Dear ACSSA Reader

Welcome to the 18th edition of ACSSA Aware, the quarterly newsletter of the Australian Centre for the Study of Sexual Assault.

For this edition’s feature article, we are very pleased to be able to publish an interview with Dr Jan Jordan. Many readers will be familiar with Jan’s previous work, including *The Word of a Woman? Police, Rape, and Belief*. In this interview with ACSSA Research Officer Cameron Boyd, Jan discussed her recently published book *Serial Survivors: Women’s Narratives of Surviving Rape*, based on her interviews with 14 women who were all assaulted by convicted New Zealand serial rapist, Malcolm Rewa.

Our service profile in this issue looks at the SADA project (Sexual Assault in Disability and Aged care Action Strategy). Project Coordinator Maria Attard spoke with ACSSA Research Officer Cameron Boyd about the project’s origins, and how it has gone about improving responses to and prevention of sexual assault in those institutions responsible for the care of some of the most vulnerable members of the community.

There is a review of Joanna Bourke’s *Rape: A History From 1860 to the Present*, as well as brief summaries and reviews of a number of recent research publications and conferences of relevance to the sexual assault sector. As always, AIFS Librarian Joan Kelleher has compiled a comprehensive bibliography of recent publications related to sexual assault and violence against women.

All of ACSSA’s publications are available online. Visit our website at www.aifs.gov.au/acssa, where you can also browse our Promising Practice Database, peruse specialised bibliographies, look for upcoming events, or submit your research queries.

ACSSA welcomes contributions to newsletters from workers and researchers in the sexual assault field. We can assist with the development of your idea for an article to published in *ACSSA Aware*; please get in touch with a member of the ACSSA team if you feel you have something to contribute.

From the ACSSA Team

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**Have you joined ACSSA-Alert?**

Would you like to receive fortnightly news and updates on what is happening in the field of sexual assault in Australia and around the world? *ACSSA-Alert* is an email list for news and updates to subscribers, and is compiled by the Australian Centre for the Study of Sexual Assault. You will receive an e-newsletter with announcements about news in the field, updates on the ACSSA website, the release of publications and reports, new services and other information.

You can join *ACSSA-Alert* through our web page on:

The Australian Centre for the Study of Sexual Assault aims to improve access to current information on sexual assault in order to assist policy makers, service providers, and others interested in this area to develop evidence-based strategies to prevent, respond to, and ultimately reduce the incidence of sexual assault.

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Farewell to Zoë and Helen…

The ACSSA team would like to take this opportunity to thank Zoë Morrison, who leaves us to move to a new position as Senior Manager, Research & Policy Unit, at the Brotherhood of St Lawrence where she will be focusing a lot on social inclusion issues. In her new role, we are delighted that Zoë will be able to contribute to the ongoing work of the Centre by being appointed to the Reference Group.

Zoë has been a valued leader within the Institute, with responsibility as Coordinator of the Australian Centre for the Study of Sexual Assault. Under her leadership, ACSSA has put out a terrific program of work—not only in terms of publications and research, but in networking and resourcing the sexual assault service delivery sector.

On behalf of all of the stakeholders who make use of ACSSA’s services, we say thank you to Zoë—she will be sorely missed. Although we say “good-bye” formally to Zoë in her role as Coordinator of ACSSA, it is great to have her ongoing contributions to the National Council, as well as to ACSSA’s Reference Group. Nevertheless, we wish Zoë well with her exciting new role at the Brotherhood. Our loss is their gain!

We are also saddened to have to farewell another member of the ACSSA team, Helen Arch, who has placed a vital role as the web developer for ACSSA. Helen has been at the Institute for a couple of years, but when for family reasons, she had the opportunity to move to France earlier this year (on the Côte d’Azur no less!), we had to say “good-bye”. For a time, we were able to continue to enjoy Helen’s expertise from a distance (with Helen maintaining the website and the “ACSSA alert” updates from France). From October, this role will now be taken on by Susan Fooks, another experienced member of the Institute’s library/web team. Susan’s other responsibilities include looking after similar tasks for one of the Institute’s other clearinghouses—the National Child Protection Clearinghouse (see: www.aifs.gov.au/nch). Susan will come to this task with considerable knowledge and skill—not to mention dedication to the issues of safety and prevention of interpersonal violence.

On behalf of the ACSSA Team,

Daryl Higgins
General Manager (Research) at the Australian Institute of Family Studies

Daryl is the General Manager responsible for overseeing the work of ACSSA at the Institute.
The NSW Violence Against Women Prevention Awards were announced on November 30, 2007. A list of award recipients, including the NSW Rape Crisis Centre’s online counselling service, can be found at http://www.lawlink.nsw.gov.au/lawlink/vaw/ll_vaw.nsf/pages/vaw_nswvawpreventionawards. ACCSA congratulates all the services and individuals who received awards.


This paper addresses the relatively under-researched area of jurors’ attitudes and their impact on sexual assault cases. Research shows that sexual assault cases experience exceptionally high attrition and low conviction rates in comparison to other offences. This has been attributed, in part, to the fact that sexual assault regularly occurs in private without physical evidence and in the absence of witnesses. Without corroborating evidence, cases are regularly reduced to “her word against his.” For the majority of sexual assault trials where consent is at the heart of the contest, the complainant’s credibility becomes central to the case.

In this report, Natalie Taylor establishes that in cases where consent is disputed and where there is no supporting evidence, subjective judgments are needed to determine “facts” and degree of consent. Under these circumstances, jurors draw on other cues, including preconceived ideas and stereotypes about sexual assault. Taylor draws on two studies—a VicHealth community attitudes phone survey comprising 2800 participants, and a mock sexual assault trial study in which 210 members of the general public participated as jurors—to consider the commonality of myths and stereotypes, and the impact of myths and stereotypes on jurors’ judgments about the credibility of complainants and their decisions to convict.

Taylor identified the following key findings:

- Myths/stereotypes still exist, to varying degrees, within the Victorian community.
- Individual juror differences in terms of demographics and the beliefs, attitudes and expectations that the jurors brought with them into the courtroom were the primary influence of judgments about the credibility of the complainant’s testimony and guilt of the accused.
- Higher ratings of the credibility of the complainant were associated with more positive and less stereotypical attitudes toward rape victims in general.
- A considerable amount of argument within the jury room centered on the truth and relevance of rape myths and stereotypes.

Finally, she reported that three quarters of all jurors in the study favoured a not guilty verdict.

The findings from the two studies indicate that stereotypical beliefs about sexual assault and victims remain relatively widespread in the community, and that jurors draw on pre-existing attitudes, beliefs and biases to subjectively interpret the evidence presented to them in cases of sexual assault. Taylor concluded that in order to improve conviction rates, an acknowledgement of the commonality and influence of biases and stereotypes on jurors are needed.

Echoes of the past: The association of a history of child sexual abuse with women’s adult couple relationships.

Researchers: Watson, B., & Halford, W. K.
School of Psychology, Griffith University, Mt Gravatt, Australia

Child sexual abuse of girls is associated with a range of negative adult relationship outcomes, but many survivors experience good relationship functioning. The researchers sought to determine whether women with a history of child sexual abuse could be meaningfully classified based on their abuse experiences and whether these classes were associated with adult relationship outcomes. A sample of 1335 women randomly selected from the electoral roll completed a questionnaire examining childhood experiences and adult relationship functioning. Child sexual abuse was reported by 45% of the sample. Child sexual abuse survivors were divided into three classes using latent class analysis: the family, friend, and stranger abuse classes. Women in these abuse classes differed on many aspects of their abuse experiences, and class of abuse was associated with a range of negative adult relationship outcomes including relationship and sexual dissatisfaction, violence, and risk of divorce. For example, women abused by a family member have the highest rate of marital separation and relationship dissatisfaction.
Child sexual abuse is not homogeneous, rather abuse perpetrated by a family member, friend, or stranger represent clearly different phenomena. The authors conclude that child sexual abuse and relationship difficulties for survivors are common and it should be considered a public health concern.

