

The conclusion which can be drawn from these authorities is that the extent of harm done to a victim is a relevant factor to be taken into account by the sentencing court, at least provided that the harm was reasonably foreseeable. In other words, it is not just the normal degree of harm resulting from the offence to a normal person which is taken into account in every case irrespective of the actual harm caused. The actual harm, provided it is reasonably foreseeable, is a relevant aggravating factor in deciding an appropriate sentence.

The converse may also be true, in that if the amount of actual harm is much less, then this is considered to be a mitigating factor.

The *Victorian Sentencing Report* (1988) seems to accept that actual impact on a victim is relevant provided that it is reasonably foreseeable. Paragraph 13.3.12 states:

> The Court in Victoria would not take any account of the actual impact on the victim if it was beyond that which was reasonably foreseeable.

And paragraph 13.3.16 states:

> The issue concerning impact statements of victims then becomes whether or not the law's objective approach to the treatment of the impact of crimes on victims should be replaced by a subjective approach in which the court takes account of the actual injuries suffered by the victim whether or not it was reasonably foreseeable.

There is some ambiguity in the Victorian Sentencing Committee's arguments on this topic. The authorities cited above indicated that at common law the actual impact on the victim is a relevant factor in sentencing provided that the impact comes within the general law relating to foreseeability of harm. As a matter of common sense and practice, sentencing courts will award higher sentences where the harm is serious and the injuries great. This being the case, it is consistent with legal principle for there to be information on the impact of the crime on the victim in all cases where the victim requests it.

In South Australia this is done by the police collecting information about the harm to the victim at the initial report and investigation stage and for that information to be updated prior to sentencing. In serious cases the Crown prosecutors obtain updated medical or psychiatric opinion on the amount of harm inflicted on the victim. This avoids the inconsistency which could occur previously when, following a plea of guilty in the higher courts, the full effect of the crime on the victim was not before the court because the victim had not given evidence before the sentencing judge.

Before analysing the objections to victim impact statements, it is necessary to know what is being advocated. Some victim advocates have pressed for the right to be heard either in person or by counsel.

In the United States, there are different systems operating, some of which enable the victim's statement to be read to the court to enable victims to appear personally and make a statement about the effect of the crime on them, and in some cases, permit the victim to say what the sentence should be.

The South Australian proposal does not permit this. The principle is that a victim is entitled "to have the full effects of the crime upon him/her made known to the sentencing court either by the prosecutor or by information contained in a pre-sentence report".

Originally it was proposed that all pre-sentence reports would contain a report on the effects of the crime on the victim prepared by a probation officer. This had considerable resource implications and a decision has now been made to ensure that in all cases, summary and indictable, whether there is a pre-sentence report on the offender or not, the police or Crown prosecutor will ensure that the full effects of the crime are made known to the court. In many cases it may be appropriate for an additional sworn deposition by the victim to be presented to the court.

It is not then proposed that the victim has a separate right of appearance. The victim impact statement is provided to assist the

court in making a sentencing decision on the basis of already established principles.

With the Crown prosecutors and the police putting the effects of the crime on the victim to the court there will be no cost to the victim and all victims will be treated equally. Relevant, objective, factual evidence of the crime effects on the victim can readily be placed before the sentencing court by the prosecutor. Even if the victim had the right to be heard, it would only be objective, verifiable evidence which could properly be considered by the sentencing court.

In South Australia as a result of changes to the law which gave the Crown a right of appeal on sentence, prosecutors now take a more activist role in making submissions on sentence. The impression that victims often have that all the judicial attention is concentrated on the offender is no longer justified.

The principle objection to victim impact statements is on the grounds that they militate against consistency of approach in sentencing. This argument is fallacious. If, as the authorities show, the effect of the crime on the victim is relevant to the sentence then consistency should be enhanced by ensuring that full details of those effects are before the court. A victim and the community could feel justly aggrieved if leniency were wrongly accorded to an accused person because the full circumstances of the crime were not before the court. An offender who was given a lengthy gaol sentence would feel a sense of injustice if another offender of similar age and antecedents was given a bond because the court was unaware of the extent of the loss, damage or harm to the victim resulting from the offence. The present practice, where in one instance there is a pre-sentence report and in another there is not or where in one instance the effect of the crime on the victim is fortuitously before the court and in another it is not, does not promote consistency in sentencing. Sentencing in Australia is not done according to some precise mathematical formula. It is a matter of giving weight to mitigating and aggravating factors. A relevant aggravating factor is the effect of the crime on the victim.

Another objection is that victim impact statements would result in lengthening of criminal hearings. This may occur to some extent, but the approach in South Australia of ensuring that relevant information is collected and updated at all stages of the investigation and trial process should ensure that the resource implications for all agencies including the courts are minimised.

A further objection is that the offender must have the opportunity of cross-examining on victim impact and that this will cause further trauma to the victim. Just as with pre-sentence reports now, it is inescapable that nothing should be taken into account against a convicted defendant except what he admits or what is proved against him by sworn evidence, which he has had a chance to test by cross-examination. Again the circumstances in which cross-examination will occur specifically on victim impacts will be lessened by ensuring that the information is collected at all stages of the

proceedings and made available to the accused through normal depositions.

Further trauma for the victim can be avoided by, for example, having a third party report on the effect of the crime on the victim. Where a victim is undergoing counselling as a result of the crime that person is well placed to report. Where a victim does not wish to be cross-examined, or if the victim is a child and the child's guardian does not wish the child to be cross-examined on the victim impact statement, that should be the end of the matter, and the sentencing authority should ignore any contested material. Similarly, the victim should not be compelled to provide any information for inclusion in the statement if he or she is not so included.

The Victorian Sentencing Committee discussion paper (Victoria 1987, p. 129) was also concerned that by providing for the use of victim impact statements, there was a real danger that the court would give "far too much weight to the effect on the victim and not sufficient weight to the other considerations of sentencing and in particular the rehabilitation of the offender".

This is an unduly paternalistic approach. In a particular case deterrence may need to take precedence over rehabilitation. In another case the reverse will be true depending on the circumstances of the offence and the offender.

Victim impact is relevant in sentencing, and the best available information should be before the court to enable it to perform the task of resolving the competing and often irreconcilable interests involved. It should not be forgotten that the effect of the crime on the victim is but one of the factors to be taken into account in sentencing.

Another advantage of a victim impact statement is that material can be included in it which will enable a sentencing court to make a judgment about whether there should be direct restitution by the offender to the victim. This will also depend upon the offender's capacity to pay. The Criminal Law (Sentencing) Act in South Australia specifically provides that if direct restitution is possible as a sentencing option then it should take precedence over a monetary fine. A victim impact statement enables this to occur. The investigating officer includes details of any loss and damage (personal or property) and substantiating documents (for example, receipts) as a natural part of the investigation.

The preparation of the victim impact statement commences at the time of the initial police investigation. When the police investigating officers come into contact with a victim on the first occasion, a pamphlet is handed to them which sets out their rights and also provides a contact number to enable the victim to follow their case through the criminal justice system. The investigating officers are required to fill out the victim impact statement form and will update that at the time of sentencing.

Conclusion

There is little doubt that the community concern about crime, victims and criminal justice policy generally will not abate in the near future. Legislators, administrators and the judiciary will need to be responsive to those community concerns and, in particular, will need to ensure that proper treatment is accorded to victims of crime. Surprisingly, given their importance to the functioning of law enforcement in reporting offences, victims have been the Cinderellas of the criminal justice system. This has occurred not because of any deliberate policy of neglect, but because of unintentional oversight and indifference born of the complacent assumption that victims will always co-operate and are always given proper consideration. The facts tell a different story.

At the very least we must, throughout Australia, upgrade the information and consultation mechanisms for victims at all stages of the criminal process. But we should go further. Information on the effects of the crime on the victim is relevant to sentencing and should be put to the court in a much more organised and structured manner than has been the case hitherto. As I have said, the introduction of victim impact statements is a unique step in Australia. South Australia is the first Australian jurisdiction to have them and this is a significant reform for victims.

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Psychiatric Aspects of Preventive Intervention With Victims of Violence

Beverley Raphael

There is much to be learnt about the most appropriate ways of assisting those who have been exposed to violence: we are only just starting to comprehend the nature of the effects of such trauma--both acutely and in the long term. The evolution of the concept of post traumatic stress disorder, strongly driven by the unmet needs and problems of returning Vietnam veterans, is one facet. The study of response to disasters and management of the victims is another. And the evolving movements of rape crisis centres and crime victims associations are a further source of impetus and understanding.

It is clear that the range of human responses to traumatically stressful life experiences, such as the personal experience of violence, is wide and complex. To understand it, requires an assessment of the nature of the particular traumata, how they are perceived by and reacted to in terms of background factors in the individual, how they are processed and coped with by the person subsequently, and how his or her social environment supports the recovery process. This scheme of interactions has been crystallised in Figure 1, a model from post-traumatic stress research (Green, Wilson & Lindy 1985)

In practical terms there is now considerable information to assist with planning for preventive intervention, but it is important to do so on the basis of this interactive model and its application to the individual. Clearly a sophisticated knowledge of mental functioning and clinical aspects is critical to the development and implementation of preventive programs in this sphere.

Figure 1: **Processing a Catastrophic Event: A Working Model**
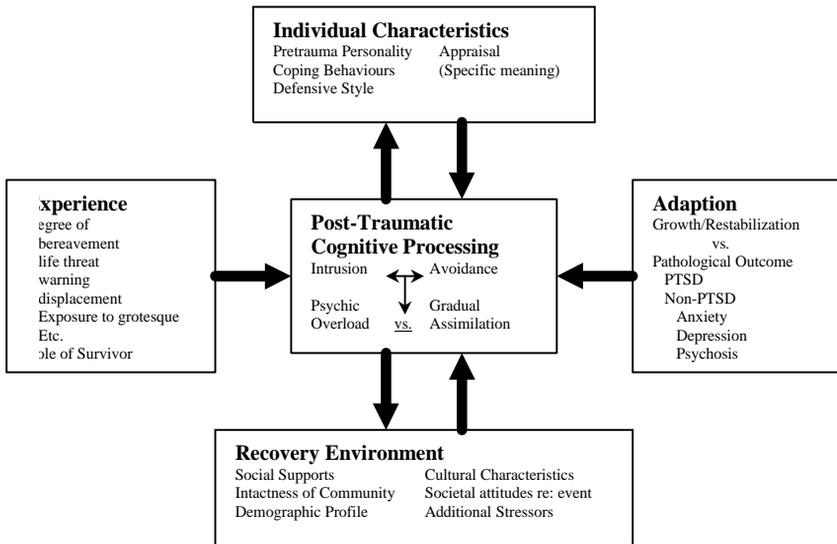
(**Source**: Green, Wilson & Lindy 1985)

Educational and Broadly Based Generic Interventions

All those who are likely to be involved in any way with the victims of violence need to be thoroughly educated to understand some general facets that will influence their orientation, contact and response. This sets the background and prevents the likelihood of a "second injury" because of insensitivity to special issues associated with trauma.

• Reactions to severe trauma are "normal"--the normal reaction to an abnormal situation or experience. The nature of this normal reaction and what it means in terms of preventive intervention will be described later. But the person who has so suffered will need support and assistance within this framework, and the orientation of any individual counselling or therapy will be in this direction.

• Each individual will have specific personal experiences and reactions, and needs to be understood as an individual,

although there will be common themes within his or her reaction. These themes will depend on the nature of the trauma but are likely to include the criteria of intrusive and avoidant phenomena and increased arousal when there has been a traumatic experience of encounter with death, and grief when there has been a traumatic experience involving the loss of a loved one, or an amalgam of these and other reactive processes.

- Telling the trauma story will be important for the victim but each person must be allowed to achieve this in the way which best suits him or her and when ready. It is often difficult for those offering support to recognise this, to bear to hear the story, or alternatively to avoid demanding its catharsis in the impatience to help the traumatised person.

- It is vital for the victim to be able to take an active role in moving from the helpless state he or she has experienced to the more powerful state of someone who is actively mastering the experience--from the state of victim to that of survivor, as so aptly described by Ochberg (In Press). This process includes a recognition of suffering, plus an expectation that the victim can and will recover, while at the same time ensuring that support will be available to help on this journey.

- There is much that can be helpful in support from others who have suffered the same or a similar experience. This help may be offered in an emergency or may occur spontaneously, by interactions of those who have suffered together, or may occur later through formal organisations supporting those victimised in particular ways.

- There may be many different "victims" of violence--ranging from those directly exposed and subjected to it, to those who are in rescue or emergency organisations dealing with those affected by it, to those who are the loved ones of those who have been hurt, or the counsellors and helpers who themselves attempt to provide assistance.

- The effects of being a victim of violence may be profound. Not all are affected, nor are all scarred, but the effects range from transient reactive processes, to post-traumatic stress disorder, from single pathology to multiple syndromes of co-morbidity including anxiety disorders, depression, substance abuse, and character pathology. Even more concerning now too, is the apparent connection between childhood experience of violence and trauma and the development of character pathology in adult life such as the borderline syndrome, or the possibility of ongoing cycles of impairment or replicating violence. This has

been demonstrated in studies of the children of Holocaust survivors and in the outcomes of childhood sexual abuse to name a few.

Recognition of these key issues should be a part of baseline education for all those who will have any contact with victims of violence--so that they may know how to offer compassionate, sensitive, intelligent care in all that they do for those who have been so affected. More specific care can only be provided after detailed assessment and with careful and skilled management.

Specific Interventions for the Victims of Violence

In an ideal world one would wish to prevent violence from occurring in the first place, and systematic campaigns need to be directed to this end. But beyond this there must be much further development and testing of preventive approaches for all those who have been so affected. There have, to date, been no systematic studies of preventive intervention of those affected by violence, although several studies suggest some aspects of management that may be beneficial. The military practice of a forward psychiatry suggests that stressed combat troops treated rapidly at the front and returned to duty are likely to benefit at least in the short term. Of concern, however, is the increasing evidence of a cumulative effect of increasing vulnerability resulting from previous combat stress reaction experiences (Solomon, in press). Rosser (personal communication) reports that victims of the Kings Cross Train disaster in London appeared to have benefited, or been helped by, talking through their experience. And there are descriptive reports by Mitchell, Dyregov and Kristoffersen (in press) on the value of critical incident stress debriefing for emergency workers dealing with these or other traumatic situations. Data from a current study in Melbourne, Australia where debriefing was provided after the Queen Street, Australia Post massacre should also provide helpful information (Creamer, in press). Unfortunately, however, there have been no systematic studies testing the effectiveness of preventive intervention with different groups, and indeed systematic controlled studies are also lacking for the treatment of established morbidity in this field. Thus the information provided below will represent the key aspects of what is currently known to be of most relevance in this field.

The Trauma

There are many different experiences of violence and their impact will be different in terms of their meaning to the individual with his or her own particular personal and societal background. Violence may occur as a result of a natural disaster in the turbulence of cyclone or flood, for instance. This is quite different, as an "Act of God" from the experience of violence inflicted by one person upon another.

Then, within the range of personal violence there is that which is diffuse--not directed towards the individual as a particular person, but rather because of some role he plays or even coincidentally some place he is in. It may be part of a responsibility of the individual to be in some role or situation in which violence is likely, anticipated, or even trained for and the person may also be trained in the techniques of violence. This does not protect from its impact, but it may change perceptions, response and mastery processes. Soldiers are most typically exposed in this way, but despite this they suffer when the overload of violence and death is too intense, too close, too personal and too prolonged. There was a particularly powerful impact of the violence on the Vietnam War, a war which aroused not support, but antagonism from the soldier's family and community, and which required violence from him towards those not seen as soldiers or trained for the role.

Violence experienced indiscriminately as in those who are in a bank hold-up, or mugged, or shot at in a random sniper attack, is terrifying in a different way because there seems no way of anticipating, preventing or avoiding its occurrence or recurrence.

Terrible for the victim, however, is the chosen violence where he or she is pursued, where violence is deliberately perpetrated and humiliation and degradation part of the perpetrator's intent. Rape and torture are two sorts of violence which come within this spectrum and their consequences are particularly difficult to integrate because of this. These forms of violence are difficult for the counsellor whose attempts to explore and understand may seem intrusive and threatening for both victim and worker.

Another form of personal violence is that which occurs within families. This may be impulsive, sporadic, passionate, intermingled with more positive aspects of family life; it may be the consequence of alcohol dependence and reflecting just one aspect of this profound impact of that disorder on family members; or it may be systematically and sadistically perpetrated on those who are unable to protect or defend themselves-- usually wives and children. Here it may or may not be complicated by or take the form of sexual abuse. It may involve violence of such a degree that murder and/or profound injury result--or it may be more subtle, but still violent in context.

To work preventively with victims the specific nature and context of the violence needs to be understood. This may be through the victim's initial description of what has happened--fresh and

pouring out and needing to be dealt with in a context of emotional first aid. Or the victim's reactions to it may be such that it is not available--he or she is not ready to discuss it and can only do so when in a situation of some security. Security may be when there is certainty it cannot recur. But it is more likely to represent security of an interpersonal context--of basic trust. This may be the context of safety in a loving protective family or dyadic environment. Sometimes this may not be possible because the victim cannot trust his or her relationships, or fears those close to the victim will be hurt by the pain of the victim's experience as he or she has been, or because he or she fears rejection because of what has happened and the stigma and fear associated with it. Such fears are not unreal, as is clearly indicated in the response to many rape victims. Furthermore, the victims are highly aroused and sensitive following their experience and readily sense how others may draw away from them, afraid to know of or get close to what has happened to them.

This latter experience may lead to the "second injury" (Ochberg, In Press) that many victims experience. This is when others do not believe, do not want to hear, or in some way convey to the person a lack of empathy and response. It is very important for those who work with people who have been exposed to violence to be particularly sensitive to this type of response in themselves and others and to avoid it if possible--being able to stay with and bear to hear about the trauma is essential to work in this field.

Dissecting out the elements of the traumatic experience is important. Exposure to violence involves usually and primarily the threat of death--the threat to one's life directly and often in situations where one cannot escape or fight back; sometimes in a situation of inescapable horror; the threat of death is violent and terrifying; there may be threats to the lives and safety of loved ones, or separation from them; and there may be gruesome, horrific, mutilating deaths of others. This personal encounter with death leads to a set of reactive processes which will be described below, but which involve anxiety, re-experiencing arousal and shutting off processes--which are frequent and can be classed as post-traumatic stress reactions. These reactions are a normal response to such an abnormal and distressing experience, are not in themselves a disorder, and need to be understood as reactive processes, which, hopefully, will progress to mastery, resolution and integration of the experience in the weeks that follow. The terror induced by the threat to one's life, or the confrontation with death, often in totally unexpected and unpredictable circumstances, leads to high arousal, a physiological reaction of fight/flight, and psychological processes to attempt to cope with threat.