**Drink spiking: An examination of prevalence and predictors**


This research project has been written up in two parts, focussing on victimisation and perpetration and drink spiking respectively. A sample of 805 18–35 year old Australians reported on a number of behaviours, some of which are generally considered to be more socially acceptable than others. Part 1 of the research found that the vast majority of the sample reported at least one experience of purchasing or mixing cocktails for others (45–49%), while smaller proportions reported adding alcohol to punch (26%), and adding alcoholic shots (6–16%) or prescription or illicit substances (1%) to beverages belonging to other people. Purchasing or mixing cocktails for others, adding alcohol to punch, or adding alcoholic shots to alcoholic beverages were predicted by beliefs that deliberately causing intoxication in others is acceptable and that alcohol consumption by others is indicative of their sexual attraction to participants. Engagement in these behaviours was also predicted by participants’ illicit substance use and participation in casual sexual activity. Adding prescription or illicit substances to other people’s beverages, or adding alcoholic shots to non-alcoholic beverages, were predicted by the belief that alcohol consumption increases one’s confidence and sexual responsiveness, and by participants’ use of narcotics and sedatives.

Part 2 assessed features associated with drink spiking victimisation, or the consumption of a beverage to which unknown substances have been added without the consumer’s knowledge or consent. Just over 25% of the sample reporting having experienced at least one victimisation. The majority of incidents occurred in licensed venues, after the participant had engaged in such low supervisory behaviours as leaving their drink unattended or accepting a drink without observing its preparation. Most participants established a belief that they had been spiked after experiencing a degree of intoxication that was beyond that expected based on the amount of alcohol consumption, or after experiencing such physiological symptoms as vomiting, hallucinations, lack of coordination or unconsciousness. Despite such experiences, 84.54% of victims did not report the incident to authorities. Victimisation in general was predicted by participants’ use of stimulant and hallucinogenic substances. Female victimisation was predicted by previous episodes of victimisation of oral sexual assault. Victimisation was not affected by participants’ degree of supervision of their drinks. These findings remain previously unexplored in Australia or internationally. Implications and recommendations for prevention of drink spiking are discussed.

**Collateral damage: The impact of anti-trafficking measures on human rights around the world.**

Global Alliance Against Traffic in Women (GAATW) 
http://www.gaatw.net/

GAATW commissioned eight human rights and trafficking experts to each look at the policies and practices instituted in Australia; Bosnia and Herzegovina; Brazil; India; Nigeria; Thailand; the United Kingdom; and the United States of America. Together, these case studies point to the conclusion that, while an enormous amount has been done to combat trafficking, anti-trafficking policies and other related policies have in fact harmed the very people they were intended to protect, as well as migrants and sex workers. The reasons for this range from a lack of evidence-based policy-making and a lack of consultation with those that will be affected by the policies, to clearly pushing other agendas, such as stopping migration or suppressing prostitution.

**Pilot study on sexual assault and related offences in the ACT: Stage 3. (Research and Public Policy Series, No. 79). Australian Institute of Criminology.**

Researcher: Borzycki, M.

This report examines all cases of reported sexual assault in the ACT during the year 2004–05, from their entry into the justice system at the police point of contact through all the relevant agencies and to those organisations administering court outcomes for convicted offenders. The report is part of a larger project commissioned by the ACT Department of Justice and Community Safety. The objectives of the report were to: examine whether an integrated justice information system was possible, focusing on sexual assault; gauge the
type of information available about sexual assault in the ACT from crime and justice agencies; develop a minimum data set; and examine a snapshot of sexual assault and related offences in the ACT. Snapshot data show that sexual assaults in the ACT share many of the characteristics with those reported in the Personal Safety Survey. Regarding an integrated data system, the report found that cases can be tracked from their point of entry into the criminal justice system to their finalisation by that same system. However this process was time and resource intensive since the integration of data was not automated or easily matched.

Conference review

In September, the twentieth annual conference of the Australian and New Zealand Society of Criminology (ANZSOC) was held in Adelaide. A number of sessions over the three days focused on sexual assault. ACSSA provides a brief review of research currently being done in the field of sexual assault and sexual violence within criminology.

At the conference, several papers explored the perspectives and experiences of victim/survivors. ACCSA's Antonia Quadara spoke on "Occupational Health and Safety and Violence Prevention in Sex Work" (see ACSSA Issues No. 8 for more on this research), while ACCSA's Haley Clark spoke on her research with victim/survivors and their perceptions of justice and fairness within the legal process. The paper examined how victim/survivors conceptualise what is “fair” and “just” and found that it wasn’t only outcomes that were important to victim/survivors but also the process of taking a sexual assault charge through the criminal justice system. Drawing on accounts from victim/survivors in South Australia, Katherine McLachlan explored their perceptions of police and police decision-making. Jan Jordan presented a paper on women’s narratives of resistance and survival following a sexual assault and emphasised that their stories challenged the depiction of victim/survivors as passive. (Jan Jordan speaks with ACSSA about this research in this edition of Aware).

A session on domestic violence and stalking included papers on the help-seeking behaviour of female survivors of domestic violence. Silke Meyer analysed data from the Australian component of the International Violence Against Women Survey to understand what factors may act as barriers to accessing support. She found that women’s perception of the matter as private was a significant barrier to accessing support. One particularly interesting finding was that women who experienced domestic violence were more likely to seek formal support, such as police, where the perpetrator was a husband or de facto partner compared to a boyfriend. This differs from formal help-seeking by victim/survivors of sexual assault. The recent Personal Safety Survey found that no one had reported sexual assault to the police where the perpetrator was a current partner. In the same session, Matthew Ball spoke on the research on violence in male same-sex intimate relationships.

Several papers were presented on sexual offences against children. Stephen Jackson presented research on the characteristics of child sexual assault victims and alleged offenders in the Northern Territory. Benoît Leclerc presented research on the modus operandi of sexual offenders and Preeti Misra and Alok Chantia spoke on violence against girls in India, including foeticide, infanticide and incest. Richard Wortley presented a paper exploring the onset and persistence of child sexual abuse among a cohort of several hundred prisoners in Queensland. The paper argued that the factors behind re-offending may be quite different from the factors associated with the offender’s very first offence.

Sexual trafficking was examined in one session, with a variety of perspectives presented. In two papers, the contradictory effects of the response to trafficking in Australia were explored. Marie Segrave argued that the dominant law and order approach simplified the reasons for trafficking, while Rebecca LaForgia and Marinella Marmo argued that the human rights approach has failed trafficked women. Research on the illegal immigration of mainland Chinese women to Taiwan was presented by Wang-Ting Lin.

Recidivism among sexual offenders was discussed by Karen Gelb, who argued that public perceptions about sexual offenders can be inaccurate, and that having sound evidence about sexual offending was crucial in developing social policy. Margot Legosz presented research from Queensland with non-custodial offenders who reported high levels of sexual victimisation over their life course. Chih-Hung Shih worked with sexual offenders in Taiwan, using the narrative inquiry approach, and presented on treatment practice.
Jan discussed her recent research on women’s resistance during and following sexual assault, for the recently published book *Serial Survivors: Women’s Narratives of Surviving Rape*.

**ACSSA**: Could you give a brief overview of your research into women’s resistance and survival narratives?

**JJ**: It was not my initial intention to research and document women’s survival narratives—much in the serendipitous way that so much research develops, it was one of those things that “just happened.” During the early to mid 1990s a colleague from the Law School and myself conducted a major study in New Zealand of women’s experiences of reporting rape. We wanted to assess the extent to which the situation had changed for women rape complainants following the damning results of the first large Rape Study conducted in 1983, which had identified various ways victims felt retraumatised by police questioning, forensic medical examinations, and court trial experiences.

Our study in the 1990s comprised in-depth interviews in which we asked women about their experiences of the police, medical examination, support agencies and trial processes. We resolved that we would not ask the women to provide details of the attack itself, largely because of concerns regarding the possibility that this might implicate us in adding to their trauma. Forty-eight women were interviewed in total, comprising a range of scenarios from stranger attacks to the more frequent sexual assaults committed by friends, partners, professionals and colleagues.

Some years later I was presented with the opportunity of meeting a different group of women. They had all been attacked by the same serial rapist, Malcolm Rewa, and had by now participated in the three-month trial leading to his conviction and imprisonment. At an initial meeting with several of the women it emerged that they felt strongly that they wanted to see some future good come from the trauma they had experienced. We agreed that I would interview any who were willing, with a similar focus to my earlier research, on their experiences of police and court processes. What the women also discussed was their concern that there were relatively few books available that detailed how others were affected by and survived rape and other sexual assaults—they were keen to contribute to such a book, and I agreed to do what I could to facilitate this outcome. They informed other victims/survivors from the court case and eventually I interviewed 14 women.

One thing I had learned from my earlier interviews was to loosen up in the process, and not be so intent on obtaining answers to all the questions as they appeared on my schedules. While I needed comparable material from each interviewee, I increasingly realised the importance of obtaining the women’s narratives, their stories rather than their answers to my questions. What I discovered was that the women often wanted to talk about the attack itself. I began feeling as if not enabling them to acknowledge it fully was akin to the “elephant in the sitting room” analogy—there was this huge grey shape looming there while everyone pretended there wasn’t!

What impressed me was how these women talked about their experiences. I realised that while I was asking them how they had been affected by victimisation, they were telling me how they survived! It was from their stories that my fascination with the complexities of resistance and survival began.

**ACSSA**: There is a shift in emphasis in your research from other previous research into women’s resistance to sexual violence—whereas the prior focus has been on whether or not women’s actions prevented or minimised injury from the attack. I take it you see the value of these resistance strategies in a different light?
JJ: The question of rape resistance has a vexed history. Women have often been advised not to resist an attacker—that it is safer to submit and be spared serious injury. Such an approach implicitly minimised the trauma of the rape injury itself, and was criticised for portraying rape as little more than an unwanted sexual experience. Moreover, if such a case did ever reach the courtroom, the victim risked having her “submission” presented as evidence of consent. Not to resist was risky, but so also was resistance.

It was apparent in the accounts of resistance and self-defence strategies that began to emerge from the 1970s onwards that resistance was largely viewed in physical terms. To resist rape was often equated with the ability to avoid rape. Learning self-defence strategies was encouraged because these provided the possibility of fending off an attacker and escaping. While some programs did incorporate ways of strengthening inner confidence, overall, the emphasis was typically on physical resistance to avoid physical injury.

What fascinates me about rape resistance is the power of the mental/psychological component. Not all women, in all situations, will be able to physically resist an attacker. The ability to mentally resist, however, is within the reach of most. In the case of the women attacked by Malcolm Rewa, some sussed out very quickly that there was little they could do physically to fend him off or escape. One woman described how she quickly ascertained that self-preservation for her meant not fighting back. She sensed how determined and aggressive he was and decided on a different strategy to ensure her survival—she faked being unconscious. He still raped her, but the fact that she knew she was keeping a part of herself outside of his reach was hugely important to her. He thought he had her completely under his control but she was able to prove later, in court, that he did not.

What impressed me about her account and those provided by the other women was the range of ways used to protect and defend themselves psychologically. My understanding of resistance expanded as I increasingly appreciated that keeping the body safe was only part of the equation—the self also needed protection. Faced with a rapist intent on violating them, the women struggled to find ways to preserve a sense of themselves as distinct from their attacker. He wanted to subsume them, possess them, control them—but if he succeeded at all it was only on the physical plane. Their survival came from their efforts to limit his power over them. Or, to express it from a different perspective, the women looked for ways to enhance a sense of their own power when faced with an attacker intent on eroding it. They may not always have succeeded in avoiding being physically raped, but psychologically they evaded his efforts to assume total control of them.

ACSSA: In the article you write that “at the very moment they (the women) were being victimised, they were in survival mode.” This raises interesting questions about language and the distinctions that are sometimes made (especially in the therapy literature) between “victims” and “survivors”, as if there is some kind of progression that people are supposed to make. The women you spoke to seemed to have different ways of understanding this. Could you say something about their experiences of these “identity label”?

JJ: An on-going debate has raged regarding the “correct” terminology to use when referring to those who have been raped. The use of the word “victim” was in many ways rightly challenged because of its passive connotations, and the term “survivor” used in preference. In much of the therapeutic literature there is a sense of progression from one state to another—the victim receives support to assist in the journey to survival. It often seems difficult to embrace these distinctions when faced with the complex realities of individual women’s lives. For example, exchanging the term “victim” for “survivor” too quickly can minimise the effects of victimisation—some women may feel pressured to be strong and show their survivor spirit when they were victimised and want their victimisation acknowledged. For others it may be important to have the ways in which they survived recognised from the outset—survival then becomes not something they progress to but exists alongside their victimisation experience.

These nuances were apparent in the narratives provided by women I have interviewed. Some reacted angrily to labels attached to their experience by others, since this could be felt as another way of removing control
from them. They felt contained and processed by these terms, and did not always find them as validating as those prescribing their use may have intended. One young woman had thought about this issue at length and decided that the polarising of the terms victim and survivor was misleading. She felt she simultaneously occupied the positions of victim and survivor, that these are parallel positions and that the important switch is the inner change of attitude. She described a shift in consciousness from feeling helpless and self-blaming to resolving how to move on with life.

For many of the women that shift began occurring while Rewa was attacking them. They were being victimised and resisting victimisation simultaneously. They were both victims and survivors.

ACSSA: I thought it was interesting that the women had different ways of thinking about the offender himself. For some he was a kind of undefinable alien force or a virus. For others, however, it was helpful to think of him as a “flesh and blood” human being. What did the women say about how each of these ways of thinking was helpful to them?

JJ: Part of survival is determining how to manage recurring thoughts and memories about the attack and the attacker. These strategies can be even more important at times when the women have to provide information in police or court settings, and possibly see their attacker at the trial.

Two main approaches were adopted by the women I spoke with—they either humanised or dehumanised him. Those who wanted to see him as a human being felt it was important to know he was a person, not a monster or some other vast, terrifying entity. Knowing he was a flesh and blood person was important for the way it reduced him in size. It was a way of containing him, making him a real person occupying time and space and with all the limitations being human imposes.

Others had a completely different approach. They did not want to think of him as a human being, a man like other men. It helped them to keep relating to the men in their lives if they removed his humanity. It was as if they needed to dehumanise him in ways similar to how he may have dehumanised them. One woman, for example, called him a “big black virus” and an “alien”, while another said she coped with the attack by imagining herself “fighting a beast, slaying the dragon.” For these women it made more sense to think of him as a completely different species.

Although the strategies adopted seemed opposing, the intent was the same—to enable the women to feel he was contained in whatever way they needed for them to survive and move on.

ACSSA: Some of the women, when they disclosed their experience, were told that they should learn self-defence to protect themselves in future. What did these women have to say about this, and the idea that people are somehow personally responsible for preventing sexual attacks on themselves?
JJ: Resisting and surviving a rape attack is not a one-off event. Following the immediate trauma, the victim/survivor relives the experience as she relates it to others, participates in police and court processes, and has to manage a multiplicity of situations which can trigger feelings of anxiety and vulnerability. How others respond can be a critical factor in her recovery process, with supportive friends and family often playing key roles. In some cases, however, those closest to her may lack the awareness of rape to know how best to respond, or may have their reactions coloured by prevalent societal beliefs and/or their own previous experiences.