Feelings of helplessness may be profound, especially when action or escape is impossible and these feelings may be difficult to deal with subsequently. An important part of the intervention and support process in this early stage may be to assist people to overcome

this feeling by active processes in their own adaptation and recovery, mobilising their involvement in decision making, or helping others. It is also of value for those who have gone through this experience to have information about the normality of this reaction, and whatever further assistance is necessary to help a sense of mastering it cognitively or behaviourally in retrospect. Men especially may have feelings of shame because they have been unable to act, and may need to deal with feelings of inadequacy that arise in this context.

Dissociative responses are frequent at the time of a traumatic experience of this kind. They may be brief, or prolonged, or simply a defensive process essential for the individual's survival. Sometimes they may interfere with the capacity to act appropriately, either to help oneself or others. Dissociative aspects may continue after the traumatic experience and may interfere with adaptation, mastery and recovery. Some research has suggested that the degree of dissociation may predict heightened risk of the development of disorder subsequently. However, at present, further work is needed to verify this. The main issue preventively and clinically is that it may be necessary to help those who have been affected to experience what has happened, to undo dissociation, carefully, gradually and as they are able, so that their emotional reactions which have been so shut off, can be worked through and progressively integrated.

Behaviour during the traumatic experience is something the victim may accept, see as normal, as all that could have been done, or as positive and a source of pride; but in some instances it is viewed most negatively, evoking feelings of guilt, shame and sometimes, a sense of responsibility for part or all of what happened. This reviewing of the event is an essential element of preventive work but needs to be taken carefully, at the victim's own pace and time. "Forgotten" aspects are often so because of the emotional pain, fear, helplessness or guilt that will be faced if they are remembered.

The sense of personal invulnerability is breached by experiences of this kind, especially when they occur for the first time. There is a realisation that these things do not just happen to others, to anonymous people in unfamiliar places, but unbelievably they can happen to oneself and one's loved ones. This in itself produces a sense of shock and unreality, and leaves a vulnerability about the security of one's world in the future. A foreshortened sense of the future may be one consequence of this especially for traumatised children. Anger that this has happened, that one was not protected from it by God, or others, may be a consequence, and is disabling if the victim stays locked into this.

A second major element of traumatic experiences is loss. There may be, within the experience of violence, separation from loved ones, their loss, or their deaths. Sometimes the experience of violence will be witnessing the violent deaths of family members while one is threatened or powerless oneself. Pynoos & Eth (1986) have vividly described their research and clinical experience with children who

have witnessed the murder, rape, deaths of parents and other family members in contexts of extreme violence.

The experience of traumatic loss leads to grief bereavement reactions during the acute reaction process. These may often be intermingled with or complicated by, or indeed blocked by the post-traumatic stress reactions and phenomena related to the encounter with death. The victim may not be able to grieve until he or she has dealt with the traumatic experience and its reaction, especially when the intensity of the traumatic experience has been great (Raphael 1983; 1986) (Pynoos & Nader 1988).

Bereavement reactions under such circumstances are high risk (Raphael 1977; Parkes & Weiss 1983; Lundin 1984). The sudden, unexpected, violent nature of the death, the fact that it is often also untimely, the concurrent stressors and crises, feelings of guilt and helplessness may all contribute. Work to deal with this has as its goal, the facilitation of grief and mourning, but this may only be able to occur after some working through of the trauma has occurred, otherwise the bereaved person is stuck, back at the time of the occurrence of the death and its circumstances. He or she needs to be assisted to move on and gradually review the lost relationship, share memories and feelings and gradually relinquish the bonds to the dead person. This is likely to take considerable time, but the early processes may be set in motion in a preventive framework. Firstly, it is essential to help the person say goodbyes to the deceased, seeing the body, working through what he or she would have liked to say and do, attending the funeral and participating in culturally appropriate rites of recognition and farewell of the dead. Secondly, we need to promote supportive interaction with family members to share feelings, experiences, and memories, good and bad. Thirdly, there is a gradual integration of these to a whole and healed memory constellation and "relationship" with the loved person, in the past with appropriate and not excessive realistic recognition of their value, role and ongoing significance to those who are still alive.

Another aspect of the traumatic experience is the responsibility trauma. This has been highlighted by Norwegian workers in the field of disaster and traumatic stress (Weisaeth, in press) as well as by those evaluating many different victim experiences (Wilson, Smith & Johnson 1985). By this is meant the perceptions an individual has that his or her behaviour in some way contributed to the trauma or its outcome. This perception may be related to reality--for instance what the person did or did not do to bring on the violence, or to assist himself or others--"sins" of omission or commission as they may be perceived. Or it may be part of the attempt to gain control, to master, by "explaining" because it may seem easier than to accept that such horrific events were totally unpredictable and outside one's control. Man-made situations of violence are more likely to bring this trauma, and it is also more likely to occur for those in a position of responsibility for others. Torture may play a significant part here,

where the torture process is aimed at making the victim feel that unless he produces what the torturer wants he will be responsible for the trauma/death/mutilation inflicted upon others--perhaps even his or her child, spouse and other loved ones. The rape victim also often feels, quite inappropriately, that she may have "caused" her own vulnerability and is inappropriately guilty.

There are a number of other potential traumatic elements for the victim of violence, either in the nature of the violence perpetrated upon him or in the issues which follow it. There may be a disruption of family, group, or social network by the extent and destructiveness of the violence-- bringing separation from those supports which would normally comfort and succour the traumatised person. There may be loss of home or community for those who are refugees or the victims of urban violence-- dislocation and anomie may become further stressors. Stigma may surround the particular trauma, either with blame for the victim or avoidance of him. Or the violence may be condoned overtly or covertly leaving the victim powerless in terms of redress, or even escape, as has occurred in the past, for instance with domestic violence. Legal requirements of giving witness and testimony may help--but adversarial, and blame-mechanisms may set a rigidity of response which goes counter to the victim's emotional needs. Finally, time, culture and situation may further define the quality and nature of the trauma making an additional burden of it.

Quantitive aspects of the traumatic experience are difficult to define in operational terms, but are of great importance in the effects they are likely to have. The more severe the intensity, the more prolonged, the more it is perceived as stressful by the person experiencing it, the greater the likelihood that the reaction to it will be severe, and the risk that pathology will follow. Prolonged, continuous violence with no end in sight is likely to be particularly damaging. Greater exposure is thus an index that a preventive approach is even more important and identifying the level of risk for the victim is a critical parameter of the assessment and intervention.

Preventive intervention aims primarily at helping the victim come to terms with the traumatic experience of violence. In the initial emergency stage, the principles are those of emotional first aid: protecting and comforting the victim, allowing emotional release, providing for basic physical necessities. If the victim is regressed and terrified, staying quietly with that person until they are more settled may be required. Sedation is not usually necessary, but may be, if distress is intense and further adding to the victim's problem. It should only be offered as a temporary measure to assist rest, relief from exhaustion and recovery.

Telling the trauma story is a key aspect of the victim's process of dealing with and ultimately coming to terms with his or her experience. He or she may be able to tell it readily, but often requires gentle support and encouragement to review what has happened, in all its horrific detail, and gradually to explore and express the great

range of complex feelings it has evoked: fear, terror, rage and anger, grief and despair, bitterness, humiliation, guilt, hatred and many others. The sources and origins of these feelings and what they mean to the victim are explored, but at his or her own pace. The nature of the trauma, his or her role in relation to it--how the violence was perpetrated, its context are all relevant. The story may be told in full, or bit by bit as the victim is able to face the emotion generated by it. The particular elements of the traumatic experience, especially the encounter with death need to be explored, the feelings expressed and understood as natural to the experience. The other elements of trauma, if they are present will need to be assessed and the individual helped to understand and come to terms with them. Feelings of helplessness, dissociative responses, the destruction of the sense of personal invulnerability, need to be recognised and some sort of mastery gained in retrospect. As well, individuals may need to integrate into their view of themselves, their own behaviour and reactions during the time of acute threat.

This review process, gently encouraging the telling of the trauma story, is part therapeutic and preventive, while at the same time allowing further assessment. The severity of the trauma, its particular elements, presence of risk factors for subsequent morbidity should be noted and the need for further counselling or therapy to lessen risk foreshadowed. Severe and intense violence, with high levels of life threat, loss and responsibility traumata, combined with victim experiences of dissociation and helplessness, sadistic perpetration and associated humiliation, degradation, rage and guilt, may all indicate, in terms of the trauma itself, the risk to resolution. Traumata such as these are never forgotten, even if repressed, but whether or not they lead to "scarring of the mind" with more permanent patterns of pathology may depend on the effectiveness of help at this early time. The victim may become "stuck" at the time by the pain of the experience, and his or her life dominated by it. It is part of the expectation of preventive intervention that it will assist the victim to move on gradually, integrating and making meaning of what has happened, so that it is no longer so painful, but can be seen as part of life's experience. He or she is helped to take an active role, to work through and define personal ways of coping and gaining mastery, to progress from the identity of victim to that of survivor--with the assistance of those offering counselling and support.

As Ochberg (in press) emphasises, each person's solutions and resolutions will be somewhat individual, but the person providing support needs to do so recognising both the suffering and strengths of the traumatised person. Educational input is also important so that individuals may know that their reaction is normal--the normal response to an abnormal experience. He or she needs also to be helped to review and make their own meaning of the experience and their own expression of affect. Dealing with the trauma needs to be done at their own pace, and in amounts that he or she can tolerate and

integrate. Those offering counselling and support need to be able to be with the victim through this and not demand immediate catharsis or seek simplistic solutions such as "getting it all out" when the person is not ready. This dosing of affect is especially important when the experience has been overwhelming, and may only occur when there is a secure counselling or other relationship. The support of others, as will be mentioned below, is helpful--for instance, when there can be a sharing and release of feelings immediately after a trauma by those who have been through it together and really "know" what it's like. Longer term support from victims who have survived is also of assistance, and this group may help in the acute phase both by their empathic recognition of what the victim has gone through and by their message, by their presence, of ongoing existence and survival.

These then are the key themes of preventive intervention in relation to the trauma itself--the telling of the trauma story, the making meaning, the steps of mastery and recovery, and the delineation of those at special risk or in special need.

Reactions to the Traumatic Experience

As mentioned earlier the reactions to the experience involve those processes which take place after its occurrence--as the individual attempts to integrate it. Information regarding these reactive processes come from studies such as those of populations exposed to violence in disasters, to the effects of combat, to the experiences of those who are the victims of the many different forms of violence noted above. More systematic prospective research is necessary to elucidate the time course and particular symptomatic constellations evoked by different traumatic circumstances of violence and particular traumatic elements as well as their interaction with background factors in the individual. Two theme areas which may overlap, but are distinct have been delineated and are of relevance in understanding the early responses of victims of violence and providing assistance for them.

Post traumatic (or traumatic) stress reactions

Most people who have experienced violent traumatic encounters with death, life threat or the death of others, will react with varying degrees of the following phenomena which may appear immediately or following a period of emotional "shock" where the person appears stunned, or feels numbness, and disbelief.

- Intrusive re-experiencing phenomena and anxiety. Re-experiencing, including a return of the anxiety and fear, and other associated emotions occur for most people within the first 24 hours. Spontaneous intrusive images, flashbacks, nightmares,

feelings of panic, distress triggered by reminders of what has happened may all be part of this.

- Avoidance and shutting out of feelings. This process is the opposite to that outlined above, and represents attempts to shut off the intense affects, to protect the self and ego. Numbness, loss of feeling, avoidance of persons and interactions and avoidance of places and reminders, are all part of this spectrum. Withdrawal may be pronounced.

- Arousal. Arousal with scanning of the environment, hyperalertness, excessive startle response and irritability.

These are common phenomena following such experiences and the more intense the exposure the more likely they are to be intense and disturbing. Horowitz (1986) has described the intrusive and avoidant phenomena as part of the cognitive processing of the experience--they may alternate or one or other predominate as the principal reactive pattern. Some people for instance, may be predominantly numb, and withdrawn-- unwilling to make contact with others or to discuss what has happened. Others may be continuously overwhelmed by the anxiety and intrusive phenomena with disruption of functioning. Arousal may leave the victim fearful and exhausted--in a constant state of anticipation of a return of the trauma.

Most often, these "normal" reactive processes gradually diminish in intensity over the first few weeks as the individual works through, copes with and actively masters the experience. What usually happens--probably progressively over 4 to 6 weeks--is a gradual lessening of anxiety and intrusions, and capacity to talk of what has happened, with lessening distress, a lessening of avoidance, and a diminution of arousal. Research data from Norwegian disaster researchers suggests, however, that if these phenomena are not lessening, but are continuing high or increasing after the first week to 10 days, then it is very likely the person will go on to develop post-traumatic stress disorder. Specific studies are not available from the range of traumatic experiences of personal violence, although empirically this seems likely to apply to these situations also. Again, from the field of disaster studies (Raphael 1986) the more severe the traumatic experience the more likely it will lead to intense reaction which may extend into disorder during the following months.

Preventive intervention here then is aimed at facilitating the mastery and resolution process. It has not been scientifically evaluated in terms of its effectiveness, but several models seem to have great heuristic value from a clinical point of view, and are well worth implementing. It must be emphasised, however, that research should be carried out to establish the optimal and the most effective methods

of care. Pynoos and Nader (1988), Horowitz (1986) and Raphael (1986) have suggested that the following points need to be dealt with.

- **Lessening intrusive phenomena** The person may be helped with this by review, and cognitive and emotional mastery through understanding the nature of these natural phenomena in a healing model, and reworking of memories to make meaning of what has happened. Medication may be required in some instances as a brief intervention to allow rest and the regathering of strength and resources to deal with these distressing experiences. The release of feeling in graduated "doses" may lessen the overwhelming nature of these intrusions.

- **Lessening avoidant phenomen**a It may be necessary to help the person bring out, in small and manageable doses, bits of the experience and emotional reaction to it. As avoidance arises because the person dreads, consciously or unconsciously being overwhelmed and destroyed by fear or rage--the defences are there for good reason and should not be "torn down" dramatically. Even though catharsis and release of feelings may be of great value, unless it is as appropriate to the victim as an individual, it may only further increase the sense of powerlessness, helplessness and being out of control. Abreactive techniques are sometimes helpful, but should only be used by highly skilled mental health professionals.

- **Diminishing arousal** A range of techniques such as relaxation, cognitive control, activities geared to enhance mastery, and diminishing alertness, may all assist. Medication may be indicated as a temporary measure to prevent exhaustion and to show the individual that the situation can change with safety.

These general principles as part of the program of preventive intervention that may be provided for the victim in the early weeks are all geared towards facilitating the natural processes of mastery that occur, and towards building on the previous issues related to the trauma, as described above (for example, trauma story).

Grief Reactions

Most people who have experienced the loss of someone close to them will experience intense grief and this is particularly so when the loss is violent and unexpected. It must be remembered, however, that the traumatic stress effects of encounter with death may predominate and take precedence, interfering with grief or preventing any capacity for the normal bereavement processes. When these do occur, however, they involve the following, which here too may appear after a period of shock, numbness and disbelief.

- **Separation distress and other attachment phenomena** These include initially a searching and perceptual set for the lost person and a failure to accept the reality of the death and a yearning, pining and longing for that person. Angry protest and fearfulness are powerful emotional themes. Behaviours may be disorganised.

- Images and memories of the lost person and relationships are reviewed with sadness, and all the affects evoked as the bonds are worked through and expressed, bit by bit in both their positive and negative aspects.

- Arousal may be intense early, or with irritability, but does not have the same fight/flight protectiveness. Despair and depressive affects are far more prominent.

For both types of traumatic stimulus there may be non-specific affects of any reaction to an acute stressor--high levels of distress and affects of anxiety, anger, depression and guilt. But the key themes are those responses that are specific, in terms of the preventive approach.

Preventive intervention here has been established as being effective (Raphael 1977; Raphael 1983). Such intervention is oriented to:

- Helping the person express and come to terms with the separation distress, to recognise and express his or longing for the lost person and to gradually and progressively come to an acceptance of the reality and finality of the loss. It also involves supporting the expression and release of affects--especially the angry protest of separation anxiety and distress.

- Helping in the review of the lost relationship. By gently querying the bereaved he or she is encouraged to talk about the lost person, give a history of or review the lost relationship. This is part of a therapeutic assessment process (Raphael & Nunn 1988) which facilitates review of the positive and negative, the real aspects of the person who has died, and helps to set this pattern for the ongoing work of mourning.

- Facilitating the grieving process, which may involve managing arousal, withdrawal, depression, and other affects. This is usually adequate, unless temporary rest with sedation is required (rarely) or depressive disorder supervenes requiring specific therapy.

Here, as previously, with the traumatic encounter with death, telling of the death or the trauma story is the most important initial stage of the preventive work.

Other traumatic elements, especially the responsibility trauma, may need to be explored, the significance to the victim established, and review and working through processes commenced.

Preventive intervention in these instances involves appraisal of the event, exploring feelings and interpretations, exploring behaviours, and helping the traumatised person, wherever possible, to achieve catharsis and release, reframing and understanding of their own and others' roles within the natural spectrum of human behaviour in such circumstances, coming to terms with its impact on their perceptions and view of himself or herself, and acceptance of the realities of the situation and moving on. What has been learnt and can be taken into the future? What can be constructively gained and developed from what has happened? It is necessary to help the individual lessen the sense of responsibility to a realistic appraisal, and begin a reparatory process. It may be particularly important to provide direct support through any enquiry or legal process, especially if there is likely to be allocation of blame.

The same applies to giving testimony against those who have perpetrated the violence and the special issues of relevance to this include fantasies of revenge, fears of confronting the person again, feelings of guilt, coming to terms with rage and hatred, and an ongoing "locking in" to the search for justice and retribution.

Again, the key elements in the general preventive framework to deal with the reactions to the traumatic experiences of violence are review and reworking, release of feelings in "doses" that are manageable to the victim, making meaning and gaining mastery of what has happened facilitating the cognitive processing and diminution of arousal, and moving on--avoiding becoming fixated to the traumatic time and stuck in the role of victim--regaining power rather than helplessness, and achieving the strength of survivorship.

The Person

Individual vulnerabilities, past experience of trauma, of violence, and especially of such experiences which have not been dealt with psychologically, but have been shut away, repressed or forgotten, may be factors that must be taken into account. It is important to have a general understanding of the following aspects.

- **Coping styles** Each individual has a characteristic set of coping styles and behaviours in the way he or she tackles stressful situations, experiences and problems. These may involve a conscious set of responses as well as unconsciously determined behaviours. These may be fairly fixed and inflexible patterns in a narrow range, or there may be a wide range with flexibility. For instance, some people characteristically avoid, some actively confront, some seek help from others, some weep, some seek

distraction and so forth. Reality distorting defences of excessive denial, dissociation and splitting seem likely to be associated with greater pathology.