Several of the women attacked by Rewa felt hurt or angered when some of those around them made comments implying they could have resisted the rapist. In some cases the inference was that if they had taken a self-defence course, they could have fought him off. This suggested both that the woman concerned had been remiss in not taking such a course, and that she would have been invincible if she had.

As some of the women found out, Rewa was not the kind of attacker to be deterred by any resistance efforts on the part of his victims. He typically attacked while they were asleep in their own homes, doing all he could to render the women physically helpless. One woman took heart from seeing photos of Rewa later showing how fit and muscular he was—there was no way she could have done what her colleagues suggested and kneed him in the groin. Even if he had not used fists, binds and gags, however, the sheer terror of the attack could have its own immobilising effect. Another woman recounted that she was so terrified that she forgot she had a panic button beside the bed—she was too panicked to remember!

When it comes to rape, we live in a society so deeply entrenched in victim-blaming attitudes that we preoccupy ourselves with thoughts of what the victim did to encourage the rape or what she could have done to resist it. Our willingness to assess her “contribution” to the rape is alarming—if she cannot be accused of doing something provocative, then can we find something she omitted to do? Either way, it’s what she did or did not do that we seem fixated on, before we turn our attention to what the offender so determinedly did.

Besides, on another level all of the women did employ self-defence strategies—if we interpret these as ways of defending the self. Mentally and psychologically they found ways of resisting their attacker’s control of them, even when little physical resistance was possible. Several dissociated as a means of safeguarding the self, while others recalled escape stories they knew or willed themselves to feel “bigger”. Their experiences can help us to expand our own understanding of what self-defence means.

ACSSA: Your research mentions the problems with apolitical and individualising understandings of sexual violence, which you suggest have become the dominant ways of thinking about sexual violence. Do you see your research, and the women’s stories, contributing to a larger project of “re-politicising” the issue of sexual violence? On a more general note, what do you think has contributed to this individualising perspective becoming so pervasive?

JJ: The emphasis on women’s knowledge and use of self-defence strategies can also be viewed as evidence of an individualised approach to sexual violence. This has shifted from the 1970s, when feminist analyses stressed the ways in which rape and the fear of rape was used as a means of securing the social and sexual control of women, by men. Attending self-defence classes then was often presented as a political act, a means for women to come together to gain the strength and confidence needed to occupy their place in the world. Perceiving rape as a tool of patriarchy shifted the emphasis from individual bad or “sick” men to appreciating the ways in which rape was enabled and condoned within society. Such a view has never been universally popular, however, given the ways in which it challenges the fundamental social and relationship structures within our communities.

The initial focus on stranger attacks was easier to accept—our culture encouraged men to view women as prey and hunt them down. The more we came to appreciate that most rapes occur between persons well-known to each other, the harder it was to accept feminist analyses regarding the abuse of power within relationships. Accepting the prevalence of rape in marriage shakes the foundations of the institution of the family, while stressing the psychology of the offender leaves the social structures intact. Little wonder, then, at the growth and popularity of “CSI-type” crime shows and the focus on
individual pathologies propelling offenders into crime sprees that end only when skilled individual investigators arrest them.

Our adherence to individualised explanations is also manifest in the continuing depictions of sex offenders as “perverts” and “monsters”. A fragile sense of comfort can be wrought from thinking we have errant individuals registered and contained, while little solace comes from recognising these men as the logical manifestation of the societies we ourselves have created.

While many feminists have continued to develop structural analyses of power, “feminism” itself is still the dirty f-word in society at large. In an earlier book (The Word of a Woman? Police, Rape and Belief, [Palgrave Macmillan, 2004]) I endeavoured to provide a structural analysis of the factors affecting perceptions of the credibility of rape complainants. The forthcoming book looks very different, incorporating as it does women’s own survival narratives. Nevertheless, the intention underlying both works is similar—to promote self-critical reflection of how we understand and respond to sexual violence. The more we appreciate the causes and impacts of rape, the more likely we are to cease blaming victims and hold offenders responsible—with the biggest offender still to be held accountable, being the society we live in and shape each day.

References


Dr Jan Jordan is currently a Senior Lecturer in Criminology at Victoria University of Wellington, New Zealand. She has over 20 years experience teaching and researching in the area of women and crime, and has undertaken projects for various NZ government departments over this time.

ACSSA thanks Jan Jordan for taking the time to share her research with our readers. The interview with Jan was conducted by email and compiled by Cameron Boyd, Research Officer at ACSSA. Jan reviewed the final piece and agreed to its publication.

Many readers would be familiar with the ACSSA Promising Practice Database, the online database of Australian sexual assault projects and services. This has been a popular resource, recording nearly 50,000 hits during 2006-07, and we hope this will continue to be a useful source of information.

ACSSA is continuing to build its Promising Practice database, to document and publicise best practice projects and activities being undertaken in relation to sexual assault.

People who want to submit a project for the database have two options:

- download and complete the submission form, and return the completed form to ACSSA;
- contact ACSSA and arrange for someone to go through the form with you over the phone.

We are always open to your suggestions about how the database could be improved—we would be happy to hear from you.

Maria Attard, SADA Senior Project Officer, gives an overview of the SADA project and answers some questions about the issues of sexual assault in disability and aged care settings. Maria spoke with ACSSA Research Officer, Cameron Boyd.

ACSSA: What is the purpose of the project, and how did it come about?

The SADA project (Sexual Assault in Disability and Aged care Action Strategy project) originated from the Northern Sydney Sexual Assault Service. It was built upon the work generated from a resource book Myalla: Responding to People with Intellectual Disabilities who have been Sexually Assaulted (Blyth, 2002). This resulted in many service providers and clients contacting the Sexual Assault Service about sexual assault of these vulnerable people and the difficulties they had in ensuring safety and prosecuting these matters.

At the same time, the Sexual Assault Service was also seeing an increasing number of older women in aged care facilities who were being sexually assaulted and where no action was being taken. A case example is that of an 86-year-old woman, without dementia, who needed to be moved from hostel to nursing home care. While awaiting a bed she was placed for a few nights in the dementia care unit respite bed. She was raped on the first night by a male nurse, and disclosed to a visitor the next day. The woman's physical frailty and speech difficulties meant the police did not proceed to criminal action. The staff person continued to work in aged care facilities.

The Northern Sydney Sexual Assault Service brought together key stakeholders who committed to look into prevention and effective response of sexual assault in aged and disability residential settings. Key stakeholders include: NSW Police; People With Disability (PWD); NSW Health; Department of Ageing, Disability and Home Care (DADHC); Guardianship Tribunal; Aged Care Accreditation Agency; Office of the Attorney General, including Victims Services and Office of the Public Guardian; aged and disability service providers.

These key stakeholders formed a reference group adopting a UK model of interagency response “No Secrets” (Department of Health, no date) taking as its mission statement:

To create a framework for action in which all responsible agencies work together to ensure an integrated approach to:

- Protect vulnerable people in care settings
- Provide an effective response to incidents or concerns of sexual assault.

In 2006 the project received funding from the Australian Government Department of Families, Community Services and Indigenous Affairs’ Office for Women to continue and further realise the aims of the project. The project is now auspiced by People With Disability (PWD).

The aims of the project are:

- To protect vulnerable people in residential care settings from sexual assault.
- Raise the awareness of issues of sexual abuse of older people and people with disability in residential care.
- To ensure appropriate and sensitive responses to sexual assault if it occurs.

These aims will be achieved by:

- Wide consultation within the Aged Care and Disability sector.
- Development of resources and training packages.
- Strengthening networks of services providers to increase information sharing and support regarding these issues.
ACSSA: Over the last couple of years, there has been occasional media attention given to “stranger rape” situations in aged care institutions which might give a distorted picture of the more common perpetrators. Do we know who are the most common perpetrators of sexual violence against people in aged or disability care? Is the gender breakdown of victims and perpetrators similar to the general population?

The experience of a sexual assault service in NSW suggests that stranger rape in aged care facilities is a limited occurrence and that the attention it has received is media driven. The research that exists regarding sexual assault in the aged care residential sector is small. In a study of 125 cases conducted in the US, the perpetrators were found to be acquaintances, staff and other residents (Burgess, Hanrahan, & Baker, 2005). In the disability residential sector, Sobsey and Doe (1991) claimed that a large percentage of perpetrators are service providers.

ACSSA: Why does the project have the dual focus of aged care and disability? What are some of the similarities and differences between the two sectors in relation to sexual assault? What are some of the particular risks faced by each group?

People in care settings often become invisible members of the community. Abuse thrives in a context of secrecy and sometimes in a culture of “white or hidden violence.” Many do not believe that these people would be raped, and organisations fear litigation. Julie Blyth and Lauren Kelly (2005) (founders of the SADA project)

The SADA project brings together the aged and disability residential sectors to break down the silos between them to recognise the vulnerability of the residents as a point of response and prevention rather than systems and culture that is created within each sector independently. There are many similarities in terms of the vulnerability of residents in each sector; what is different is the culture of prevention and response. It is the intention of the SADA project to share best-practice methods between sectors to facilitate growth and learning.

Regional consultations

Towards the end of 2006, the SADA project conducted 44 consultations across NSW with management and direct care workers within aged and disability service providers—with the purpose of identifying gaps and guiding the project in its next stages of development. Below is a comparative analysis between sectors on the topics raised in the consultations.

A. Understanding sexual assault

The disability sector has made progress in recognising the sexuality of people with disability and their vulnerability to sexual assault. The aged care sector is currently promoting greater awareness of older people’s sexuality and abuse.

A high incidence of sexual assault in disability group homes was acknowledged among staff, whilst in aged care residential settings it is assumed to be a minor issue. Explaining these perceptions would require further research. However possible explanations include:

- sexual assault occurs less within age care facilities;
- aged care staff lack understanding of sexual assault dynamics and indicators which assist identify a potential assault—therefore the majority of assaults go undetected; and/or
- a culture exists within aged care facilities that does not accept or understand elderly people can be subjected to sexual assault—therefore the majority of assaults go undetected.

B. Primary prevention

The disability sector has many resources available on sexuality and sexual assault for both residents and staff. Funding restrictions often prevent access to these resources. Efforts need to be concentrated on creating opportunities for the resources to reach the target populations.

The aged care residential sector is addressing the sexual abuse of older people in its wider context of abuse of older people. The resources on sexuality and recognition of sexual assault provide a basic understanding of sexual assault. This can be built upon to facilitate recognition.
Within the disability sector, there is a pronounced emphasis on building the resilience of people with disability. This includes accessing opportunities to learn how to create healthy relationships, protective behaviours and forming a sexual identity. In the aged care sector, the focus of individualised programming is limited to a behaviour management plan to curb undesired behaviours.

C. Safer service environments

The reason the SADA project combined aged and disability residential settings was due to the Northern Sydney Sexual Assault Service supporting victims from these settings and finding the same perpetrating staff were moving between sectors.

It was understood by management and direct care workers that the use of criminal checks, as a screening tool for potential employees, is limited in its effectiveness. Convictions for assaulting people with disability are rare. The prosecution relies on the witness statement of the victim, who may not have the capacity to provide the standard of evidence required, due to their cognitive disability. Participants suggested a screening tool similar to the NSW Working with Children's Check would be beneficial in screening potential employees with a suspicious background. The NSW Working with Children's Check takes into account relevant criminal convictions and similar allegations and evidence that has involved a police investigation but failed to gain a prosecution and/or conviction. The NSW Working with Children Check accesses relevant criminal records, relevant Apprehended Violence Orders (AVOs) and relevant employment proceedings.

NSW Working With Children Check consists of three elements:

- Building Child-safe and Child-friendly organisations
- Excluding people with convictions for serious sex and violence crimes against children

Both sectors face the same challenges of high staff turnover, staff quality and providing opportunities for professional development. It was acknowledged by both sectors that robust recruitment procedures must be in place to deter potential offenders from these sectors.

D. Responding to sexual assault or identified risk

There is a general tendency across sectors to follow procedures to deal with the perpetrator rather than attending to the impact of sexual assault on the victim. Without focussing on the victim, the criminality of the incident can be disregarded and viewed as “challenging behaviour” requiring behaviour modification plans. Viewing an incident in this manner reduces the ability of the victim to access support services including counselling, the criminal justice system and Victim Services. Treating the assault with a behaviour management approach lessens the gravity of the assault and treats victims who are people with disability, differently to victims of the general community.

Due to media and community values, most attention is given to the “staff–resident” scenario and recognition of its criminality is undeniable. It fails to consider that the victims have experienced hurt, betrayal of trust and body trauma whether the perpetrator is another resident, family, friend or staff member.

ACSSA: The issue of consent, especially for people with intellectual disabilities seems to be a particularly complex one. For example, if an adult is deemed to be incapable of giving consent, how do they exercise their rights to a healthy sexuality without being at increased risk of abuse? How are these sorts of questions currently dealt with in the sector?

The disability sector has moved forward in recognising the sexual rights for people with disability and there are many resources available to train people with intellectual disabilities and staff how to create opportunities to explore an individual’s sexuality.

Despite the resources that do exist, it is the experience of the SADA project that suggests that the issue of consent continues to be put into the “too hard” basket of disability residential service providers.

If an adult is deemed to be incapable of giving consent to a sexual relationship, this person still has the right to explore their sexuality within their level of capacity. For example, going for a massage or getting
hair washed or holding someone’s hand are also expressions of sexuality. There is a misconception that a sexual relationship is the only expression of sexuality.

Disability residential service providers are encouraged to have a sexuality policy that recognises the sexual rights of residents and training for staff in how to create the space for residents to explore their sexuality. Also, organisations should have abuse policies and training for staff to recognise “at risk” situations and how to create safer environments.

ACSSA: SADA has consulted a lot of agencies around NSW as part of its brief. What have been the key themes and priorities identified by the various stakeholders?

Key stakeholders consultations

The first stage of the SADA project involved structured consultations with key stakeholders to:

- obtain their views on issues for the project to focus on;
- gauge the level of understanding of the issues of sexual assault in residential settings and the ability to effectively prevent and manage such incidents; and
- obtain advice on resources and research that can be used by the project.

Key stakeholders for these consultations included representations from the following industry bodies:

- Department of Disability and Home Care (DADHC)
- Department of Health and Ageing
- Aged Care Accreditation
- NSW Victims Services
- NSW Guardianship Tribunal
- Aged Care Association Australia (ACAA)
- Aged and Community Services Australia (ACROD)
- People With Disability Australia.

General trends

General trends identified from these consultations included the following:

- The current incidence of sexual assault is perceived as minimal and is based on anecdotal evidence. A “resident-to-resident” abusive scenario is perceived as more likely than “staff-to-resident.”
- Factors contributing to perceptions of minimal incidence of sexual assault include: lack of understanding of what “sexual assault” entails; lack of robust data collection and reporting mechanisms; and a fear of retribution for reporting in institutional settings.
- Industrial relations matters concern to service providers. For example, service provider liability in unfair dismissal claims, after dismissal on the basis of suspected sexual assault has not resulted in police charges.
- The development and implementation of a “Working with Vulnerable Persons Check” is highly regarded across the aged and disability sectors as a powerful preventative measure against staff with a history of perpetrating abuse being employed. Presently, there is no thorough checking system in place and police checks only exclude those who have a criminal record. It is widely acknowledged that few perpetrators of people with disability are successfully charged and convicted.
- When reporting a sexual assault, a checklist or a flowchart of best practice response would be beneficial to service providers across the aged care and disability residential settings.