Preventive aspects will depend on an assessment of the most appropriate defensive and coping style for the individual in terms of the trauma he has experienced--for example, denial may be necessary for survival at one stage but inappropriate and pathological later. In general those coping patterns which facilitate working through by active mastery, and release of feelings and being able to use the support of others, are likely to be most valuable and should be enhanced and facilitated.

- **Personality** is extremely difficult to define in constructs that will be valid and meaningful to all. Research has suggested, however, that some individuals are more likely to respond to stress in ways which leave higher residual levels of arousal, which have elements of increased sensitivity which may make resolution more difficult. This is reflected in the relationship between personality measures such as the EPI (Eysenk Personality Inventory) where some disaster studies have indicated higher traits of neuroticism correlates with the subsequent development of PTSD, especially in its more chronic forms (McFarlane, personal communication). Whether this applies to victims of violence has not been established by systematic research and is an important issue.

  Past and personal history of psychiatric problems may reflect some such personal and personality vulnerability, as may family psychiatric history. But these variables may have little significance and should not outweigh the realities of the stressful experience, the impact of the violence for anyone who experienced it.

  Preventive intervention In terms of a preventive approach it is important to recognise that these variables may be relevant for the individual, but should not be viewed as weakness or inadequacy. Such a view may operate against an approach which deals with the impact of the trauma and its horror and abnormality for any person.

  If these variables are seen as relevant they are likely to require detailed assessment and psychiatric management in terms of these parameters of heightened risk of developing disorder after the trauma. Further work needs to be done to assess whether findings indicating the modifiability of trait anxiety could be of assistance in these circumstances--but at present it is difficult to envisage their application in the acutely traumatised person and

impossible to ensure that all are protected against the possibility by strengthening against violence in this way.

- **Past experience** Past traumas or losses may have left the person sensitive or vulnerable to the next experience--or sometimes may leave enhanced resilience and coping--although the latter seems uncommon as Solomon's (1989) recent studies of combat stress reactions in Israeli soldiers over several wars have shown.

A relatively slight trauma may reawaken earlier unresolved traumatic stress response symptoms--for instance, a woman who developed extreme intrusive imagery after a minor episode of violence. Exploration revealed that the intrusions more related to her experience as a child in the Holocaust and therapy assisted her to work through some of those experiences at this much later time.

Protective factors may include training and education about what to do and what reactions may occur. Even so with some forms of personal violence there appear to be no absolute protective factors, as for instance in the case of a man trained to resist torture who was unable to do so and was himself severely traumatised by the experience.

There are several implications for prevention--particularly the importance of preparatory training and education wherever situations of violence are likely to occur. This may not only help the active mastery and better outcome of the acute event, but also lessen its traumatic impact by diminishing feelings of shock and helplessness, and by giving a cognitive framework of understanding to enhance mastery. Stress innoculation has been suggested as a way of lessening vulnerability, in relation to earlier or minor traumata or rehearsal. It remains to be established as an effective technique although in pragmatic terms seems likely to help. However, the real trauma has a terror and impact of its own that is never achieved in practice or role play, or lesser situations.

The Recovery Environment

Culture and society

Culture and society may define certain patterns of response and the recognition or otherwise of the trauma the individual has experienced--if it does not, this may be an extra burden for the victim, hampering the integration and recovery processes because it is more difficult to make meaning of his or her distress and suffering. The importance of cultural and social definitions is most vividly indicated by attitudes to domestic violence which have been prevalent in many societies such as Australia until quite recently and which certainly still prevail in some groups. Such attitudes suggested it was acceptable

and the "right" of the spouse (usually the husband) to be violent to his wife or child (his property and the private world of the home) and therefore the victim had little societal support in terms of recognition of her victimisation. Where society does not acknowledge the traumatic nature of the experience of violence it may also fail to provide support mechanisms to assist in the victim's recovery. This was well exemplified by attitudes to rape which saw this as sometimes being a consequence of the woman's provocative attitude and failed to provide support and assistance to help with her testimony or her recovery.

Preventive implications emphasise the importance of the recognition of the victim's experience and the provision of adequate support mechanisms in formal and informal systems to help in victims recovery. Legislative recognition may also have significant preventive benefit. On the other hand, social and cultural prescriptions, or legal processes which unduly prolong or reinforce victim status may inhibit recovery, keeping the victim locked into the helplessness and powerlessness, and needing to maintain victim status.

Social support

Social support is one of the most important facets of the recovery environment, both in terms of the victim's primary relationships of family and those of the broader social network. The support provided may make a crucial difference to the recovery process. The trauma itself or the reaction to it (for example withdrawal from interpersonal relationships) may disrupt the process.

Family and primary relationships--spouse, parents, siblings and children--if not themselves directly involved, will have their own intense distress about what has happened. The traumatised person is likely to be comforted by them if they are physically and emotionally available, and if they are not overwhelmed by their own experience of trauma and can bear to empathise with him or her. It is often very difficult for the victim to tell, and those who love the person to hear, of what has happened--the victim dreads the pain the telling will inflict on them and they dread to know of the horror of the experience. Nevertheless, it is likely to be most helpful if there can be a sharing of the experience--at least to some degree--so that it is not an avoided segment or focus in life that cannot be encompassed.

Preventive implications Emotional support, recognition of suffering, reinforcement of strengths, practical assistance, gentle encouragement to set aside numbing and withdrawal, comforting through periods of intrusion and re-experiencing, assistance with cognitive mastery, are all part of the spectrum of what supportive intimate relationships can provide. And most importantly, they offer hope, trust and a belief in the possibilities of a positive future, where the trauma, although it will not vanish, will take its place as only one part of life's experience, and a part of the past.

Special support that may be of great value is that provided by those who have gone through that same experience; mutual discussion, review and sharing of feelings all help and mastery may be gained together. Those who have been through particular experiences in the past may form mutual support associations and offer crisis support to those newly afflicted. This too is valuable; sharing pathways to recovery, as well as offering great empathy.

Other Aspects

There are special issues concerning the needs of children, special issues related to the debriefing of workers, and the special issue of providing services for the victims of torture. Space does not allow a detailed review of these. However, it is increasingly clear that specialised services need to be developed and expertise and research extended in this area.

Conclusion

The model of traumatic experience, processing and adaptation (see Figure 2, Model of Preventive Intervention) illustrates how preventive influences and interventions may be brought into play at many levels to help facilitate recovery, to prevent pathological outcome, and to assist the victim in positive physical and psychological mastery and survival.

Principles of preventive care involve providing emotional first aid in the emergency, and subsequently making it possible for the victim to share his or her story. As the affected person is ready, and in "doses" of affect that can be borne and are manageable, each traumatic component needs to be dealt with, particularly the encounter with death and the loss.

Individual characteristics of each person need to be understood. The victim may indicate strengths and resources to deal with the experiences, but he or she may also indicate extra vulnerabilities which need to be supported.

The recovery environment, especially that of the immediate family, friendship, school or work, may need assistance as well, so that they are able to share with the affected person their experience and offer support. Understanding from these groups is essential for the victim's recovery. Insensitivity, avoidance, denial of the reality of his or her suffering, or alternatively expectation of victimised subjugation and helplessness may all mitigate against recovery. The "second injury" or misunderstanding or rejection may reinforce the trauma and prevent mastery and recovery.

The individual who has suffered as a victim of violence will require all the human courage and endurance that he or she can muster, and will need compassion from others. Support, professional

care, recognition of both suffering and strength will operate preventively. As has been shown by the renewal, altruism and contribution of so many who have suffered severely from violence, this is an important challenge to the human spirit--both that of the victim and those who would offer care.

Figure 2: **Model of Preventive Intervention**

Individual Characteristics

1. Enhancing personality strengths
2. Promoting adaptive coping styles & defences
3. Assisting appraisal, response style, making meaning
   - education: preparation & anticipatory rehearsal
   - stress inoculation

"Victim" → →"Survivor"

Reaction and Processing

Post Traumatic Processing

Death Encounter
Intrusion <-> avoidance
- Promoting gradual assimilation, dosing of affect, reworking, mastery
Loss – grieving
- Facilitating grief and mourning
- Reworking experience Progression from experience so that it becomes part of the past
- Dealing with feelings towards perpetrator

The Trauma

1. *Emotional first aid*
2. *Telling story*
- particular aspects
eg - Death encounter
   - Loss
   - Responsibility
3. Review, reworking, making meaning
   - Expression of feelings
   - Dosing of affect
4. Promoting *Active* mastery

Adaptation

↑ Growth and restabilisation "successful survivor"

↓ *Pathology*
- PTSD
Disaster
- Other
- Depression
- Anxiety
- Substance Abuse
Character Pathology

Recovery Environment

1. Facilitating social support
   - family discussion and "healing"
   - those who have "been through the same thing"
2. Culture prescriptions for recognition of trauma and support and pathways for recovery
3. Practical assistance
4. Testimonary aspects

(**Source**: Adapted from data in Figure 1)

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Political Pragmatism versus Informed Policy--Issues in the Design, Implementation and Evaluation of Anti-Violence Research and Programs

Rick Sarre

Those who are responsible for the public policies which shape the society in which we live legitimately require information, and for this reason may commission research into the causes of, and the means of addressing, our social problems. On the basis of this research, policy makers may recommend remedial action or ameliorative programs. Social scientists can provide such research, for social science is pre-eminently a policy science.

The relationship between policy makers and social scientists is complex (Snell 1983, p. 458). Policy makers expect social scientists to provide the solutions they seek in an attainable and affordable way. Social scientists expect policy makers to heed their advice and act in accordance with their recommendations. For reasons this chapter will explore, the expectations of each are not always met by the other in the social planning process.

This chapter provides an examination of the factors which have been recognised as affecting research utilisation generally. Its conclusions may assist the process of translating research and advice to the National Committee on Violence into governmental policy. It

also addresses three issues in this process; the design of research and programs, implementation of same, and their evaluation. This does not, however, imply these tasks occur in that order, if at all. There are many programs which are implemented without research or evaluation. Much research is never implemented. The discussion which follows is designed also to shed light on why this may be so, with a view to overcoming any barriers.

There is a vast amount of literature, particularly from American scholars, on the subject of policy-oriented research and development (sometimes referred to as "applied" research), particularly in the fields of personnel management, education, health and the provision of social services (Rich 1977, 1981, p. 179; Sutton 1983, p. 21; Aronson & Sherwood 1977; Hackman 1985). Shah (1976) stated a decade ago that there has been very little research, however, on the effective utilisation of social science data in the formulation of criminal justice policies, and it seems that that position has not changed markedly, except insofar as some United States, Canadian and Australian evaluative studies have been able to highlight the short-comings of certain criminal justice initiatives (Petersilia 1987, 1988; Kelling et al. 1976; Office of Crime Statistics 1989; Canada 1983). A large part of this chapter, then, draws upon the issues, models and experience that have been explored, used and gained in fields other than criminology with respect to research information, dissemination and utilisation.

Models of Research Use

Both policy makers and researchers need to understand that research can be used in a variety of ways and serve a variety of purposes (Snell 1983, p. 460; Pelz 1978, p. 346). Three different models of research use have been identified. The first is the direct problem solving model (the "instrumental use" model) which suggests that empirical results can have a direct bearing upon specific policy issues. An example would be findings which directly linked the availability of lethal weapons to a higher than average mortality rate in a certain city or country. If the state placed tighter controls on the availability of lethal weapons as a result of these findings, there would have been "instrumental use" of the research.

The second model (the "symbolic" model) describes the situation where results are used, sometimes out of context, to justify certain decisions that have been made for other reasons, or to support the pre-determined position held by the policy maker. For example, a person may advocate the return of capital punishment by quoting some analysis which claims that the death penalty has had a deterrent effect in Malaysia, or introduce greater police numbers on the strength of a study which indicates that the rate of crime is increasing. There is no direct use of the findings. They do, however, serve a purpose, albeit often inappropriate.

The final model describes the assistance social science may give merely to the way in which people are asked to think about certain issues (the "enlightenment" or "conceptual" model). That is, the research is used by policy makers not so much to solve specific issues, or to serve symbolic functions, but to influence their awareness, thinking and understanding, as well as the awareness of the society itself. An example of this approach is found in a recent statement on the work of the National Committee on Violence.

> The existing information suggests that the long term reduction of violence in any society must come through the communication of non-violent values and behaviours in the home. Good parenting would seem to be of enormous importance in determining whether or not a child is subsequently vulnerable to the risks of becoming violent. Parenting in turn requires access to adequate social and economic resources including houses, education and work. Societies which are unable to deliver such resources on an equitable basis are those which are most likely, it would seem, to experience high rates of violence (Chappell 1989, p. 24).

There is no necessity for direct recommendations under this approach, recommendations which may merely fall prey to political pragmatism, or which may become ammunition for political point-scoring. The research, rather, fosters an understanding that may have an effect, albeit indirect, upon subsequent policies concerning, for example, family allowances, housing and employment. This model is a generator of hypotheses.

The point to be made is that the final judgment on the "success" or otherwise of the work of a social scientist exploring the issue of violence may well depend upon which of the above models is used. For example, in response to research that suggests a link between violence in the media and violence in the community, a recommendation may be made to apply more rigorous censorship rules to videos and cinema offerings. In the event that a government does not adopt such a recommendation, under the instrumental use model this research has failed. Leaving the "symbolic" model to one side, having noted its mainly mischievous role, it is instructive to turn to the "enlightenment" model. As a result of the research, social scientists, politicians, parents, media moguls and formal educators may all be seen debating the issues and attempting to discern the important correlations between media and violence. This will have the effect of raising public awareness. This process will continue to have a marked effect upon, for example, public attitudes to gender equality, to toys of violence, to racist images in cartoons and so forth without there having to be the implementation of specific recommendations. To this end, the research has not been in vain. The research may have sparked a worthwhile campaign to raise the consciousness of the society without a pen having been lifted in the office of parliamentary counsel. "[It would assist] . . . in formulating questions, setting agendas, and constructing images of policy . . . We are thus alerted not

only to the conceptual complexity of the questions we are raising, but also to the multiple conceptual complexities of the decision systems we want to study" (Weiss & Bucuvalas 1977, p. 213).

If this paper speaks of "use" of research it does not necessarily refer, then, to direct instrumental use. It recognises that there may be indeed more diverse uses of results. "Use" can therefore be defined more accurately as something that "makes an intrinsic contribution . . . it contains ideas or information that advance the decision-making process" (Weiss & Bucuvalas 1977, p. 214). Indeed, the contribution of most research is indirect, "through influencing attitudes and accepted public knowledge. In this context, the continued support of social research may be interpreted as expressive of the intrinsic value of research" (Wenger 1987, p. 199).

Thus, it is not a failure of any enquiry if no direct use is made of the data immediately. Furthermore, rarely will any one study settle any matter once and for all. Viewed in this light, there may not need to be so much consternation about the Australian Law Reform Commission's recommendations that languish on the parliamentary shelves, even though many observers continue to grieve at their presence there (Kirby 1988, p. 321; Evatt 1988). This is particularly so if we accept the view that a legislative initiative alone is no guarantee of change. Tertiary education fees were abolished in the first year of the Whitlam Labor government and yet no-one will pretend that in the last seventeen years there has been a wholesale shift in the socio-economic make-up of university students.

Design of Research and Programs

Research should be an essential prerequisite to changes in social policy. Rarely is the process of change stimulated by latter-day Archimedean experiences in bathtubs. However, if research is to contribute to theory and practice then ideally it must be designed to do so. There is a generally recognised role to be played by the social scientist in the design of research into solutions to social problems. Social science is concerned with questions of causality. Its practitioners seek to formulate hypotheses that both predict and describe the effect that certain (independent) variables have on other (dependent) variables.

It is generally accepted that there are three key types of research design: experimental, quasi-experimental and non-experimental. This paper does not extend beyond a brief description of the three models. It does not provide a detailed analysis of the strengths and limitations of each. They are mentioned merely to alert readers to the range of experimentation open to the social scientist in raising, rejecting or discarding hypotheses, and discerning systematic regularities and variations between similar events that have occurred at different times and different places (Smith 1981; p. 191).

The "true" experimental research design sets out to measure the effects of an experimental treatment or a target group by contrasting it with the behaviour of a group which has not been subjected to the treatment. Two of the most prominent examples of true experimentation in criminal justice research are the Kansas City Preventive Patrol Experiment (Kelling et al. 1974) and the Minneapolis experiment to test the effect of mandatory arrest in cases of domestic assault (Sherman & Berk 1984a). It has high "internal" validity, that is, it is less open to criticism that it was conducted "unscientifically" (Saxe & Fine 1981, p. 57). One potential difficulty with the true experimental method is that it may be both ethically and physically difficult randomly to assign subjects to experimental and "control" groups. It may not always be feasible, for example, to instruct police, judges or administrators to apply different rules to different segments of society simply for the purpose of placing a particular variable under experimental scrutiny. Thus, the pitfalls and technical difficulties are numerous (Weiss & Rein 1972; Weiss 1972a, p. 60).

Quasi-experimental design is a method of measuring the effect of certain variables where the conditions prevent true experimentation, and thus these designs have been described as "variations on a theme" (Saxe & Fine 1981, p. 58). By careful selection of observations over time and space one may approximate treatment and control conditions. As a means of ruling out plausible rival explanations for the outcome observed, it is an effective and useful technique (Campbell & Stanley 1963; Cook & Campbell 1979). Quasi-experiments do not randomise the assignment of cases to treatment and control conditions. For that reason their "external" validity--the extent to which their findings can be generalised and applied in other settings--may be suspect. But these problems may be compensated for by the greater likelihood of conducting an experiment in the "real" world, thus making research more possible. Carefully analysed and presented quasi-experiments, therefore, can provide data as meaningful as true experimental data.

The most sophisticated use of quasi experimentation in Australian criminal justice is the work of Homel (1988) on the effects of random breath testing on driver behaviour.

Finally, non-experimental designs (for example, an "after study" of program participants by questionnaire) are often provocative but carry little more than observational weight (Weiss 1972a, p. 73).

While social scientists can make a valuable contribution to research design, it is important that they eschew questions of policy design. Campbell (1977, 1973, p. 72) argues that the planning should be left up to the political processes. The danger of involving oneself in policy design, he notes, is that scholar-advisers or practitioners too easily become advocates for their own cause. They may have little interest in establishing whether they have been proven wrong, or whether their decisions were made on less than the available evidence. Objective studies of "neighbourhood watch", for example, have

indicated that its impact has been not as widespread and effective as the police (who control its operation) have led one to believe (Mukherjee & Wilson 1987). Rich cites the example of police misusing statistics to "prove" effectiveness of certain police initiated campaigns (1981, p. 184).

> We social scientists could afford more of the modesty of the physical sciences, should more often say that we can't know until we've tried. For the great bulk of social science where we have no possibility of experimental probing of our theories, we should be particularly modest (Campbell 1973, p. 72).

> The social scientist who is captured by a particular creed loses out to the believer (Ryan 1970, p. 232).

The Implementation of Research

It is one thing for social scientists to negotiate successfully the theoretical design for a program to combat social problems. It is quite another for their recommendations to be accepted and implemented by policy makers, either partially or totally. For all of the research endeavours and the sound advice proffered by experts in the field, there will always remain the difficulty that research utilisation will come to nought if the two "communities" (the typically "pure" and esoteric social scientist and the typically practical, action-oriented policy maker) fail to speak the same language and share the same values (Snell 1983, p. 462). In Australia to date, social scientists have been somewhat unsuccessful in the political realm in this regard. One would be hard pressed to identify a policy decision in Australia which has been directly determined by a specific research study (Grabosky 1988, p. 1; Shah 1976, p. 216). One European commentator estimates that only five per cent of research results in any direct use in a policy context (Nowotny 1985) and a similar figure could be suggested for Australia. The Report of the Joint Senate Committee on Video Material provides a recent example. It was asked to review "the likely effects upon people, especially children, of exposure to violent, pornographic or otherwise obscene material". The committee reported that they were "not satisfied with the adequacy of the social research evidence . . . Claims have been made that in some cases it may lead to aggressive behaviour causing physical harm to others and in others it may lead to desensitisation and psychological harm. We are not satisfied that causality has been established" (Australian Parliament 1988, p. 622) and thus no action on this specific recommendation was taken.

The Relationship between Policy Advisers and Policy Makers on Questions of Policy Implementation: Two Models

There is the argument that social scientists and committees ought to give something feasible to legislators. On this view the researchers ought to resist the temptation to be controversial--to move too far too fast. Stan Ross (1982, p. 78) cites the following remarks in support from The Honourable Richard Bell of the Ontario Law Reform Commission.

> A Commission which adopts extensively a "fundamental change" philosophy is in danger of becoming merely a forum for sociological experimentation and will suffer the frustration of non-implementation of its recommendations . . . A high profile of controversial Reports ahead of their time will not promote genuine law reform . . . indeed it will tend to set it back. A wise Commission knows by instinct the ministerial and legislative "bosses" and what progress in implementation is feasible at any particular time. Scholarly and sociologically "out in front" Reports yellowing in pigeon-holes are no contribution to law reform (Bell 1977).

In other words there is a danger that controversy will sap the energy and limited resources of commissions and committees of enquiry and keep them from doing their other work. It has even been suggested that if Law Reform Commissions enter the political fray too often, governments have ways of punishing them, chiefly through manipulation of budget arrangements (Ross 1982, p. 83). Their recommendations may be eminently suitable yet politically "sensitive" and therefore ignored.

The above approach is best described as the "pragmatic" approach. Under this approach, only the more conservative and eminently feasible policies are recommended. The attraction of it is that there may be a better likelihood of at least some of the recommendations being adopted.

Researchers who adopt a purely pragmatic approach, however, may discover that their findings are compromised for reasons of political expediency. There is thus a view contrary to the pragmatic approach that researchers need to be true to their convictions, notwithstanding the fact that their recommendations may not be immediately politically feasible. It has been suggested that the Royal Commission into the Non-Medical Use of Drugs (South Australian Government 1979) was a "white elephant" because it contained nothing that was feasible in the light of the political pressures of the day, and thus it was shelved. A decade later, one of its key recommendations, the decriminalisation of cannabis use and possession, has been embraced partially by the Bannon government. Advocates of the reforms had some cause to draw upon the tenor of the findings of the Royal Commission (Office of Crime Statistics 1989). One could speculate that had the Royal Commissioners believed that

their's had to be a politically pragmatic report, latter-day law makers may not have been able to adopt a new formula for the enforcement of minor cannabis offences. The uncompromising stand of the former report has been, to that extent, vindicated. As John Barnes comments, "In my view it is better to lay one's preferences on the table, rather than to abrogate one's interest in ends . . ." (1987, p. 6). It may be possible that researchers will speculate, compromise, gamble, and still fail.

This example illustrates the importance of seeing the value of the "enlightenment" model of research use. From what we have learned of the way in which social scientists have had an impact on policy making, social research is seldom used one recommendation at a time.

> [D]ecisionmakers rarely latch on to one set of results and apply them to a decision at hand . . . Rather, they use the weight of the evidence from scores of studies, as these are filtered through their own experiential and political judgment . . . (Weiss & Bucuvalas 1977, p. 228).

There are numerous examples of this process. Although there were scientific reports of a link between cigarette smoking and diseases of the respiratory system as early as 1870, it was not until the release of a comprehensive report of an advisory committee of the United States Surgeon-General in 1964 that the nature of the observed association was officially recognised by the Public Health Service. It was not until 1984 that a review by the Surgeon-General identified cigarette smoking as the chief preventable cause of death and disability in the United States (United States Department of Health and Human Services 1984, p. viii).

Factors which Militate Against Research Implementation

The factors which militate against adoption of the social scientist's policy recommendations are many and varied. These factors contain a mixture of constraints imposed by the policy makers, as well as some constraints set by the social scientists themselves.

Time

Social science program implementation may take longer than it takes to remove a government and install an Opposition. Life, the focal point of social science research, is full of uncertainties and is liberally sprinkled with ambiguities. These uncertainties can rarely be explored with one research study. To explore all of the contingencies and to accumulate enough evidence to satisfy researchers of the validity of their findings requires a great deal of time. For the most part,

professional appreciation and public acceptance of the value of research findings may only occur after years of work. So while a week may be a long time in politics, even a year is a very short period of time in social science.

> With Australian governments continuing to move with the rhythm of nineteenth century election cycles, that is, an election on the average every two years, there is precious little time in which to commission research, receive the completed product, digest its implications, and incorporate these into policy development, much less evaluate the impact of whatever policies have been implemented as a result (Grabosky 1988, p. 3).

Lack of Political Will and Acumen

The implementation of initiatives derived from social science research requires Ministers of State with imagination (Chappell 1989, p. 25), intellect, enthusiasm and energy (Kirby 1988, p. 322) --characteristics that are all-too-often lacking in political life. Typically social science data is used in the "symbolic" sense by politicians, quick to score political points while catching their opponents off guard, or in circumstances where a response is needed in order to maintain credibility in a crisis. The use of social science research in order merely to indicate that a government has done something or is about to do something--what one commentator has described as the "warm inner glow" phenomenon (Grabosky 1988, p. 5)--is widespread and does little to enhance the prospects of informed and honest implementation of policy. One of the more recent examples comes from Queensland where former Premier Mike Ahern, for ostensibly opportunistic political reasons, was virtually promising to implement the entire Fitzgerald Report on police corruption without having seen the report itself. The timing of the social scientist's recommendation is an important consideration also. After elections, when many matters fill the politician's day, comes the lull period before the next election "mode" is selected. Enthusiasm and imagination may wane. Implementation is more likely when it coincides with a government keen to establish that it is in control soon after its latest poll victory. By the same token, implementation is extremely unlikely, however, when it conflicts with other imperatives, like law and order. Bail reform, for example, is an unlikely agenda item at any time when speculation filters into the public arena of violence being perpetrated by alleged offenders on bail (Sutton 1983, p. 24).

Cost

Research is not a free good (Weiss & Bucuvalas 1980, p. 270). However, while finance for research is recognised as an essential budgetary item in the commercial world, consistently social scientists' requests for research and development funds are met with responses calling for restraint, aptly referred to by some as the "deadly

constraint" (Kirby 1983, p. 12; Snell 1983, p. 463). Only the bravest commercial entrepreneur would release a new product on to the market without having subjected that product to market research analysis. Yet many social programs, accompanied often by massive expenditures of public moneys, are implemented without any endeavour on the part of the policy maker to gauge their effectiveness. Considering that total budgetary expenditures allocated to the criminal justice sector are enormous and in some countries can amount to more than 9 per cent of total budgetary outlay (Clifford & Marjoram 1980, p. 26), it would seem foolish in the extreme not to allocate appropriate budgets to research and the evaluation of criminal justice initiatives. For the most part, however, bureaucratic parsimony rules the day. Thus, researchers can be forgiven for feeling uneasy from time to time: their research can be cut off in its prime if the "progress" is poor (Weiss 1972, p. 331). The pressure to produce results can thus be overwhelming. In the absence of hard evidence that certain projects will give certain results,   administrators may be reluctant to implement on the basis of faith alone.

Bureaucratic Constraints

Those with a vested interest in maintaining the status quo are often unlikely to want to change paths in mid-stream, with the attendant revisions of policies, changes in personnel and (perhaps) evaluation techniques to learn and install. Weiss and Bucuvalas refer to this as "subsystem politics" (1980, p. 275) or "organisational resistances" (Weiss 1972a, p. 113). Departments of state will procrastinate on new initiatives while they are already hard-pressed to meet other agendas, and will of course tend to concentrate their energies upon their own projects. Even if Parliament makes the required legal moves, there may be further obstacles. Reform proposals and enactments, particularly the controversial ones, find themselves way back in the legislative and administrative queues (Kirby 1983, p. 15; 1988; Evatt 1988; Australian Parliament 1979, p. 25; Finnane 1989). Research can also be used to legitimate existing policy, "to stake out turf for one agency in interagency struggles over domain, . . . to delay action ("we're studying the subject"), to justify inaction ("we have to study further"). Such kinds of "uses" of research are not unknown" (Weiss & Bucuvalas 1980, p. 271; Ross 1982, p. 241).

In other words, many of the battles are just beginning as the law reforms are enacted (Arendt 1959, p. 173; Ross 1982, p. 257). People wedded to a program are less likely to want to engage in a rigorous review of its effectiveness, especially if the review is likely to discover that what has been put into place has created little more than a warm inner glow.

Other Political Constraints

There will always persist other countervailing forces, cultural, familial and religious which may impede the implementation process. There may be a change in the political agenda if the government feels that the hostility to the findings of the report and the recommendations have shifted the political winds (Ross 1982, p. 88). Implementation may be forestalled by the powerful and vocal intervention of lobby groups which may frighten off Ministers and officials. The police and police unions, for example, have consistently lobbied to resist reform of criminal investigation and the protection of privacy which suggested checks on telephonic interceptions (Kirby 1988, p. 324). These influential groups may include disclosed or undisclosed major financial benefactors to political party funds either before, during or after political campaigns. One would not need to be a cynic to suggest that a major donation to a political party by an industry would go some way towards ensuring that the interests of that industry were "protected" in the event that research illustrated the necessity for governmental regulation.

Esoteric Language

Often social science research is unintelligible to all but the initiated, and it has been recognised that traditionally, many jargon-using social scientists have had more concern for their own ability to sound and appear erudite (with its attendant attraction of professional recognition) than they have had for their audience's ability to comprehend the issues (Shah 1976, p. 217). The fact that the language of social science is usually in words which are not totally foreign (as in the natural sciences), and that social science lacks a vocabulary of technical terms with stable meanings, compounds the problem (Barnes 1990, p. 5).

The Complexity of Social Forces

The search for the causes of society's problems is by no means easy. Any researcher attempting to identify direct and indirect influences which shape our society is immediately confronted with a multitude of exigencies and contingencies. The resulting "finding" is usually so laced with provisos and caveats that it may become unworkable (Barnes 1990, p. 10). Experts will differ on key findings. Simply stated, it is asking for the impossible to suggest that social scientists could reveal the truths to the world about a topic such as the nature of violence and give a "three point plan" to arrest it. For the most part, perhaps we will have to agree that the best social scientists can do is to engage in rival contests.

The "Resistance to Change" Mentality

It is not only bureaucracies which are resistant to change. Implementation of a reform initiative often requires shifts in public attitudes, for example concerning gender roles and human rights. These changes do not occur overnight.

> It was more than twenty years from the time that women in South Australia first campaigned seriously for the vote until they were granted it in 1894 . . . It was 1787 when William Wilberforce first raised his voice in the House of Commons against slavery in the British colonies but it was not until 1807, twenty years later, that his Bill to abolish slavery was carried. It took more than another fifty years for the same reforms to be enacted in the United States of America. Significantly, the catalyst which galvanised public opinion against slavery in the northern States was a literary work, Uncle Tom's Cabin, by Harriet Beecher Stowe, published in 1852 (Cashmore 1989, p. 2).

Difficult Ethical Questions

We have still not satisfactorily resolved the dilemma that social scientists take no formal responsibility for their research and proposals. It has been noted that despite the vast literature which exists on the subject of the nature of and need for evaluation research (Smith 1981, p. 240), very little has probed the issue of ethical standards in carrying out the evaluation (Rich 1981, p. 189; Barnes 1979). For example, attempting to create true experimentation requires randomised groups. There is a grave ethical dilemma which confronts researchers of policing methods, for example, who, at the toss of a coin, decide which area will undergo certain policing and which area will not. On the other hand, it might be argued that in the absence of firm knowledge about the likely effects of an experimental treatment, its denial to a control group poses no ethical problems. Indeed, although often concerned with the best of intentions, public policies may have unintended consequences which can themselves entail considerable harm. To some extent, greater use of the quasi-experimental method may overcome some of the ethical difficulties which may exist.

The Evaluation of Programs

Evaluation is the assessment of the effectiveness of programs that were designed as tentative solutions to existing problems (Smith 1981, p. 241) and are to be clearly distinguished from research per se (Smith 1981, p. 242; Weiss 1972a, p. 6).

It is very important that whatever measures are used by policy makers to respond to the social crises of the day or to set the future agendas, these measures undergo rigorous evaluation. It is not a task

to be ignored, to be taken lightly, or engaged in carelessly. An evaluation process studies the worth of programs and, if nothing else, will affect the allocation of resources. This makes it an essentially political process (Weiss 1972, p. 328). Controversial studies immediately become fair game for policy makers whose views are not supported by the data. Thus any study which has made recommendations must be prepared for tight scrutiny of methods and techniques (Campbell 1973; 1977). Research designs lacking in rigor will invite criticism; findings and policy recommendations based on flawed research invite rejection.

Despite the fact that each year in Australia, millions of dollars are spent on social programs, it appears that very few undergo a properly systematic and scientific evaluation. It is true that some small measures in more homogeneous communities within certain jurisdictions have been implemented and have undergone some forms of evaluation. Neighbourhood mediation centres or justice centres, and ombudsmen come to mind as proposals which have successfully negotiated the early years of trial periods and ad hoc evaluations (Kirby 1983, p. 19). By the same token other programs were introduced with scant evaluation, notwithstanding the fact that social science commentators had raised alarms concerning the potential of these "reforms' to cause other, often contradictory, difficulties to surface. The phenomenon of imprisonment under the auspices of the private sector comes to mind, as do laws which expand police powers.

Those programs which have undergone evaluation have shown some interesting results. The unintended consequence of the prison remissions system in South Australia was that the number of prisoners in South Australian gaols serving five-year sentences actually rose. Diversionary programs, designed to eliminate the numbers of participants in the criminal justice process, have been shown to divert more participants into similarly operationalised non-legal programs. The advent of the suspended sentence and the decriminalisation of drunkenness, both designed to reduce the institutionalised control of offenders, heralded increased numbers of offenders subject to control (Office of Crime Statistics 1986). On the other hand, changes to the administration of simple cannabis offences in South Australia in 1987 did not appear to have that same effect (Office of Crime Statistics 1989). The arrival of the due process model of prison administration promised so much, and yet, as the "new equilibrium" emerged, it became evident that it merely provided an opportunity for the legitimation of existing practices (Jacobs 1980, p. 458; Feeley 1979, p. 293).

Commentators Brandl (1980, p. 42); Snell (1983, p. 461); Weiss (1972a, p. 4), Rose (1977); Sechrest (1980) and Shah (1976, p. 217) have isolated these problems. Further research would be useful if it isolated ways in which these problems could be overcome.

Problems with the Selection of the Evaluator

Who is to carry out the evaluation? One of the key difficulties is that researchers may tend to interpret findings within their own perspective and in accordance with their views of what ought to be (Barnes 1990, p.18). Thus doctors advocate a greater role for the medical profession, teachers want more teachers and police want greater powers (Jamrozik 1978, p. 83). As discussed earlier, there is a further temptation for bureaucrats to eschew rigorous evaluation which may expose a favoured and time-honoured program as one which is ineffective and obsolete (Campbell 1973, p. 72).

Problems with Dissenting Opinions

The real difficulty in all of this, as social scientists are quick to acknowledge, is that there are so many variables it is almost impossible to say with certainty that a given result in one social "laboratory" is going to be replicated in another; that decisions and practices at one level of operation will necessarily apply in a different setting (Shah 1976, p. 212). "The allegedly manifest truth is therefore in constant need, not only of interpretation and affirmation, but also of re-interpretation and re-affirmation" (Popper 1972, p. 9). To recognise that their truths are subjective and difficult to verify will be closer to the mark but accepted less enthusiastically by policy makers. In such circumstances it will then be quite common to have experts serve both arguments in the event of a conflict (Campbell 1973, p. 73).

Problems with Over-expectation

Given all of the difficulties of evaluation techniques and the limitations on studies, Weiss (1972, p. 332) has proposed that there ought to be less emphasis upon evaluations of overall impact--studies with an all-or-nothing, go/no-go conclusion.

More resources should be allocated to evaluations that compare the effectiveness of variant conditions within programs . . . and begin to explain which elements and sub-elements are associated with more or less success. Such an approach produces data of interest across a wide range of programs and has high utility in pointing direction for further program development (Weiss 1972, p. 332).

Problems with the Evaluative Techniques

Various useful critiques of the wide range of evaluation methodologies appear in the literature (Doctors & Wokutch 1980, p. 30). More often that not, actual evaluation uses more than one methodology, for example there may be a cost-benefit analysis in dollar terms coupled with an experimental pilot project. What each of the methods reminds the evaluator, however, is that values are inherent in the evaluation process, for example, in the choice of

methodology, the extent of funding for evaluative purposes, why certain evaluators were chosen and whether there exist any evaluator biases. If this fact is overlooked, then the results may lead to misunderstandings. The evaluator should seek to make findings which accord with rigor and explicitness and not to compromise standards of quality, competence and objectivity.

Problems with Publicity

Researchers must learn to sell their product--putting their findings in language which is well publicised, clear and free of jargon. At what point however, should the findings be publicised? In an interesting and controversial study, experimenters tested at random police actions in response to less serious domestic assaults in the American city of Minneapolis. They found that arrest produced less repeat violence than did two non-arrest alternatives (Sherman & Berk 1984a; 1984b).