Regional consultations

From the regional consultations that were conducted towards the end of 2006, it was apparent that there is a risk that people with intellectual disabilities and people with dementia were often not believed at first instance when there is a disclosure of a sexual assault. Being identified as a victim of crime is therefore subject to being believed. Further, when there is an identification of sexual assault, a common response from management is directed towards the perpetrator by instigating police intervention and/or behaviour management plan. At times the needs of the victim can become secondary.
The issue raises an important point, that there is a perception that a resident's credibility is lessened due to their disability and the fact that they are institutionalised. There is also concern that for ongoing assaults, the assault will continue, and there is also concern that the psychological impact of assault will be greater. Sexual assault workers have stated that it is important to a victim's healing process if they are believed.

In a resident-to-resident abusive scenario, organisations try to adopt the policy of the perpetrator being moved but are often unable to do so because lack of resources and space available in other residences.

**ACSSA: Can you tell us about some of the resources being developed by SADA?**

The SADA project aims to deliver, and make available for free, a training package designed for aged and disability sectors—indeed targeting direct care workers at understanding and recognising sexual assault and further informing them of processes and support services to assist someone who is a victim of a sexual assault.

The SADA project also has a website www.sadaproject.org.au which aims to be a clearinghouse of information on best practice prevention and response practices to sexual assault in these residential settings. The SADA NSW regional consultation report will be available via the website.

**References**

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Department of Health. (No Date). No secrets: Guidance of developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse. Available at http://www.dh.gov.uk/assetRoot/04/07/45/40/04074540.pdf


For more information on the SADA project visit [http://www.sadaproject.org.au](http://www.sadaproject.org.au)

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**ACSSA PUBLICATIONS FEEDBACK**

ACSSA welcomes any feedback that enables us to better resource the sector and provide accurate information. In this section, and with the writers’ permission, we reprint feedback of a substantial nature on our publications, particularly corrections or additions to our published material, in the interest of keeping readers well-informed and up-to-date.

**We invite your views**

ACSSA invites readers to discuss the issues raised in our publications through our email discussion list, ACSSA-Discuss. ACSSA-Discuss is a moderated email list for the discussion of topics of interest to people involved with the sexual assault field. To join ACSSA-Discuss, send an email to “majordomo@aifs.gov.au” with the message “subscribe acssa-discuss”, and leave the subject line blank. For more information about the ACSSA email discussion group, visit the Mailing Lists page on the ACSSA website at www.aifs.gov.au/acssa.
Rape: A History From 1860 to the Present is a daunting prospect for any reader, with its 441 pages of text plus an extra 70 pages of endnotes. Fortunately, Bourke's writing style is accessible and engaging, and she does not attempt to conceal her own responses to the material behind any kind of dry objectivism. According to Bourke herself, her usual style is rather more detached, but her anger at the material prevented her from taking this stance here; however she is not averse to the occasional use of sardonic humour either, which certainly helps to break up the sometimes bleak material.

It is hard to know where to start with a review of such a work. Rather than try to take on the task of looking at the book from an academic perspective (others who are more qualified to do this no doubt will), this review will be guided by the question—What relevance does the book hold for those in the frontline of sexual assault work: the counsellors and advocates, therapists working with offenders, and for sexual assault victims/survivors? From this perspective, some of the material will be already familiar. The chapter on “rape myths” traces some of the historical cultural beliefs about sexual abuse and women who have been abused. Bourke discusses the powerful framing capacities of such myths, such that simply “exposing” them is insufficient (despite being often dangerous in itself). Thus she refers to myths not simply as untruths, but as “a structure of meaning permeating a particular culture” (p. 24) which inform not only the views of many individuals, but institutions such as courts of law. Such myths are re-presented by Bourke as the elements of a widely endorsed “rapist’s charter” that interprets a wide range of sexually violent and coercive acts as not-rape, or the fault of the victim.

The book is primarily concerned with the rapist, or more specifically, knowledge about rapists. The medical profession (and psychiatry in particular), in the early 1900s, staked a claim to expertise, partly through framing the problem as the rapist himself—as a type of person to be understood—rather than sexual violence as an “outward act.” What becomes remarkably evident as one progresses through the historical material presented, is the repetition of certain themes in explaining sexual violence. Alcohol and poverty, for example, were popular explanations for “incest” and sexual abuse in social science discourses of the early 1900–1910s. One only needs to refer to the recent accounts of sexual violence in Indigenous communities presented in Australian newspapers to appreciate the continuities. Other recurrent themes include the focus on mothers, who were blamed for failing to protect their children from sexual attacks from strangers in public. This blame-worthy mother appears again in the “family systems” literature on “incest” (the colluding mother) in the 1970s, and again with the insecurely attached child who develops sexual behaviour problems in the current landscape of therapeutic knowledge. In fact, in these historical and contemporary explanations, the sexual violence of adult men is now not merely the fault of the mother of the victimised child who fails to protect; the mother of the sexually abusive man must also bear her portion of responsibility for her failure to produce a secure attachment in her (now adult) son. The trope of progress is radically questioned—it is hard to maintain the belief that we are getting any better at understanding, preventing or responding to men’s sexual violence when the same explanations appear again and again throughout the last century and a half, albeit supported by new technologies and methods of investigation.

What makes this more alarming is that most such explanations seem intent on placing responsibility anywhere but with the offender. Bourke characterises the ongoing attempt to explain sexual offending: “these professional narratives about ‘the rapist’ were attempts to contain the perpetrator’s violence within a framework that could ‘make sense’ of the chaotic nature of aggressive sexuality” (p. 206). In other words, the idea that an individual could simply choose to behave abusively was unpalatable; some kind of cause was needed. The multiplicity of explanations for sexual violence across different contexts (e.g., war, family, date-rape) shows just how unstable such explanations are; those explanations that
focus on the family history of the rapist, for example, disappear from view when explaining war rape. “War is one occasion when rape scripts diverge from the individualist canon of legal and psychiatric practice and enter fully into everyday mass culture. The prevalence of rape in military institutions and during war challenges generally accepted conceptions of ‘the rapist’” (p. 386). One could also consider the racialised explanations of gang rape in the Australian media in recent years and note the privileged place that “ethnicity” holds relative to the troubled family background that dominates explanations of sexual offending in other contexts.

The many discursive resources by which rapists are “explained” are not without consequence. Not only are they fertile grounds for meaning-making, but they also legitimate a range of practices upon bodies: those of rapists, suspected rapists, victims, and the social body more broadly. In relation to this last point, Bourke is distrustful of increased surveillance and notification responses to sexual offenders, putting such initiatives in the context of concerns about terrorism and what she sees as contemporary moves that diminish civil liberties. Further, such responses tend to focus on “stranger danger” and leave unfettered those who abuse in their own homes. The chapter on interventions made directly onto the body of the rapist covers lobotomies, surgical and chemical castration, corporal punishment, and the clinical use of plethysmography. The last is always an intriguing topic, essentially consisting of measuring men’s penile responses whilst they watch or listen to various “stimuli”. Bourke makes an intriguing insight regarding the continuity between plethysmograph testing and the involuntary responses experienced by many male victims of rape. In both cases there is a problematic assumption that “the penis is able to communicate ‘a kind of truth of which the man is unaware or wishes to keep secret’” (p. 245, citing Hyde, 1997). Male victims frequently feel betrayed by their own bodies, “misunderstandings about penile response patterns effectively stifled male protest against their abusers” (p. 246). In the case of the plethysmograph, the penis is assumed to be a direct measure of the man’s deviant sexual desires as offender.