In a commentary five years later (Sherman & Cohn 1989), the limitations of both the internal and external validity of the study were discussed, but the authors of the commentary were not apologetic that the results of the study were publicised in advance of any replication.

> When the Minneapolis experiment was undertaken . . . the existing level of knowledge about the consequences of alternative police actions was not only low but also misunderstood. There were no prospective, nonrandomised follow-ups of offenders or households treated with different methods. Virtually no-one had reported any data on what happened after police left the scene . . . regardless of the approach police employed. Consequently, there was no reliable basis for choosing any policy. The Minneapolis experiment, with all its limitations, represented a substantial advance over the existing knowledge. Had similar evidence become available about a medical treatment, with its stronger assumptions about external validity, it would not have been subjected to further testing before approval . . . Rather, any doctor who failed to use a treatment proven effective with this level of evidence could have been sued for malpractice (Sherman & Cohn 1989, p. 135).

Richard Lempert applauded the research (as a single study) but roundly criticised what he considered to be the premature publicity given to the findings of a single study prior to the conclusions being confirmed by rigorous replication (Lempert 1984, 1989, p. 145).

Problems with the Collection of Adequate Statistical Information

Evaluation cannot be totally effective if there are major differences in the collection, collation and interpretation of statistical data. It is important in Australia that each of the jurisdictions develops a consistent and comparable statistical framework and that they reach agreement as to how that information base is to be used, and how it is to be constructed and accountable (Sutton 1983).

Problems with Objectivity in a World of Shifting Social Paradigms

Subjectivity is an inherent factor in all evaluation to a greater or lesser degree. Thus truly objective studies of the worth and value of certain programs will not be possible. Even evaluators will tend to believe that their own moral beliefs are shared by everyone else. But truth is a fluid concept (Ryan 1970, p. 221; Popper 1972) and only the brave and arrogant would lay claim to having a mandate on it. Italian physicist Galileo was forced by the Inquisition of 1632 to recant his belief in the Copernican theory that the sun was the centre of the solar system. Charles Darwin was attacked by the religious zealots of his day for having the temerity to challenge, by scientific method, the Genesis record of Creation. Until recent decades, married women had limited contractual rights and as recently as 1966 no women sat on South Australian juries. Homosexual practices between consenting adults in private are ignored in some jurisdictions and proscribed by the criminal law in others. The best society can hope to do is to find an appropriate balance between conflicting rights and interests in the community from time to time, after informed and enlightened inquiry and debate. Nevertheless, social scientists can study people's beliefs, the factual consequences of each other's behaviour and the factual results of people playing the roles that society allocates them. Viewed in this light, the evaluative process will be valuable notwithstanding that it can never be value-free.

Reasons for Optimism: Looking Beyond the "Gap"

This paper has sought to examine the relationship between informed social research and the political machine into which it is fed, assuming that, with a better awareness of the way in which policy is shaped, social scientists will be better equipped to present their findings in a way which is most acceptable to policy makers.

The presence, and indeed width, of the "gap" between research and policy has been clearly identified, and some of the reasons why it persists have been reviewed. If readers had been hoping for something of a "checklist" for judging the worth of social scientific research or the feasibility of recommendations, they would by now be disappointed. While some of the literature suggests that social scientists ought to present small, affordable projects within existing frameworks, other writers suggest large-scale, ambitious projects ensure a more satisfactory, less piecemeal end-result. While some suggest that feasibility must be a key element of the social scientist's recommendation, others suggest that social scientists must not be compromised merely for the sake of political expediency. While some suggest that social scientists ought to stay completely out of the political arena until the evaluation stage, others see the role of

scientists in the design and implementation stage as well. While some suggest that explicit and concise recommendations which are compatible with user expectations are most appropriate, others maintain that "certainty" is the enemy of truth. While some suggest that no publicity be given to social science findings until such time as their internal and external validity has been carefully verified, others are non-repentant when failing to heed that call.

Simply stated, it is impossible to isolate the factors which ensure that some projects fail while others succeed, why some are embraced fully and others are compromised, without making a complete analysis of the vagaries of the political process as well, a task which falls outside the scope of this paper. However, this apparent failing of my analysis become of far less concern if one places greater emphasis upon the "enlightenment" model of research utilisation, that is, if we see the inherent value of research in helping all policy makers and researchers alike to consider, form opinions about and debate the issues. In this context, it is perhaps instructive to see the concern not so much with there being a "gap" between policy and research but with broadening the terms of reference in which debate can occur.

> It may be . . . helpful, in fact, for both researchers and policy makers to have rather more realistic expectations and to recognise that the potential for research to have a direct impact on policy making is, and is likely to continue to be, strictly limited. It should also be recognised that, as research appears primarily to have a diffuse effect on policy making, it may be inappropriate for funding agencies and researchers to shift their focus towards policy-oriented or action research in the hope of increasing the impact of social science research on public policy making" (Snell 1983, pp. 464-5).

From the foregoing analysis and discussion, readers can reach the conclusion that social scientists should adhere to four key principles:

- never to compromise on the quality of their research;

- to insist upon a solid empirical and statistical base, while acknowledging the limitations on factual conclusions;

- to be reluctant to compromise on the findings of the research for the sake of political expediency; and, finally,

- to ensure that the final product is both eminently readable and placed in the public arena rather than in the obscure pages of far-flung law and society journals collecting on dusty shelves.

Summary

- Social science research can make a valid and important contribution to social policy so long as its limitations are recognised (Weiss & Bucuvalas 1980, p. 271; Cook 1981, p. 262; Soloff 1987).

- There are a number of features of the relationship between social scientists and policy makers which militate against a bridging of the "gap" between them in the implementation of policy.

- Nonetheless, if we adopt the "enlightenment" model of research use, our view of the value of the social scientist's contribution to policy is not shrouded in pessimism. In other words, it would be a mistake to judge the work of the National Committee on Violence on the basis of whether or not a policy maker adopted or rejected its various recommendations. There is great power in the process itself.

- We should avoid the temptation of concluding that one study or committee holds the key to the solutions to social problems. For

  . . . no one study, however shrewdly designed and carefully executed, can provide convincing support for a causal hypothesis or theoretical statement in the social sciences. Indeed, even the more advanced material sciences, such as physics and chemistry, have come to abandon the seductive notion that one crucial experiment can ever adequately establish a theoretical point by itself" (Neale & Liebert 1986, p. 290).

- Social scientists should stress their role as servants of the society and be clear and non-pretentious in what they advocate.

  Perhaps all I am advocating in emphasising the [servanthood role] is that social scientists avoid cloaking their recommendations in a specious pseudo-scientific certainty, and instead acknowledge their advice as consisting of but wise conjectures that need to be tested in implementation (Campbell 1973, p. 73). The true task of the social scientist is simply to encourage as much criticism as possible (Popper 1972).

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Conclusion

During its relatively brief life span, the National Committee on Violence generated a considerable volume of material on the subject of violence in Australia (*see* Appendix 1). It undertook an extensive publications program on various aspects of violence in its pamphlet series, Violence Today, while its series of monographs discussed particular issues relating to violence in more extensive detail. In its final report, entitled *Violence: Directions for Australia*, the Committee examined in detail the state of violence in Australia and explanations for violent behaviour, and made a number of recommendations concerning the prevention and control of violence.

In addition, the National Conference on Violence provided a forum both for the research presented in this volume, and other findings discussed on that occasion which will be published in due course by the Australian Institute of Criminology in its Trends and Issues series and in its quarterly journal *Criminology Australia*.

Taken together, this material provides an overview of violence in Australia which is without precedent. Yet at the same time, we continue to be burdened by significant gaps in our knowledge about violence, and about strategies for dealing with violent behaviour. These concluding pages review some of those issues which we regard as priorities for future research. In addition, based on our existing knowledge about violence, we suggest a number of policy options which appear to have the most promise in terms of their potential for the prevention and control of violence, as well as for producing other benefits for Australian society. Finally, we review the role of the criminal justice system in dealing with violent behaviour.

Research Priorities

Information on the Incidence and Prevalence of Violence

The availability of information on the level and epidemiology of violence in Australia is abysmal. This knowledge gap is lamentable given the degree of public concern, at times bordering on hysteria, about violence in Australia. 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.

Costing Violence

The National Committee on Violence found that 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 very unfortunate. Indeed, the Committee expressed its frustration that a social problem of such intense public concern has been accorded such limited research that only a fragmentary picture of the state of violence could be discerned.

The costs of criminal justice in Australia currently exceed three thousand million dollars per year. Best estimates of the medical costs of assault approaches $300 million annually. The issue at stake, the public safety of Australians, is near the top of the public agenda. No self-respecting small business person in Australia would conduct his or her operations under such circumstances of ignorance.

Program Evaluation

One of the most significant knowledge gaps is reflected by our ignorance of the true impact of those policies for the prevention and control of violence which have been introduced to date. Jurisdictions around Australia have adopted numerous measures to combat violence. Some been carefully designed, others adopted instinctively. Some have entailed considerable public expenditure. Few if any have

been subject to rigorous, systematic evaluation to assess their effectiveness or their efficiency.

Firearms

The issue of firearms regulation is one which has been high on the public agenda, and appears destined to remain so. It is regrettable that an issue of such intense concern has been the subject of so little research. To illustrate the unfortunate lack of knowledge relating to the criminal use of firearms in Australia, the National Committee on Violence sought unsuccessfully to determine, on an Australia-wide basis, the proportion of those homicides occurring within the family which were committed with firearms. The required information was simply unavailable.

We see considerable merit, for example, in monitoring the effects of changes in firearms policy. It would not be difficult to discern the extent to which regulatory change in a particular jurisdiction was followed by any change in the incidence of firearm homicide, suicide, or fatal firearm accidents. One of the virtues of Australian federalism is that observed changes in the jurisdiction under scrutiny can be compared with other jurisdictions in which no regulatory change occurred.

We see additional merit in undertaking case studies and summary analyses of firearm crime occurring in the various jurisdictions of the Australian federal system. It would be instructive to shed some light on the efficacy of existing firearms control policies by identifying the approximately 100 firearm homicides occurring in Australia each year. How were the weapons which were used in these offences obtained? Had they been in the possession of the alleged offender for a considerable period of time, or did they appear to have been purchased for the occasion? Was the shooter duly licensed and the firearm duly registered? Or was the weapon stolen or obtained on the black market? Could the use of the weapon be described as opportunistic or calculated?

Research studies such as those suggested here could inform discussions of firearms regulation, which have thus far borne closer resemblance to a religious debate than to rational discourse on public policy.

Child Abuse

Over the past decade, as notifications of suspected child abuse have risen significantly in every state and territory of Australia, child protection authorities 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. Rarely if ever have such interventions been subject to rigorous, independent evaluation.

Whilst we acknowledge the difficulty of identifying the impact of such programs in terms of general prevention, it is certainly possible to undertake follow up studies of those children who were the subject of such notifications. Were certain types of intervention more effective than others? Was this success unique to a particular jurisdiction or region? Evaluation studies of this kind should be based on rigorous research designs which, ideally, provide for controlled comparison.

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.

Homicide

The work of Polk and Ranson is an important model for further research on the circumstances of homicide in Australia. Whether the themes of male possessiveness and "honour" which characterised so many of their cases from the files of the Victorian Coroner are typical of Australian homicides in general is an important question.

A significant proportion of homicides--as many as 10-15 per cent--are accompanied or followed immediately by the suicide of the offender. Needless to say, any deterrent threat which the criminal process may pose in such cases is nugatory. How might such incidents have been prevented? The challenge presented by a determined killer is by no means limited to agencies of criminal justice. To the extent that murder-suicides may have resulted from shortcomings in the family law system, in the provision of mental health services, or in the system by which firearms and other lethal weapons are regulated and controlled, a careful analysis of the circumstances of each incident may help prevent future occurrences.

Violence in Aboriginal Society

The National Committee on Violence observed that Aboriginal Australians face a risk of becoming the victim of homicide at a rate which may be as much as ten times that of the general Australian population. Much of this violence occurs within communities which are predominantly Aboriginal. In light of the significantly higher risk of homicide faced by Aboriginal Australians, the research strategy of Polk and Ranson calls out for replication, especially in those jurisdictions in Northern Australia with relatively large Aboriginal populations.

Not all Aboriginal communities are violent, nor does violence occur to the same extent in those communities which do experience violence. Aboriginal communities across Australia also vary with regard to a number of other characteristics and properties, some of

which may be related to violence. These might include, among others, population size, ethnic heterogeneity (different Aboriginal groups), proximity to licensed premises, proximity to white Australian settlement, community cohesion and empowerment, presence of organised religious influence, employment opportunity, availability of television, video, or cinema, the presence or absence of sport and recreational facilities, the status and role of women, and relations between the community and the police.

By identifying those characteristics which might be associated with relatively low violence, one might identify potential policies or programs which could be successfully introduced in communities marked by greater violence. It hardly need be said that such comparisons should be approached with caution. An observed association between two conditions may not necessarily imply that one condition causes or produces the other.

The Jurisprudence of Unreported Violence

The fact that most assaults fail to reach the attention of police has become received wisdom in Australian criminology. The chapter by Cuthbert and her colleagues indicates that this "dark figure" extends even to assaults requiring medical attention.

Our knowledge of domestic violence in Australia reveals that not all assaults which reach police attention are duly recorded. Moreover, many assault incidents outside the domestic context also fail to appear in police statistics. In some circumstances, it may not be entirely clear just which of the parties is the "victim" and which is the "offender". In others, police may not have the resources or the inclination duly to record each incident coming to their attention. Alternatively, they may regard the incident as arising from a dispute more appropriate for resolution in a forum for alternative dispute settlement than by the criminal justice system.

Australian child protection authorities have already formulated guidelines to differentiate which cases of parental violence against a child may merit referral to the criminal justice system and which are more appropriate for welfare intervention.

There may well be some incidents of violence, involving persons within an equal-power relationship which are in fact more appropriately left as private matters. Ethnographic research on the trajectory of violent disputes might reveal the extent to which participants exercise informed choice in their decisions to invoke or not to invoke the criminal process. In some circumstances, most prominently those entailing assault in the home, it would appear that the law has been insufficiently mobilised. By contrast, in others, statistics of assault may reflect a degree of "overpolicing".

There is a need for a more refined jurisprudence of violence, to embrace a critical discussion of the street-level practices currently applied by Australian police as well as citizen reporting practices. In this context, it is appropriate to ask what kinds of incidents which fail

to reach police attention, or which fail to be transformed into police statistics, in fact should be, and which incidents are inappropriately reported and recorded. The issue is not a trivial one, for it bears upon such matters as the equitable distribution of police services, the protection of the most vulnerable members of our society, and not least, the efficient and effective allocation of limited criminal justice resources.

Careers in Violence

We know too little about the "careers" of chronically violent people, especially about the circumstances under which some of them cease to be violent. The normal ageing process cannot explain why some offenders continue a pattern of violence, while others do not. Analyses of the successes and failures in the rehabilitation of violent offenders may assist in the identification of interventions, such as particular support services, correctional methods, or other factors, which may be implemented on a wider basis.

Policy Initiatives to Reduce Violence

The most efficient and effective means for the prevention and control of violence do not appear to reside within the traditional domain of criminal justice. The criminal justice system has been, and remains, a very imperfect means of social control. Moreover, it is unlikely that, all else being equal, any conceivable expansion of the criminal justice system, in terms of increased police resources, more severe sentences, or greater prison capacity, will have more than a marginal impact on violence in Australia. And the cost of criminal justice is great and growing. The cost of policing Australia now exceeds two billion dollars per year. One additional police patrol car, with two officers on a twenty-four hour basis, costs close to $300,000 per year. The annual cost of incarcerating one prisoner in maximum security approaches $75,000.

Increasingly, policy analysts have turned their attentions to what are termed the "opportunity costs" of these massive investments in criminal justice. That is, what alternative programs and projects are foregone in order to sustain enormous criminal justice budgets? Might any of these alternative programs contribute to a reduction in violence, while at the same time achieving other socially beneficial results?

Management of the economy has become the central concern of governments during the closing years of the twentieth century. This is far from irrelevant to matters of violence, for, as Christine Alder noted in her chapter, the size and distribution of a nation's wealth are closely associated with its level of violence.

Within the general context of economic management, what specific policies might be expected to contribute to a reduction of violence in Australia? We argue that investments to combat violence would be most productively made in two general areas: the first is that of family support, including child care; the second is that of employment and education.

Family Support and Parenting Education

Aggression is a remarkably stable characteristic. The early onset of misconduct is one of the best predictors of a child's later delinquency. Violent adults tend to have been aggressive children.

In a very real sense, families constitute the training ground for violence. It is within the family that aggressive 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.

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.

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, because it is only as parents come face-to-face with the stresses of child-rearing that the value of parenting education may be recognised. In some states this has already been tackled by expanding the role of child health centres to include broader education in parenting skills.

Child Care

In recent decades, the Australian welfare sector has been subject to unprecedented pressure. Changes in Australian family life have seen a decline in extended families, and a corresponding loss of supervision and support for young parents. We have also seen a large increase in the proportion of families headed by a single parent. Indeed,

Eckersley (1988, p. 22) reports that in 1986, the number of sole-parent families in Australia reached 320,000.

The isolation resulting from declining traditional family support, combined with the economic pressures which prevail in Australia today, are a recipe for violence in already stressed families. The family is where most Australian violence take place, and where most aggressive behaviour is learned.

Good models of parenting are not always available to young Australians. Changes in the Australian economy have produced increased pressure on individuals and families alike. As growing numbers of families have both parents in the workforce, there is an unprecedented demand for child care services.

If child care services were more widely available, pressures on already stressed parents would be substantially reduced, and children would be less at risk of neglect or abuse. Exposure to role models in addition to their parents may be additional benefit to those children otherwise at risk of developing a repertoire of violence.

In addition to normal needs for child care during working hours, 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. 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.

The potential for non-governmental contributions to the prevention and control of violence should also be recognised. One promising development 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.

Employment and Education

Beyond this, some of the most potentially significant contributions to the reduction of violence in Australia can be made in the areas of education and employment training. Under-educated and unskilled youth today face the prospect of exclusion from a changing Australian economy. The problem of youth homelessness has reached unprecedented proportions in Australia. Members of this very group, moreover, are at greatest risk of becoming the victims and the perpetrators of violence. Any employment programs which target

Australia's growing population of marginalised youth would be likely to reduce violence.

Employment Training Programs

Consider, for example, employment training programs for disadvantaged youth. One can state with considerable confidence that young males from blue-collar backgrounds are at significantly greater risk of engaging in violent behaviour than are members of other age, class or gender groups. This risk is enhanced by lack of participation in the paid workforce.

While conceding that not every Australian can be motivated to become an enthusiastic worker, it seems likely that many youth, if offered the chance to develop marketable job skills, would indeed avail themselves of such an opportunity. There is, moreover, the potential for even wider benefit. If such programs can assist a person who would otherwise be dependent on the social security system to become a productive taxpaying citizen, the Australian economy as a whole will gain. Any reduction in the incidence of violence which might result from the expansion of such programs would be an additional benefit.

Employment training programs for women may also be viewed from such a perspective. Whilst women are at very low risk of engaging in violent behaviour, they are at much greater risk of becoming the victim of violence. This risk is compounded by the relative economic disadvantage faced by Australian women today. Experts in the analysis of domestic violence maintain that economic dependence on the perpetrator of violence prevents many victims of criminal assault in the home from fleeing a violent situation.

In Australia over the past two decades, 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).

The economic disadvantage of Australian women is the basis for a great proportion of government funds allocated to welfare services and income maintenance programs, whether for the young, single unemployed woman, the supporting mother or the aged pensioner.

Employment training programs for women would free many actual and prospective victims of criminal assault in the home from the financial constraints which compel them to remain in a violent relationship. It would, in addition, contribute to the obvious economic benefit and enhanced productivity which would flow from making the best use of the talents of half of the Australian population.

Pre-school Enrichment Programs

Overseas studies indicate that a significant contribution to the prevention of violence can be achieved through pre-school programs (Wilson & Loury 1987). 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 in 1962. The Perry program entails pre-school attendance combined with weekly home visits by program staff. The program has been subject to rigorous evaluation, based on random assignment to pre-school 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.

Resource limitations may dictate that such programs be targeted at those communities whose children are at greatest risk of delinquency-- invariably, communities of low socioeconomic status. It is important that pre-school intervention programs be presented as benefits, rather than in a way which might be perceived as stigmatizing by the recipients.

No program for the prevention and control of violence should be blindly implemented in an act of faith. Each should be carefully designed and pre-tested. Once implemented, each should be subject to rigorous independent evaluation. Only then will one be able to claim any contribution to the reduction of violence in Australia.

Services and Support for Victims of Violence

As the chapters by Sumner and Raphael indicate, considerable progress has been made in Australia over the past decade in mitigating the impact of violence upon its victims. There nevertheless remains much to be done. Two important goals are 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. Those health professionals who may be called upon to treat injury victims, regardless of cause, should be sensitive to the problem of post-traumatic stress disorder.

As Professor Raphael notes, 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.

Model hospital protocols for the treatment and referral of domestic violence victims can lessen this problem. Such protocols may include information about the social context of domestic violence, its medical and psychological sequelae, and its legal implications. They can provide casualty and emergency staff with guidelines on how to deal with victims of domestic violence, and with information on the range of non-medical crisis and support services available to victims. Protocols of this nature have been developed in New South Wales, and their operation should be accorded close observation by medical authorities throughout Australia.

Role of the Criminal Justice System

Our having earlier claimed that the criminal justice system can make but a marginal contribution to the prevention and control of violence should not be construed as implying that police, courts and prisons are useless or irrelevant. Having acknowledged their limitations, we must also acknowledge their utility and their potential.

Police

The decade of the 1990s marks a revolution in Australian policing. A previous generation of insular, tradition-bound, and at times corrupt, police leadership has generally been replaced by a more adaptable and forward looking cohort of managers who recognise the potentials and concede the limitations of law enforcement as an instrument of social control. They recognise that many of the tasks which confront their agencies are symptomatic of social issues which lie well beyond their own institutional domain, and which are the responsibilities of other governmental and non-governmental organisations. To an extent which is as impressive as it is unprecedented, these executives are taking the lead in making contact and forging co-operative links with other agencies. The effectiveness of each will be enhanced as a result.

Perhaps the most significant developments in police responses to violence are those relating to criminal assault in the home. After decades of neglect, during which assaults between spouses were regarded as largely inappropriate for intervention by the criminal justice system, police have come to devote a great deal of attention to what is now perceived as a major challenge for Australian law enforcement agencies. All Australian police agencies have developed new training programs to better equip their officers to deal with criminal assault in the home. A number of agencies have begun to develop a variety of response strategies, some of which, in the manner

of the Minneapolis experiment conducted by Sherman and Berk (1984) entail arrest of the offender.

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 and Salem 1986). Australian police will begin to play a larger role in this area as well, as they embrace principles of community-based policing.

It is essential that all such innovations be subject to rigorous evaluation, as was the case with the policy of arrest for domestic violence in Minneapolis, and the fear reduction impact of foot patrols in Newark. Only after such evaluations can a definitive claim about the impact of a policy be made. The alternative is nothing more than policing in the dark, metaphorically speaking.

Prisons

Prisons have long been the poor relation of the Australian criminal justice system. The old aphorism "there are no votes in prisons" was heeded by successive governments in all Australian jurisdictions. The result was run-down crowded facilities, and little in the way of programs aimed at prisoner rehabilitation. It is not surprising that, as Maller and Broadhurst suggest, the frequency of admission to prison enhances the risk of subsequent readmission (Maller & Broadhurst 1989).

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". In contemporary Australian penology, it has become largely subordinate to the principles of deterrence and retribution, with which it is essentially incompatible. Nevertheless, most Australian corrections agencies have embarked on at least some program for the rehabilitation of offenders. 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.

The efficiency and effectiveness of these programs, and of those programs introduced by state and territory welfare agencies for juvenile offenders, remain to be demonstrated. All correctional agencies should continue to experiment with programs for the rehabilitation of violent 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.

Violence and Australia's Future

What can we expect of violence over the next decade in Australia? Here it is important to distinguish between statistics of reported violent crime and the actual incidence of violence. The fact that most violence short of homicide fails to reach the attention of Australia's police forces should remain uppermost in mind. Given the fact that most cases of non-fatal violence never reach police attention, one should interpret police statistics with extreme caution. A reported increase in the incidence of a particular offence may reflect nothing more than an increase in the inclination of victims to report. Victim surveys would appear to be essential if we are to make any confident assessments about the state of violence in Australia.

If it is possible to hazard a prediction about the future of violence in Australia, it seems likely that the state of violence will remain inextricably linked with the state of the Australian economy. An overall decline in living standards is likely to produce an overall increase in violence. Of equal, if not greater importance than the general level of economic well-being, however, is the question of how Australia's wealth will be distributed. Pockets of disadvantage will also be pockets of violence. To the extent that a flourishing economy harbours a growing underclass, violence may be expected to increase, despite the best intentions of Australian criminal justice agencies and despite the most carefully planned policies for its prevention and control.

Appendix 1

During its life the National Committee on Violence published the following documents:

National Committee on Violence 1990, *Violence: Directions for Australia.* Final Report of the National Committee on Violence.

Monograph Series

National Committee on Violence 1989, *Violence in Australia*

P.N.Grabosky 1989, *Victims of Violence*

P.N. Grabosky & W.E. Lucas 1989, *Society's Response to the Violent Offender*

Violence Today Series

No. 1, D. Chappell 1989, Violence, *Crime and Australian Society*

No. 2, J. Mugford 1989, *Domestic Violence*

No. 3, K. Dwyer & H. Strang 1989, *Violence Against Children*

No. 4, B. Wenn 1989, *Violence in Sport*

No. 5, B. Swanton 1989, *Violence and Public Contact Workers*

No. 6, A. Wright & K. Aisbett 1989, *Violence on Television*

No. 7, K. Hazlehurst 1989, *Violence, Disputes and their Resolution*

No. 8, S. Nugent, M. Wilkie & R. Iredale 1989, *Racist Violence*

No. 9, S. Pinto & G. Wardlaw 1990, *Political Violence*

References

Berreuta-Clement, J., Schweinhart L., Barnett, W. & Weikart, D. 1987, "The Effects of Early Educational Intervention on Crime and Delinquency in Adolescence and Early Adulthood" in *Prevention of Delinquent Behavior*, eds J. Burchard & S. Burchard, Beverly Hills, Sage Publications, pp. 220-40.

Clarke, R., Ekblom, P., Hough, M. & Mayhew, P. 1985, "Elderly Victims of Crime and Exposure to Risk", *The Howard Journal of Criminal Justice*, vol. 24, no. 1, pp. 1-9.

Eckersley, R. 1988, *Casualties of Change: The Predicament of Youth in Australia*, Commission for the Future, Canberra.

Fowler, F., McCalla, Mary Ellen & Mangione, T. 1979, *Reducing Residential Crime and Fear: The Hartford Neighbourhood Crime Prevention Program*, U.S. Department of Justice, Washington, D.C.

Lewis, Dan & Salem, Greta 1986, *Fear of Crime: Incivility and the Production of a Social Problem*, Transaction Books, New Brunswick, N.J.

Maller, Ross & Broadhurst, Rod 1989, *Careers of Institutionalised Chronic and Serious Offenders*, Criminology Research Council, Canberra.

Police Foundation 1981, *The Newark Foot Patrol Experiment*, Police Foundation, Washington, D.C.

Schweinhart, L. 1987, "Can Preschool Programs Help Prevent Delinquency?" in *From Children to Citizens*, vol. 3, eds J. Wilson & G. Loury, Springer-Verlag, New York.

Sherman, Lawrence & Berk, Richard 1984, "The Specific Deterrent Effects of Arrest for Domestic Assault", *American Sociological Re*view, vol. 49, pp. 261-72.

Wilson, J.Q. & Loury, G. (eds) 1987, *Families, Schools and Delinquency Prevention*, Springer-Verlag, New York.

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Violence in Australia: An Annotated Bibliography

John Myrtle

This bibliography is a selection of annotated references on the impact of violence within Australian society. The selection is divided into seven sections:

- The causes and correlates of violence;
- Family violence;
- The incidence of violence;
- Preventing violence;
- Victims of violence;
- Violence and the media;
- Violence in Australian history.

A note on sources: The information included in this bibliography has been drawn from general sources rather than specialist literature such as legal and medical journals. The majority of references have been drawn from CINCH, the Australian Criminology Database; with other references coming from APAIS, and Australian Family and Society Abstracts. All three of these databases are available online through the National Library of Australia's OZLINE Service, and are also available as part of AUSTROM, Australian Social Science and Education Information on CD-ROM.

The Causes and Correlates of Violence

Ball, Richard
"Aggression: some psychiatric aspects"
Australian Journal of Forensic Sciences, 12(1) Sept 1979; 30-39
Outlines issues relating to aggression directed against others, and considers actual or deliberate harm to others from aggression. Concludes that training, early environment, early experience of violence, and abnormal social conditions, all contribute to the lifestyle of violent persons. Preventative action may require social remedial action, early detection, and treatment of predisposed individuals.

Chappell, Duncan; Grabosky, Peter N; Wilson, Paul R; Mukherjee, Satyanshu
Firearms and violence in Australia
Canberra: Australian Institute of Criminology, 1988. 4p
(Trends and issues in crime and criminal justice; no.10)
Provides information and policy options regarding the regulation of firearms in Australia.

Cunneen, Chris; Findlay, Mark; Lynch, Rob; Tupper, Vernon
Dynamics of collective conflict: riots at the Bathurst bike races
Sydney: Law Book Company, 1989. 207p
Prepared in response to a series of riots involving spectators and police at Bathurst, NSW, during the annual Bathurst motorcycle races. Examines collective disorder at Bathurst, and offers explanations for the behaviour of young people at motorcycle meetings.

Grant, Donald A
"The classification of violence: a study of thirty patients"
Australian Journal of Forensic Sciences, 12(1) Sept 1979; 52-64
Report on a study of thirty violent patients, looking at the occurrence of violent episodes, past family and personal history, and past history of influences that potentially might have led to damage to the central nervous system.

Harding, Richard W
Firearms and violence in Australian life: an examination of gun ownership and use in Australia
Nedlands, WA: University of Western Australia Press, 1981. 191p
Highlights gun law issues in Australia, and examines the variety of regulatory policies pursued.

Harding, Richard W; Blake, Ann
Weapon choice by violent offenders in Western Australia: a pilot study
Nedlands, WA: Crime Research Centre, University of Western Australia, 1989. 43p
(Research report; no.1)
Reports on a pilot research project designed to identify factors relevant to weapon choice by violent offenders in Western Australia. Includes an examination of the relevance of possible sentences to that choice.

Howard, Neil
Case studies of violent offenders
Melbourne: Victorian Office of Corrections, Strategic Services Division, 1984. 117p
Presents case studies, comparing a group of recidivist violent offenders with non-recidivist violent offenders.

Sainsbury, M J
"Dangerousness"
In: *Proceedings of a seminar on medical and legal aspects of current mental health legislation*.
Sydney: Institute of Criminology, Sydney University Law School, 1986; 54-62, 66-67
(Sydney University. Proceedings of the Institute of Criminology; no.70)
A psychiatric assessment of the concept of dangerousness, considered within the framework of the mental health system. Concludes that there may be subgroups within those classified as mentally ill who might have a greater potential than "average" citizens for inflicting serious bodily harm. Cautions, however, against assuming that all mentally ill persons are dangerous.

Wilson, Paul R
Black death white hands
Sydney: Allen and Unwin. Rev. edn, 1985. 162p
Studies violence in Queensland's Aboriginal reserves. Argues that the high rate of homicide and serious assault can be traced to the fragmentation and division caused by European settlement.

Wilson, Paul R
"Sexual and violent crime in Australia: rhetoric and reality"
Current Affairs Bulletin, 65(10) Mar 1989; 11-17
Examines the level of sexual and violent crime in Australia. Indicates that the level of homicide has remained relatively constant in the 1970s and 1980s, while official statistics for sexual and other violent crimes indicate increased rates. Questions the meaning and accuracy of these increases, and also questions some popular beliefs about ways of dealing with sexual and violent crime.

Yourell, Asha M; McCabe, Marita M
"The motivations underlying male rape of women"
Australian Journal of Sex, Marriage and Family, 9(4) Nov 1988; 215-224
Investigates the motivations of rapists, and the manner in which these motivations relate to the various forms of rape.

Family Violence

Allen, Judith
"The Invention of the pathological family: a historical study of family violence in NSW"
In: *Family violence in Australia*, edited by Carol O'Donnell and Jane Graney. Melbourne: Longman Cheshire, 1982; 1-27
(Australian studies series)
A study of domestic violence in late nineteenth century and early twentieth century New South Wales, derived in the most part from the records of state archives. Examines both the patterns of family violence and the state responses to this violence.

Australian Law Reform Commission
Domestic violence
Canberra: AGPS, 1986. 98p
(Australia. Law Reform Commission. Report; no.30)
Reports on and reviews the law relating to domestic violence in the Australian Capital Territory. Indicates that domestic violence tends to be a hidden problem, but is significant in terms of extent and frequency, and the serious injuries inflicted. Stresses that both law and welfare agencies have a role in prevention of domestic violence, and protection of victims.

Bacon, Wendy; Lansdowne, Robyn
"Women who kill husbands: the battered wife on trial"
In: *Family violence in Australia*, edited by Carol O'Donnell and Jane Craney. Melbourne: Longman Cheshire, 1982; 67-94
(Australian studies series)
Studies cases of women convicted of killing male partners, and compares their situation, from the women's perspective, with the image presented in their cases in court. Demonstrates that many female homicide offenders were themselves subject to considerable abuse at the hands of their eventual victims.

Brady, Janet
"The Queensland police involvement in the management of child abuse cases"
NPRU Review, 2(2) 1986; 34-37
Outlines some Queensland initiatives for reducing the reluctance of people to become involved in the management of child abuse.

Brereton, David; McCole, Gary
"Obstacles to prosecution in child sexual assault cases: a report on some Victorian data"
In: *Sexual offences against children: research reports*. Melbourne: Law Reform Commission of Victoria, 1988; 43-60

Presents and discusses data from Victoria Police internal records. Concludes that the rates at which reported offenders are prosecuted is higher than is commonly believed. Also concludes, however, that existing evidentiary rules act as a significant deterrent to prosecution in cases where no admission is obtained.

Burns, Ailsa; Goodnow, Jacqueline
"Violence against children"
In: *Children and families in Australia: contemporary issues*, by Ailsa Burns and Jacqueline Goodnow. Sydney: Allen and Unwin, 2nd edn, 1985; 170-204
(Studies in society; no. 29)
Argues that violence against children is not an isolated issue. Acts of violence occur within a set of interactions between children, family and community, and are intertwined with ideas about discipline, parents' rights, non-interference, children as property, and child caring as a natural skill. Focuses on physical violence, as distinct from sexual abuse or emotional cruelty.

Coorey, Lyla
Domestic violence and the police: who is being protected? A rural Australian view
[Sydney]: Lyla Coorey, 1988. 213p
(Thesis presented for the degree of Master of Social Work at the University of Sydney)
Explores the nature of prolonged domestic violence in a country town of New South Wales. Primary focus is on the inadequate police response to domestic violence.

Duncan, Stan
"Domestic violence and the aged"
In: *Proceedings of a seminar on domestic violence (including child abuse and incest)*. Sydney: Institute of Criminology. Sydney University Law School, 1982; 107-116
(Sydney University. Proceedings of the Institute of Criminology; no.54)
Comments on the lack of sympathy and general plight of aged people in our community. Sets out situations in which violence against aged people can occur.

Dwyer, Kim; Strang, Heather
Violence against children
Canberra: Australian Institute of Criminology, 1989. 8p
(Violence today; no.3)
Discusses violence against children, both in the form of physical and emotional abuse and neglect, and in the form of sexual abuse. Reviews progress in dealing with the problem, and makes suggestions for further work.

Edgar, Don
"Family disruption and violence"
Family Matters, no.22 Dec 1988; 12-17
Looks at the social costs of tolerating violence and discusses the paradox of power, status and authority in the family.

Goddard, C R
"A child sexual abuse police tracking project: a hospital-based study for the Law Reform Commission of Victoria"
In: *Sexual offences against children: research reports*. Melbourne: Law Reform Commission of Victoria, 1988; 61-185
A study examining some characteristics of families whose children are defined as suspected sexual abuse victims in a hospital setting. Also tracks cases identified as suspected child sexual abuse into the criminal justice system, to monitor performance in assisting victims and prosecuting perpetrators of child sexual abuse.

Goldman, Ronald J; Goldman, Juliette D G
"The prevalence and nature of child sexual abuse in Australia"
Australian Journal of Sex, Marriage and Family, 9(2) May 1988; 94-106
Study based on a survey covering the sexual history of post-secondary students in Victoria. Indicates that a significant proportion (28% of females and 9% of males) had been subjected to some form of child sexual abuse.

Graycar, Regina
"Violence in the home. A legal response: a limited solution"
Law Society Journal 26(4) May 1988; 46-49
Notes the limits of the law in the prevention and control of violence in the home and comments on the need for ancillary or non-legal matters to be addressed when dealing with domestic violence.