If there is any encouragement to be gained, it is in Bourke’s presentation of the resistances to sexual violence and the counter-discourses that have operated alongside the conservative, victim-blaming and rape-excusing explanations. For example, the critical voice of Alice Vachss (from the early 1990s): “people ‘spend too much time trying to “understand” rapists from a treatment point of view’ she complained, while they actually should be studying rapists ‘from a combat point of view’” (Vachss, cited on p. 399). This relates to what I take to be the overarching theme of the book, “psychiatric languages had become so much a part of everyday knowledge that psychiatrists and physicians were no longer required to provide the diagnosis” (pp. 300–301). In other words, the dominant trend is to understand the sexual offender as the sufferer of some kind of mental condition, perhaps springing from his childhood or some other traumatic experience (such as his own victimisation, perhaps). The effect of this is to approach rape as an inherently non-political phenomenon. But, by showing how such explanations are constructed, localised and historically situated, Bourke shows that they do not constitute absolute truths, and can be challenged by alternative understandings.

Bourke repeatedly emphasises that men commit the vast majority of sexual violence, and that their victims are most often women and children. While adhering to a broadly feminist framework, Bourke is keen to highlight challenges to those analyses of rape that maintain that (for example) all men are potential rapists, or that all men are beneficiaries of rape. She devotes chapters to sexual assault perpetrated by women, men as victims, and is perhaps nowhere more enraged than in her discussion of rape in men’s prisons. Nonetheless, she maintains the importance of highlighting the gendered politics of rape, and that if there is any hope for the prevention or reduction of sexualised violence, it lies with challenging social and cultural practices of masculinity.

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CONFERENCES

For a full list of upcoming conferences, seminars and events, visit the Conferences and Events page on the Australian Centre for the Study of Sexual Assault website:

Adolescent offenders


The reasons for inclusion of a paper by a former sex offender, Brian Oliver, in the same issue of the journal are explained in this article. The article sets out the three steps recommended in Oliver’s paper for reducing juvenile sex offences: telling young people about to enter puberty that sexual relations with a young child is a crime and young children can never consent to sexual relations; telling young people about to enter puberty that they should seek help if they have recurring sexual thoughts about young children; and, that adults should be better educated about the warning signs that may be exhibited by adolescents at risk of sexual offending. The article highlights and discusses an important point in Oliver’s paper—that a high percentage of sex offences against children are committed by young people under the age of 21. The article argues that since it is known that many adult sex offenders commence this behaviour when they are juveniles, there needs to be a greater research focus on the role of juveniles as child sex offenders, and on early detection and prevention in this population.

Adolescents


How effective is sexual assault prevention education? This paper discusses the results of research that reviewed education programs and examined the behaviour of young people in negotiating sexual relationships. This information was used to develop a sexual ethics education program that includes skills for non-verbal communication, law and sexual consent, skills in negotiating sexual consent, conflicting desires in an ongoing relationship, and breaking up ethically.


Youth2000 provides current national data on the health and well being of New Zealand’s youth. Using self reported, anonymous data from Years 9–13 students in 114 secondary schools throughout New Zealand that were collected as part of Youth2000, this study investigated New Zealand students’ experiences of violence. The results are grouped into the following categories: witnessing violence at home; feeling safe at school and bullying; being deliberately physically hurt by others; unwanted sexual contact; help-seeking; being in fights and hurting others; how often violence co-occurs; and violence and health and wellbeing.


CASA House offers a sexual assault prevention program to secondary schools in the northwest metropolitan region of Melbourne. The Peer Educator Project is a component of the program. Its aim is to empower young people to take up a leadership role in raising awareness about sexual assault within the school community. The Peer Educator role entails two key responsibilities: assisting with discussion and activities in the Year 9 and 10 Sexual Assault Prevention Program, and being identified within the school community as a source of information and contacts for issues related to program content. The Peer Educator Project was developed in conjunction with young people and the school community.
Attitudes


In 2006 a survey of customers was conducted in The Body Shop stores nationally about knowledge and understandings about relationship abuse. Over 30,000 surveys were completed. The survey asked people: what they defined as abusive behaviour in a relationship; how widespread they thought the problem of relationship abuse was in the community; what they identified as reasons for relationship abuse; and where they would advise people to seek help about relationship abuse. This report discusses what is already known about relationship abuse, findings from the survey, and findings from the survey relating to young people.


Changes in attitudes towards domestic violence are reflected in the results of a recent VicHealth survey, in which most respondents thought that the physically violent partner rather than the victims should be made to leave the family home. This report examines the following topics: history of accommodation options for women affected by domestic violence; changing social and legal responses to the needs of women victims of domestic violence; trends in social services; international and local models of service; and common issues for women experiencing domestic violence. It focuses in particular on possible service models that allow victims of domestic violence to remain safely in the home.


A large majority of sexual assaults are not reported to police and only about 10% of reported incidents result in a guilty finding. This article examines findings from two recent studies that show that judgements in rape trials are influenced more by jurors' attitudes, beliefs and biases about rape than by the facts presented. It discusses the existence of stereotypical beliefs within the community about rape and victims of rape, and what needs to be done if conviction rates are to improve.

Disabled women


Family violence experienced by women with disabilities may often go unnoticed. The perpetrator of the violence is also often the woman’s carer. An understanding of the diverse needs and experiences of victims of family violence is central to the provision of an effective service response. Good practice in working with women with disabilities who experience family violence begins with acknowledging the problem, improving access to services and information, and facilitating collaborative partnerships between family violence and disability programs.

Domestic violence


Though domestic violence is increasingly considered to be a type of child abuse, child welfare practices may not have kept pace. An examination of case data from the state child protection authority in New South Wales over an 18-month period found that domestic violence referrals were treated less seriously than other referrals, with fewer resulting in follow ups, despite high rates of allegation confirmation. This article discusses child protection processes in New South Wales, interviews with child protection workers on their knowledge of domestic violence, and the implications for policy and practice.


Single mothers and their children are among the most socially and financially disadvantaged groups in Australia, relying on welfare and child support payments and frequently living below the poverty line. Many of these single parent families have also experienced domestic violence. This paper reports on a qualitative study that explored the effects of policies and practices on single parents who seek child support from violent ex-partners. It describes the experience of seeking child support, experiences with institutions, experiences with exemption
policies, and financial outcomes for women and children. All 19 participants had experienced difficulty in obtaining child support from their ex-partners, receiving irregular or minimal amounts or no payments at all. They identified a range of barriers in the multi-step process of receiving income support through Centrelink and the Child Support Agency. Those who chose to seek an exemption from serving a child support order on a violent ex-partner found that they were financially worse off on the exemption payment than they would have been if they had received child support.


In this report the experiences of 43 Maori, Pakeha, Pasifika and other ethnic minority women who were victims of male partner violence are examined. The impact of the violence on them and their children, and their experiences of the justice system when they reached out for protection are described.

Domestic violence prevention


This resource kit provides advice and activity ideas for domestic violence prevention education, for use by trainers, teachers, counsellors and other professionals working with women from a non-English speaking background. It includes 22 illustrated cards highlighting positive messages and rights, as well as phone numbers of specialist services in New South Wales.

Elderly abuse


During 2006, allegations about the sexual abuse of four women in residential aged care facilities were reported, focusing attention on the responsibilities of aged care providers to ensure the protection of residents. This has raised significant issues for approved providers, and two of those issues are addressed in this article. The first is the requirement of the approved provider to ensure that satisfactory police checks are obtained for all new staff and some volunteers, and the implications of this requirement in terms of contracted staff. The second is the legislated obligation on the provider to assess and interpret police certificates. The article discusses the legislation and regulations relating to the obligations of approved aged care providers, particularly the Accountability Amendment Principles 2006 (No 1). It explains the process of police checks and the assessment of police certificates, and the difficulties it poses for providers, notably in employing contract staff for maintenance as well as nursing duties.