Hatty, Suzanne E, editor
National conference on domestic violence: proceedings, 11-15 November 1985
Canberra: Australian Institute of Criminology, 1986. 2v. (x, 671p)
(AIC Seminar. Proceedings; no.12)
Proceedings of a national conference examining the extent and nature of domestic violence, repressive structures, and therapeutic modes of intervention.

Hatty, Suzanne E; Sutton, Jeanna
"Policing violence against women"
In: *National conference on domestic violence*: proceedings, 11-15 November 1985, volume 2, edited by Suzanne E Hatty. Canberra: Australian Institute of Criminology, 1986; 403-433
(AIC Seminar. Proceedings; no.12)
Reviews the literature on the deployment of police resources in the resolution of situations involving violence against women within relationships.

Hatty, Suzanne E
Women battering: where to from here?
Kensington, NSW: School of Social Work, University of New South Wales, 1988. 46p
Reviews the debate on appropriate state intervention in wife battering. Looks specifically at the issue of legal ideology and the attitudes held by significant legal groups. Concludes with a number of recommendations regarding the development of a comprehensive set of responses to wife battering.

Kaufman, Terry
"Reporting sexual offences against children"
In: *Sexual offences against children: research reports*. Melbourne: Law Reform Commission of Victoria, 1988; 1-42
Report on a study on whether there should be a legal duty to report sexual offences against children. Concludes that a legal requirement to report child sexual offences must take account of the practical implications of the consequences of reporting.

Knight, Rosemary A; Hatty, Suzanne E
"Theoretical and methodological perspectives on domestic violence: implications for social action"
Australian Journal of Social Issues, 22(2) May 1987; 452-464
Examines theoretical and methodological models used by researchers and applied workers in conceptualising domestic violence. Argues that the gender assumptions underlying the theoretical framework adopted are often implicit and unacknowledged, and that when they assume equal power between men and women, may do a disservice to female victims.

McIntyre, Deborah
"Domestic violence: a case of the disappearing victim"
Australian Journal of Family Therapy, 5(4) Oct 1984; 249-258
Examines the current theoretical constructions of the phenomenon of domestic violence, and their therapeutic implications. Attempts to draw out the latent socio-political content of that theorising, arguing that throughout the various approaches there is a consistent de-emphasing of the woman's position as victim of the violent act.

Mugford, Jane
Domestic violence
Canberra: Australian Institute of Criminology, 1989. 8p

(Violence today; no.2)
Examines domestic violence in Australian society, indicating the extent and nature of the problem. Includes results of surveys of community attitudes to domestic violence, as well as surveys of experiences and responses of victims.

New South Wales. Premier's Department. Women's Coordination Unit
"Violence: 'I thought I was the only one'"
In: *Girls at risk: report of the girls in care project*, Women's Coordination Unit, Premier's Department to the Hon. Neville Wran QC MP, Premier of New South Wales, June 1986. Sydney: Government Printer, 1986; 83-98
Surveys girls at risk and in care, in relation to their experience of domestic violence, incest, sexual assault, and physical assault.

New South Wales Domestic Violence Committee; L'Orange, Helen, chairperson
Report to the Premier the Hon B J Unsworth on a survey of non-spousal family violence, October 1987
Sydney: New South Wales Domestic Violence Committee, 1987. 1v
Reports on a survey of 207 cases of non-spousal domestic violence. Makes recommendations related to support for victims, and education and training within agencies involved in responding to cases of domestic violence.

New South Wales. Violence Against Women and Children Law Reform Task Force; L'Orange, Helen, chairperson
Consultation paper
Sydney: Government Printer, 1987. 113p
Details the options available for reforming the law and its operation in relation to child sexual assault, sexual assault, and domestic violence.

Newton, Alison
"Violent marriages"
Australian Journal of Family Therapy, 3(1) Oct 1981; 27-32
Addresses the question of why many people are violent toward those they claim to love and why many people stay with those who hurt them. Patterns of relationship within violent marriages, the characteristics of individuals involved and societal values are explored for answers. Some thoughts on therapy are presented.

Nixon, James; Pearn, John; Wilkey, Ian; Petrie, Gwynneth
"Social class and violent child death: an analysis of fatal non-accidental injury, murder and fatal child neglect"
Child Abuse and Neglect, 5(2) 1981; 111-116
Reports on a study of violent and non-accidental deaths involving children in Queensland, analysed in relation to their socioeconomic status. Children who died as a result of non-accidental injury were from lower socioeconomic groups. However, the socioeconomic status distribution for all deaths (non-accidental injury, murder, and neglect) is not unlike the socioeconomic status distribution for the general population.

Oates, Kim
Child abuse and neglect: what happens eventually?
Sydney: Butterworths, 1985. 209p
A study of child physical abuse and nonorganic failure to thrive. Critically reviews the literature, and also gives information about, and makes comparisons between, a group of children with nonorganic failure to thrive admitted to hospital and a group of physically abused children.

O'Donnell, Carol; Saville, Heather
"Domestic violence and sex and class inequality"
In: *Family violence in Australia* edited by Carol O'Donnell, and Jane Craney. Melbourne: Longman Cheshire, 1982; 52-66
(Australian studies series)
Reports on a survey of women in Sydney who had been subjected to domestic violence. Includes information relating to employment history, usual occupation, use of alcohol by attackers, and length of relationship.

Public Policy Research Centre
Community attitudes towards domestic violence in Australia: social survey report
[Sydney]: Public Policy Research Centre, 1988. 34p
(Cover title: Domestic violence attitude survey.
At head of title: Australian Government, Office of the Status of Women)
Report on a national social survey on community attitudes towards domestic violence in Australia. The great majority of those surveyed rated domestic violence as a serious issue; and a greater majority considered men to be the main perpetrators of domestic violence. Concluded that an information campaign should focus on the current high level of tolerance of domestic violence in the community.

Queensland Domestic Violence Task Force; Matchett, Ruth, chairperson
Beyond these walls: report of the Queensland Domestic Violence Task Force, 1988
Brisbane: Qld Department of Family Services, 1988. 545p
Reports on strategies for alleviating and curtailing domestic violence. Includes a study of costs to the community of providing services to the victims of domestic violence.

Saunders, Kay
"The study of domestic violence in colonial Queensland: sources and problems"
Historical Studies, 21(82) Apr 1984; 68-84
Examines the nature and ramifications of domestic violence involving both de facto and de jure marital relationships among Europeans in colonial Queensland, 1859-1900.

Saville, Heather
"Refuges: a new beginning to the struggle"
In: *Family violence in Australia*, edited by Carol O'Donnell and Jane Craney. Melbourne: Longman Cheshire, 1982; 95-109
(Australian studies series)
Studies the role of refuges in meeting the demands of women in adverse situations, generated by economic, social and physical crises.

Scutt, Jocelynne A
"The alcoholic imperative: the sexist rationalisation of rape and domestic violence"
Hecate, 7(1) 1981; 88-105
Argues that the causal link between alcohol and violence or rape is not easily proven, and the solutions to eliminating domestic violence and rape lie with changing the way men and women are socialised.

Scutt, Jocelynne A
"Crimes against the elderly: legal and ethical considerations"
In: *Aged abuse: who cares?* Proceedings of a seminar held on February 19, 1986. Richmond, Vic: Alzheimer's Disease and Related Disorders Society of Victoria, 1986; 25-39
Examines the dimensions of aged abuse, and indicates that some of the issues involved parallel those of domestic violence and abuse.

Scutt, Jocelynne A
Even in the best of homes: violence in the family
Melbourne: Penguin, 1983. 315p
A study of Australian families, revealing violence and sexual molestation of women and children, and apathy of friends, families, doctors, police and the courts.

Sexual offences against children
Melbourne: Law Reform Commission of Victoria, 1988. 164p
(Law Reform Commission of Victoria. Report; no.18)
Examines the criminal law relating to sexual abuse of children, including procedural and evidentiary rules which govern the prosecution of offences. Recommendations cover an examination of child-specific sexual offences; reporting sexual abuse of children; procedures in sexual abuse cases; evidence in such cases; and treatment of offenders.

Snashall, Ron, editor
National conference on child abuse: proceedings, 3-7 February 1986
Canberra: Australian Institute of Criminology, 1987. 291p

(AIC Seminar. Proceedings; no.14)
Proceedings of a national conference, reviewing services available across Australia to combat child abuse, and examining the type and extent of resources needed nationally.

South Australia. Department for Community Welfare
Filipina-Australian marriages and domestic violence: working party report
[Adelaide: South Australia]. Department for Community Welfare, 1988. 47p
Report of a Working Party set up to examine the issues underlying domestic violence by Australian men against their Filipina wives.

Stanioch, Joe
"A survey on child abuse"
Australian Police Journal, 42(2) Apr/Jun 1988; 62-64
Report on a survey of child sexual and child physical abuse reported to New South Wales police from June 1986 to March 1988. Indicates that a large majority of the offenders were not previously known to police.

Sutton, Jeanna; Hatty, Suzanne E
Police intervention in domestic violence in New South Wales
[Sydney: J.Sutton, S.Hatty], 1988. 361p
An examination of established police practices in New South Wales in responding to incidents of violence directed at a female partner. Provides a detailed analysis of police attitudes towards the phenomenon of violence against women within relationships, and develops recommendations for police education and work effectiveness in New South Wales.

Victoria. Parliament. Social Development Committee
Second report upon the Inquiry into Strategies to Deal with the Issue of Community Violence: with particular reference to children, young people and families
Melbourne: Government Printer, 1988. 237p
(Parliamentary paper (Victoria. Parliament); no.41)
Deals with general strategies to prevent family violence, and discusses strategies which address particular aspects of violence, such as abuse of children and young people, and spouse abuse.

Western Australia. Task Force on Domestic Violence; Elliott, Lyla, chairperson
Break the silence: report of the Task Force on Domestic Violence to the Western Australian Government
Perth: Task Force on Domestic Violence, 1986. 326p
Reports on the extent of domestic violence in the Western Australian community and evaluates the effectiveness of existing legislation. Includes two discussion papers on domestic violence in relation to: (a) aborigines, and (b) migrants.

Winefield, Helen R; Castell-McGregor, Sally N
"Child sexual abuse cases: facilitating their detection and reporting by general practitioners"
Australian Journal of Social Issues, 23(1) Feb 1988; 27-37
An analysis of issues relevant to the ability of general practitioners to respond appropriately to child abuse in terms of both their ability to detect occurrence, and also their willingness to make official reports. Includes suggestions for reducing the identified obstacles to detection and reporting by GPs.

The Incidence of Violence

Australian Public Opinion Polls (The Gallop Method)
Violent crimes our main concern
North Sydney, NSW: McNair Anderson, 1986. 3p
(Poll; no.05/3/86)
Survey indicating that violent crime was the number one issue of concern for Australians in 1986.

Bonney, Roseanne
Homicide II
Sydney: NSW Bureau of Crime Statistics and Research, 1988. 47p
Updates Homicide: the social reality by Alison Wallace (which see) to include analyses of homicide in New South Wales for the years 1982 to 1986.

Burrill, P W; McCall, M G; Stenhouse, N S; Reid, T A
"Deaths from suicide, motor vehicle accidents and all forms of violent death among migrants in Australia 1962-66"
Acta Psychiatrica Scandinavica, 49(1) 1973; 28-50
Compares age sex specific rates for each form of death for migrants with those of Australian born. Shows widely different rates for migrants from different countries.

Carter, Ross W
"Violent offences against the person"
In: *Australian sentencing digest*, by Carter, Ross W. Sydney: Law Book Company, 1985; 235-392
Provides a comprehensive Australia-wide digest of sentencing decisions for cases involving violence against the person. Reported decisions from all Courts of Criminal Appeal (or their equivalent) are included for a ten-year period from 1970.

Day, Lincoln H
"Death from non-war violence: an international comparison"
Social Science and Medicine, 19(9) 1984; 917-927
Studies the patterns of death from violence (accidents, suicide and homicide) among persons 1-64 years of age during the period 1950-1978 in 49 populations having virtually complete registration of deaths.

Ethnic Affairs Commission of New South Wales
Not a single problem: not a single solution.
A report to the Premier and Minister for Ethnic Affairs on the recent clashes between youth in Bankstown and Marrickville
Sydney: Ethnic Affairs Commission of NSW, 1986. 1v
Report of an investigation into a clash involving boys of high school age of Lebanese and Vietnamese background.

Field, Graeme R
A study on the increase in violence in the Sydney metropolitan area with particular reference to the incidence of stabbings and shootings and the consequent threat to the safety on NSW ambulance officers
Sydney: New South Wales Ambulance Service, 1988. 92p
Report of a study of the impact of increased violent crime on employees of the New South Wales Ambulance Service. Aims to provide officers with information to assist in reducing violent attacks directed against them.

Grabosky, Peter N
"Aboriginal deaths in custody: the case of John Pat"
Race and Class, 29(3) Winter 1988; 87-94
A study of the case of John Pat, an Aboriginal youth who died in a police lock-up in Roebourne, Western Australia in 1983. Pat and other Aborigines had been systematically beaten after a general melee involving off-duty police.

Harding, Richard W
Police killings in Australia
Ringwood, Vic: Penguin, 1970. 266p
Describes and analyses a number of caes where police have killed citizens. Reveals a pattern of systematic abuse of the rules relating to deaths caused in arrest situations.

Harvey, Sandra; Simpson, Lindsay
Brothers in arms
Sydney: Allen and Unwin, 1989. 267p
(Cover subtitle: The inside story of two bikie gangs)

An account of murderous violence between two motorcycle gangs in Sydney in 1984 that left seven people dead. Includes background on the gangs, and details of the shoot-out and the trials that followed.

Hatty, Suzanne E
Male violence and the police: an Australian experience
Kensington, NSW: School of Social Work, University of New South Wales, 1988. 199p
Report on a study of women's experiences of violence within heterosexual adult relationships, examined from the perspective of operational police. Concludes that police are failing to provide the necessary legal protection to women, and are discounting the very real danger to women's safety in partner incidents. However, also concludes that police are devoting significant time to intervening in male violence.

Hatty, Suzanne E
"Violence against prostitute women: social and legal dilemmas"
Australian Journal of Social Issues, 24(4) Nov 1989; 235-248
Indicates that violence against prostitutes is both prevalent and hidden; whether in the form of assault by a client or stranger, or by psychological coercion to provide sex on the part of law enforcement personnel. Argues that current police practices in regulating prostitution within some Australian states create optimum conditions for abuse of prostitutes.

Hogan, Michael; Brown, David; Hogg, Russell, editors
Death in the hands of the state
Redfern, NSW: Redfern Legal Centre Publishing, 1988. 190p
Addresses the issue of deaths involving state agencies. Deals with case studies of deaths in custody, examining both the circumstances of the cases, and also deficiencies of the investigation process. Also deals with general issues, including the functioning of the coronial system, and public accountability for deaths in the hands of the state.

Kapardis, Andreas (Andros)
"Characteristics of homicides in Victoria: January 1984-June 1988"
Australian Police Journal, 42(4) Oct/Dec 1988; 130-132
Examines patterns of homicide in Victoria by analysing information from cases reported to Victoria Police. Showed that homicide in Victoria is often the result of inter-personal conflict. While women commit about one in ten homicides, they are the victims of male aggression in over a third of the cases surveyed.

Kapardis, Andreas (Andros)
They wrought mayhem: an insight into mass murder
Melbourne: River Seine Press, 1989. 197p
Examines three mass murders which took place in 1987; two in Melbourne, and one in Hungerford, England. Looks at the wider pattern of violent crime and the personal and social forces which lead to random mass murders.

Metcalfe, Andrew
"Fraternity and terror: the organization of violence in everyday life"
Mankind, 14(5) Dec 1984; 373-382
Details the significance of violence in the political practice of coal miners. Theorises on the role of routine violence in the formation, maintenance and dissolution of social groups.

New South Wales. Bureau of Crime Statistics and Research
Robbery, final report
Sydney: NSW Bureau of Crime Statistics and Research, 1987. 150p
(Cover subtitle: An analysis of robbery in New South Wales)
Explores the nature and extent of robbery in New South Wales. Examines the motivations of offenders, and the manner in which offenders are dealt with by the criminal justice system. Also considers the effectiveness of proposed methods of deterrence.

Nugent, Stephen; Wilkie, Meredith; Iredale, Robyn
Racist violence
Canberra: Australian Institute of Criminology, 1989. 7p

(Violence today; no.8)
Highlights the seriousness of racist violence directed against certain groups in Australia. Stresses the need for statistical data on the incidence of racist violence, community education programs, racial vilification legislation, and an examination of the law enforcement response to racist violence.

Robb, Tom
Police reports of serious assault in New South Wales
Sydney: NSW Bureau of Crime Statistics and Research, 1987. 40p
(Assault report; no.1)
Provides basic information on the nature of violent assaults reported to police, and the characteristics of both the victims and the alleged offenders.

South Australia. Office of Crime Statistics
Sexual assault in South Australia
Adelaide: Government Printer, 1983. 74p
(Research report; no.1)
Examines the background and characteristics of 450 alleged offenders apprehended during 1980 and 1981, and measures the success rate in prosecutions.

Wallace, Alison
Homicide: the social reality
Sydney: NSW Bureau of Crime Statistics and Research, 1986. 215p
A study of homicide in New South Wales from 1968 to 1981, incorporating some data back to 1933. Develops a typology of homicide, the major aspects of which relate to spouse killing, child killing, other domestic homicides, homicides beyond the family, and murder-suicide (see also Bonney).

Wardlaw, Grant
"Terrorism and public disorder: the Australian context"
In: *The Australian criminal justice system: the mid 1980s*, edited by Duncan Chappell and Paul Wilson. Sydney: Butterworths, 1986; 150-164
Examines the threat to Australia from terrorism and political violence, and makes an assessment of available counter-measures.

Weekley, K J C
Rape: a four year study of victims
Adelaide: South Australia Police Department, 1986. 60p
Examines information relating to rapes, attempted rapes, and assaults with intent to rape, as reported and recorded by the South Australian Police Department, from July 1980 to June 1984. Factors considered include, any previous association between rapist and victim; location of rape attack; and the level of violence involved in the rape attack.

Preventing Violence/Treatment of Offenders

Australia. Royal Commission into Aboriginal Deaths in Custody; Muirhead, J H, Commissioner
Interim report: Royal Commission into Aboriginal Deaths in Custody
Canberra: AGPS, 1988. 101p
Reports on the work of the Royal Commission up to 1988. Makes recommendations, mainly in relation to police and prison practices and systems, which if implemented, might serve to improve practices and procedures and limit future custodial deaths.

Borowski, Allan
"Programs for violent juvenile offenders: what works?"
The Australian and New Zealand Journal of Criminology, 19(3) Sept 1986; 155-162
Presents select characteristics of effective American programs for violent juvenile offenders. Examines these programs as a guide for Australian initiatives directed at similar types of juvenile offenders.

Challinger, Dennis, editor
Armed robbery: proceedings of a seminar, held 22-24 March 1988
Canberra: Australian Institute of Criminology, 1989. 124p
(AIC Seminar. Proceedings; no.26)
Proceedings of a seminar, reflecting changes in perceptions of robbery as an offence in the late 1970s and the 1980s. The changes indicate a growing public appreciation that a robbery, especially an armed robbery, can be damaging to the victim, and also an appreciation by business organisations that vulnerable premises and staff need more secure protection.

Chappell, Duncan
Violence, crime and Australian society
Canberra: Australian Institute of Criminology, 1989. 8p
(Violence today; no.1)
Reviews the knowledge and perception of violence in Australia, past and present, and considers some of the strategies which might be used to minimise and prevent violence.

Cunneen, Chris; Findlay, Mark
"The Functions of criminal law in riot control"
The Australian and New Zealand Journal of Criminology, 19(3) Sept 1986; 163-178
Critically analyses the criminalization process resulting from the response to collective disorder. Questions the appropriateness of the police/court response, not only in kind but in some instances at all.

Fine, J David
Gun laws: proposals for reform
Sydney: Federation Press, 1988. 82p
Assesses the extent to which different techniques serve to prevent the accidental and intentional misuse of firearms. Examines cost effectiveness of alternative regulatory strategies.

Grabosky, Peter N; Lucas, William E
Society's response to the violent offender
Canberra: Australian Institute of Criminology, 1989. 68p
(National Committee on Violence. Monograph; no.3)
Reviews basic issues relating to the treatment of adult violent offenders in Australia.

Hazlehurst, Kayleen M
Violence, disputes and their resolution
Canberra: Australian Institute of Criminology, 1989. 7p
(Violence today; no.7)
Describes the settlement of disputes through use of mediation rather than litigation.

Kapardis, Andreas (Andros)
"One hundred convicted armed robbers in Melbourne: myths and reality"
In: *Armed robbery*: proceedings of a seminar held 22-24 March 1988/ edited by Dennis Challinger.
Canberra: Australian Institute of Criminology, 1988; 37-49
(AIC Seminar. Proceedings; no.26)
Report on a study of armed robberies and convicted armed robbers in Victoria. Examines assumptions underlying the use of individual and general deterrence as a penal aim with armed robbers by focussing on how much offenders think about, plan, carry out and reflect on their offending.

Law Reform Commission of Western Australia
Report on incitement to racial hatred
Perth: Law Reform Commission of Western Australia, 1989. 29p
(Project; no.86)
Report on a reference to consider whether the law in Western Australia is adequate to deter acts which incite racial hatred. The principal problem from which the reference arose was the occurrence of large-scale racist poster and graffiti campaigns on public property in Western Australia.

National Committee on Violence; Chappell, Duncan, chair
Violence: directions for Australia
Canberra: Australian Institute of Criminology, 1990. 285p
Final report of the National Committee on Violence. Raises key issues and presents important facts about violence in contemporary Australia, and makes recommendations for violence reduction.

South Australia. Department of Recreation and Sport. Sports Development Unit; Lewis, Mark, editor
Violence in sport conference report, June 1987
Adelaide: SA Department of Recreation and Sport, 1987. 5,48p
Proceedings of a conference aiming to identify responsibility for violence in sport and recommend appropriate steps to reduce the incidence of violence.

Swanton, Bruce
Violence and public contact workers
Canberra: Australian Institute of Criminology, 1989. 5p
(Violence today; no.5)
Outlines the types and nature of workplace violence suffered at the hands of persons other than fellow employees. Nominates strategies for reduction of the problem, including improvement of the job skills of workers, improvement of the capacity of workers to interact effectively with clients, and manipulation of the physical work environment.

Vamplew, Wray
"Violence in Australian sport: some possible strategies"
NPRU Review, 3(1) 1987; 26-32
Discusses various ways to control both spectator and on-field violence in sport. These include improved facility design for spectators, appropriate penalties for players, and the covert use of control agents such as police and stewards.

Veno, Arthur E; Veno, Elizabeth; Grassecker, Rudi
Policing the Bathurst motorcycle races
[Churchill, Vic: Gippsland Institute of Advanced Education, 1987]. 36p
Report on sociological aspects of bikers' activities at recreational events. Includes results of a questionnaire study to provide information about the biker culture. Also includes recommendations for resolution of violence at Bathurst motorcycle races.

Wenn, Brian
Violence and sport
Canberra: Australian Institute of Criminology, 1989. 6p
(Violence today; no.4)
Explores the causes of and issues related to violence in sport, and nominates strategies to reduce violence, including the use of codes of behaviour for officials, parents, spectators, coaches, teachers, media, and players.

Victims of Violence

Alder, Christine; Sandor, Danny
Homeless youth as victims of violence
[Parkville, Vic: Criminology Department, University of Melbourne, 1989]. 54p
An investigation and survey of homeless young people who live on the street and are exposed to a disproportionate risk of violence after they have left their home environment.

Australian Bureau of Statistics
General social survey: crime victims, May 1975
Canberra: Australian Bureau of Statistics, 1979. 50p
(ABS catalogue; no.4105.0)
Presents a range of statistics relating to victims of selected crimes. Derived from a survey of crime victimisation, part of a General Social Survey, conducted by the Australian Bureau of Statistics from March to May 1975. Respondents were requested to provide information on a selection of crimes, including unreported incidents, and situations in which people may be most at risk from certain crimes.

Australian Bureau of Statistics

Victims of crime Australia, 1983
Canberra: Australian Bureau of Statistics, 1986. 81p
(ABS catalogue; no.4506.0)
Presents a range of statistics relating to victims of selected crimes. Derived from the Crimes Victims Survey conducted by the Australian Bureau of Statistics from February 1983 to January 1984. The survey was intended to obtain information on the number and types of crimes experienced, the characteristics of victims, and the reasons why crimes are and are not reported to the police.

Braithwaite, John; Biles, David; Whitrod, Ray
"Fear of crime in Australia"
In: *The victim in international perspective*: papers and essays given at the Third International Symposium on Victimology, 1979 in Muenster, Westfalia, edited by Hans Joachim Schneider. Berlin: Walter de Gruyter, 1982; 220-228
Examines data from a national crime victims survey conducted by the Australian Bureau of Statistics during 1975. Explores respondents' perceptions of safety when walking out at night. Groups identified as feeling most vulnerable include the aged (60 and over); those previously married (widowed, separated, or divorced); and urban dwellers.

Creamer, Mark; Burgess, Philip; Buckingham, William; Pattison, Philippa
The Psychological aftermath of the Queen Street shootings
Parkville, Vic: Department of Psychology, University of Melbourne, 1989. 132p
Outlines the mental health response provided after the December 1987 Queen Street shootings in Melbourne, described as one of the worst mass homicides in Australia's history.

Grabosky, Peter N, editor
National Symposium on Victimology, State Government Convention Centre, Adelaide, South Australia, 15-17 September 1981. [Proceedings]
Canberra: Australian Institute of Criminology, 1982. 353p
(Proceedings. Training project; no.101/1)
Proceedings of a national symposium covering the place and role of victims in the criminal justice system. Issues covered by papers include: the experience of the victim in the criminal process; research on crime victims by criminologists; and community services available and/or required by victims.

Grabosky, Peter N
Victims of violence
Canberra: Australian Institute of Criminology, 1989. 45p
(Australian Institute of Criminology. Monograph; no.2)
Provides information about victims of violence, those most vulnerable to violence, and the response of the criminal justice system to victims.

Jones, Ivor H; Jones, Anna L
"Psychological consequences of armed hold up"
Australian Family Physician, 17(6) June 1988; 447-450
Defines "post traumatic stress disorder" in the context of exposure to armed hold ups, and highlights the importance of victims being given the opportunity to talk about their experiences in debriefing sessions.

Parolin, Bruno P
"Perception of safety on the Sydney train system and effects on traveller behaviour"
In: *Readings in Australian Geography*. Proceedings, 1987; 193-203
Examines the effects of train crime experience or victimisation on perceptions of train safety and patterns of use of trains.

Sallmann, Peter
"The role of the victim in plea negotiations"

In: *National Symposium on Victimology*, State Government Convention Centre, Adelaide, South Australia, 15-17 September 1981. [Proceedings], edited by Peter N Grabosky. Canberra: Australian Institute of Criminology, 1982; 17-41
(Proceedings. Training project; no.101/1)
Considers aspects of the position of victims in relation to the negotiation or "settlement" of criminal cases. Suggests that there should be greater involvement of victims in the plea negotiation process.

Stafford, Christine
"Aborigines: a comparative analysis of institutionalised racism and violence"
In: *The Australian criminal justice system: the mid 1980s*, edited by Duncan Chappell and Paul Wilson. Sydney: Butterworths, 1986; 39-56
Examines the impact of institutionalised racism and violence on Aborigines, with particular reference to Aboriginal/police relations.

Victoria. Parliament. Social Development Committee
First report upon the Inquiry into Strategies to Deal with the Issue of Community Violence
Melbourne: Government Printer, 1988. xviii, 364p
(Parliamentary paper (Victoria. Parliament); no.107)
Reports on the role of the proposed Community Council Against Violence in Victoria. Considers matters relating to community support groups; voluntary crisis intervention and counselling services; and other policy issues.

Violence and the Media

Australian Broadcasting Tribunal. Inquiry into Television Violence
Findings of Commissioned research into community attitudes and perceptions of television violence
[Sydney: Australian Broadcasting Tribunal], 1989. 21p
A research study reporting on community attitudes and perceptions of violence shown on television.

Cupit, C Glenn
Kids and the scary world of video: a study of video viewing among 1498 primary school children in South Australia
[Adelaide]: South Australian Council for Children's Films and Television, 1986. 200p
Surveys the extent to which children have access to videotaped material, the type of material accessed, the context within which the material was viewed, and the children's response to the material. Recommends that videotaped material be appropriately classified and that these classifications be policed; media education programs be promoted in schools; and censorsip authorities develop an understanding of the particular sensitivities of children.

Duhs, L A; Gunton, R J
"TV violence and childhood aggression: a curmudgeon's guide"
Australian Psychologist, 23(2) June 1988; 183-195
Takes issue with the findings of Sheehan (1983) et al. in support of claim that television violence is causally connected to subsequent behaviour by childhood viewers.

Edgar, Patricia
Children and screen violence
St Lucia: University of Queensland Press, 1977. 275p
Examines children's perceptions of different forms of screen violence. Focuses on the child's own interpretation of events portrayed on film.

Edgar, Patricia
"The role of the mass media in community violence: what research is able to tell us"
In: *Third and final report upon the inquiry into strategies to deal with the issue of community violence with particular reference to the mass media and entertainment industries*, Victoria. Parliament. Social Development Committee. Melbourne: Government Printer, 1989; 249-287
(Parliamentary paper (Victoria Parliament); no.63)

Reviews the literature on the role of the mass media in community violence. Looks at the problems and inadequacies of the various approaches to this research.

McCann, T E; Sheehan, Peter W
"Violence content in Australian television"
Australian Psychologist, 20(1) Mar 1985; 33-42
Reports on a content analysis of 80 programs shown on Brisbane television in 1981, part of a larger longitudinal study on the relationship between television violence viewing and aggressiveness in children (Sheehan 1983). Involves analysis of the prevalance, frequency and rate of violent episodes, role of characters, the impact of sex of characters, and the context of the program.

Murray, John P
"Through a bloodshot eye: the effects of TV violence"
Current Affairs Bulletin, 65(3) Aug 1988; 11-17
Reviews research on the links between television violence and aggressive behaviour, with most research concluding that violence on television does lead to aggressive behaviour by children and teenagers who watch the television programs.

Nine Network Pty Ltd
National Nine Network guidelines on depiction of violence
Milsons Point, NSW: Nine Network Pty Ltd, [1988]. 8p
Contain the written and unwritten rules which network staff observe in compiling and presenting news, current affairs, drama, documentaries, entertainment programs, children's programs and program promotions.

Nugent, Stephen; Wilson, Paul; Brooks, Terry; Fox, David
Sex, violence and family entertainment: an analysis of popular videos
Canberra: Australian Institute of Criminology, 1987. 87p
Content analysis on 58 popular videos, providing information on the amount of sex, violence and sexual violence in the videos.

Sheehan, Peter W
"Age trends and the correlates of children's television viewing"
Australian Journal of Psychology, 35(3) Dec 1983; 417-431
Reports on a survey of children's television viewing and its correlates during three successive years. Indicates a significant relationship between television watching and the level of aggressive behaviour among the children being tested. Both intensity of television watching and the extent of violence expressed in children's preferred programs were related to aggressive behaviour, as judged by the children's peers.

Sheehan, Peter W
"Coping with exposure to aggression: the path from research to practice"
Australian Psychologist, 22(3) Nov 1987; 291-311
Examines research findings and theory related to the effects of filmed violence on children. Explores the relationship between aggression and the content of television and video programs.

Victoria. Parliament. Social Development Committee
Third and final report upon the inquiry into strategies to deal with the issue of community violence with particular reference to the mass media and entertainment industries
Melbourne: Government Printer, 1989. 292p
(Parliamentary paper (Victoria Parliament); no.63)
Reports on issues relating to the portrayal of violent behaviour in the mass media and entertainment industries. Proposes codes of practice to cover reporting of violent crime in the mass media.

Wilson, Paul R
"Crime, violence and the media in the future"
Media Information Australia, No.49 Aug 1988; 53-57
Examines violence and the media in the light of surveys into content, usage, and attitudes towards video material.

Wright, Andree; Aisbett, Kate
Violence on television
Canberra: Australian Institute of Criminology, 1989. 7p
(Violence today; no.6)
Explores the link between violence depicted on television for entertainment and the occurrence of real violence in Australian society.

Violence in Australian History

Cowburn, Philip M
"The Attempted assassination of the Duke of Edinburgh, 1868"
Journal of the Royal Australian Historical Society, 55(1) Mar 1969; 19-42
Relates events at Clontarf, New South Wales, involving Prince Alfred, Duke of Edinburgh, who was shot and seriously wounded by an Irish nationalist.

Cribbin, John
The killing times
Sydney: Fontana/Collins, 1984. 168p
Studies events of 1928 at Coniston in the Northern Territory, involving the massacre of more than thirty Aboriginal men, women and children by white settlers.

Evans, Raymond; Saunders, Kay; Cronin, Kathryn
Race relations in colonial Queensland: a history of exclusion, exploitation and extermination
St Lucia, Qld: University of Queensland Press, 1988. 450p
A study of the social and historical situation in Queensland that gave rise to racism and racial violence. Examines the violent impact of white settlers on Queensland's Aborigines, racial responses to Melanesians in colonial Queensland, and racial attitudes and responses towards Chinese in colonial Queensland.

Evans, Raymond
The Red flag riots: a study of intolerance
St Lucia, Qld: University of Queensland Press, 1988. 252p
A study of racial intolerance and xenophobia in Queensland in the period immediately following the Great War, and the resulting bloodshed, rioting and destruction in Brisbane.

Gosling, Mary
"Crime and law enforcement"
In: *The Macquarie book of events*, edited by Bryce Fraser. Sydney: Macquarie Library, 1983; 372-384
Deals with events, including crimes of violence, in which people have come into conflict with the law of the land.

Harrison, Brian W
"The Myall Creek massacre"
In: *Records of times past: ethnohistorical essays on the culture and ecology of the New England tribes*, edited by Isabel McBryde. Canberra: Australian Institute of Aboriginal Studies, 1978; 17-51
Relates the killing of twenty-eight Aborigines by stockmen at Myall Creek, Northern New South Wales in 1838.

Havens, Murray C
"Assassination in Australia"
In: *Assassination and political violence: a report to the National Commission on the Causes and Prevention of Violence*, edited by J F Kirkham et al. New York: Bantam, 1970; 721-728
Comments on the small number of assassinations or attempted assassinations in Australia.

Hawke, Stephen
"The North-west massacres"
Sydney Morning Herald, May 30 1988; 8/ May 31 1988; 22/ June 1 1988; 8/ June 3 1988; 19/ June 4 1988; 15
Series of five articles describing violence inflicted by white settlers against Aborigines in the Kimberley Region, north of Western Australia. Most of the incidents described occurred in the early part of the twentieth century.

Hughes, Robert
The fatal shore
London: Collins Harvill, 1987. 688p
Describes the establishment of white settlement in Australia, originating in convict transportation from Britain and leading to the brutal and oppressive penal colony of the eighteenth and nineteenth century.

Krupinski, Jerzy ; Emmerson, Roma
"Violence: occurrence and reporting. A century study of crimes of violence in Victoria 1875-1975"
The Australian and New Zealand Journal of Criminology, 10(4) Dec 1977; 244-252
A study of the incidence of violent crime to determine whether there has been a real increase in violent crime in Victoria or whether the public has been affected by the greater prominence given to violence in the mass media. Concludes that rates of violent crime were highest in the seventies and eighties of the nineteenth century.

Pinto, Susan; Wardlaw, Grant
Political violence
Canberra: Australian Institute of Criminology, 1989. 7p
(Violence today; no.9)
Pursues the thread of violence running through aspects of Australia's history and political life. Discusses the relative infrequency of assassination, civil disorder and other forms of politically motivated violence in Australian society.

Rawson, D W
"Political violence in Australia"
Dissent, Autumn 1968; 18-27, and Spring 1968; 35-39
Two-part article examining the factors that have contributed to the incidence of political violence in Australia in the twentieth century. Concludes that despite some political disorder in the years following World War 1, Australia this century has been relatively free of political violence.

Reynolds, Henry
The other side of the frontier: Aboriginal resistance to the European invasion of Australia
Ringwood, Vic: Penguin, 1982. 255p
Presents an interpretation of the Aboriginal response to the invasion and settlement of Australia during the period between the late eighteenth century and the early twentieth century. Argues that Aborigines were not passive, but resorted to guerilla war, sorcery, theft of white settlers' goods, and acts of retribution and revenge.

Turner, Ian
Sydney's burning
Sydney: Alpha Books, 1967. 264p
(Cover subtitle: An Australian political conspiracy)
Details events in Sydney in the early part of the twentieth century involving the trial and conviction of twelve members of the Industrial Workers of the World for conspiracy to commit arson and other offences, and the prolonged campaign of the labour movement to have the convictions overruled.

York, Barry
"Baiting the tiger: police and protest during the Vietnam War"
In: *Policing in Australia: historical perspectives*, edited by Mark Finnane. Sydney: New South Wales University Press, 1987; 170-187
(Modern history series; 5)
An examination of police attitudes and responses to the Australian protest movement against the Vietnam War.

Index