Ethnic issues


This study aimed to fill gaps in research on family violence in Asian communities in New Zealand, and to increase understanding of what can be done to prevent its occurrence and reduce its impact on families, relatives and friends. The study found the triggers for family violence within New Zealand Asian communities of migrants from China, South Asia and South East Asia related to difficulties in adjusting to living in a new country, in particular, finding suitable employment and experiencing financial hardship. Men’s dominance in some Asian families was an issue, especially when men saw control over their wives as a last resort to protect their cultural values and traditions. The racism and discrimination some women experienced in this study, when they attempted to find paid jobs or solve their financial dependency issues, put women at extreme risk of abuse and violence. The barriers to preventing or dealing with family violence related to perceptions in the Asian communities researched that family violence is a private matter and to the women’s desire to keep their relationship intact. (Journal abstract, edited)

Family law


Disputes involving violence present particular problems for mediators. This paper describes developments in the history of mediation in family disputes involving violence, and then considers the impact of the changes to family law arising from the Shared Parental Responsibility
Act 2006. Under the Act, disputes about children must go to family dispute resolution except where there is a parenting agreement or where there are reasonable grounds to believe that there is a risk of child abuse or family violence. Family dispute resolution practitioners are responsible for assessing the suitability of dispute resolution in such cases. The paper discusses the issues for practitioners in mediating disputes involving family violence, and ways of protecting the interests of vulnerable women and children.


The Australian Institute of Family Studies report, *Allegations of Family Violence and Child Abuse in Family Law Children's Proceedings*, has prompted much discussion within the media and the family violence prevention sector. This article summarises some of the report's findings and a range of responses to the report that consider implications for practice. The article discusses: allegations of family violence and implications for parenting arrangements; differentiating family violence; and, moving beyond the “situational”: a more complex differentiation of family violence.


In this overview of the DVIRC Annual Family Law Forum held in June 2007, papers by Hilary Astor, Leanne Abela, Gai Campbell, Christine Barrett, Lawrie Moloney, Bruce Smyth and Ruth Weston, and Debbie Kirkwood are discussed under the following headings: family relationship centres; parenting agreements; an update on the family law scene; importance of evidence gathering; prevalence of false allegations; the best interests of children.


This article reports on a study of allegations of family violence in family law children’s proceedings recently completed by the Australian Institute of Family Studies. The study examined: the prevalence and nature of allegations of family violence and child abuse in children’s proceedings initiated in 2003 in Victoria and South Australia; the extent to which alleging parties provided evidence in support of their allegations, and to which allegations were denied, admitted or left unanswered by the other party; and the extent to which court outcomes of post-separation parenting disputes appeared to be related to the presence or absence of allegations. It is hoped that these data will stimulate discussion about the way in which allegations of family violence and child abuse are examined within the new family law system. (Journal abstract, edited)


There is clear evidence that children are at risk of harm when they live with family violence. Some of the harm derives from damage to the relationship between children and their mothers. This article describes an action research project in which women, children and refuge staff worked to develop activities that could address this destructive aspect of family violence through strengthening the relationship between mothers and children. Two books of activities were developed, for children under nine years and over nine, to strengthen children’s communication with their mothers. The success of the activities is dependent on two factors; workers need to recognise that a poor relationship between mother and child may be the result of their experience of family violence, and that strengthening the mother child relationship needs to go beyond traditional parenting programs and incorporate a debriefing element that addresses the experience of violence and abuse.

**Gender issues**


This is the first in a series of global reports on girls to be published over the next nine years by Plan. This report is the most comprehensive report ever published on why millions of girls and young women are being condemned to a life of inequality and poverty.

**Glossary of terms**

Around the world, organizations are campaigning for women’s human rights, implementing action plans against violence, and studying gender-based discrimination. To aid their work, this glossary has been devised to define all of the many types of physical, sexual, emotional, and psychological violence perpetrated against women, within the family, the community, and by the State. It includes culture-specific practices such as honour killings, female genital mutilation, and sati, and also includes a brief discussion of the patriarchal social structures which cause these abuses and violence.

**Indigenous issues**


This updated week-by-week diary is a resource for Aboriginal and Torres Strait Islander women and girls experiencing domestic violence. It features contact information about crisis support centres and government services in New South Wales, inspiring poems and illustrations, empowering advice, and suggestions for concerned friends and family.


The key argument of Louis Nowra’s book, Bad Dreaming, is that contemporary Indigenous family violence has its roots in traditional Aboriginal law and practice, which he claims were inherently violent and misogynist. His solution is for Indigenous men to put aside traditional practices and take on more individual responsibility for violence and for naming violence. In this article, three commentators respond to Nowra’s views. Robertson argues that Nowra blames traditional culture and punitive customary laws without offering constructive solutions. Mundine’s commentary praises Nowra for promoting open dialogue on gender based violence and sexual abuse in Indigenous communities. Cunneen comments that Nowra’s views are reactionary and draw on a range of old and new prejudices about Indigenous Australians. The impact of violence, particularly against women and children, is widely acknowledged by Indigenous and non-Indigenous people; the critical question is how to stop it. Nowra offers no analysis of how this might be achieved.

**Law reform**


Reform of the management of complaints of sexual assault in the NSW criminal justice system is urgently needed. In particular, reporting rates and convictions need to increase and the systemic retraumatisation of complaints must be reduced. This report discusses: one stop units; specialist sex offences courts and case management; law reform; police; prevention; research, training, and interagencies; and funding and resources.

**Sex offenders**


Despite criticisms of attachment theory, particularly by feminist writers, it is becoming increasingly popular in work with sexual offenders. It has been noted in reference to family systems perspectives on sexual offending that sexually abusive men are sometimes discussed “as if they were children.” This article contends that the positioning of abusive men as if they were children remains implicit in attachment informed models. The article outlines some of the implications of attachment-based models for understanding sexually abusive men and young men. Although it does not argue against using attachment theory per se, it does suggest that some of the implications of using attachment theory to understand sexual offending by adults are problematic; for instance, insecure attachments can explain sexual offending only in deviant individual cases, rendering invisible the links between dominant, everyday practices of masculinity and sexual violence. However, the two perspectives are not seen as mutually exclusive.


This report is the first comprehensive study of US sex offender registration, community notification and residency restriction laws. It explores their public safety impact, and the effect they have on former offenders and their families. It concludes the laws are poorly crafted and misguided, failing...
to protect children from sex crimes but making it nearly impossible for former offenders to rebuild their lives.

Sexual assault


It can be very difficult for agencies that share clients but do not share information management systems to track information about clients. This research investigated how readily justice data relating to sexual assault and related incidents in the Australian Capital Territory could be tracked from first report of an offence to police, through the courts, and to corrections agencies. It demonstrates the difficulties of the process and ways these difficulties might be managed if data sharing is introduced. The report summarises the tracked data to provide an overview of sexual assaults in the ACT in 2004-05.


Analysing historical documents, popular media, case law, and legislation from Australia, Great Britain and the United States, this book examines the nature of rape and the development of rapists in modern society. The book explores the changing attitudes to sexuality, consent, coercion, power, and sexual violence, within the broader community and within specialised settings such as in prisons, during wartime, and in the home. The book concludes with opportunities for change in the future.


Despite the best intentions, some anti-human trafficking measures have actually caused further harm to trafficked persons, their situation and their human rights. This report examines the anti-trafficking measures and policies of eight countries, reviewing their legal frameworks, laws and policies for their human rights implications and impact on trafficked women and children. Each section also considers the situation and status of both voluntary and involuntary migrant sex workers. The chapters are on Australia, Bosnia and Herzegovina, Brazil, India, Nigeria, Thailand, United Kingdom, and the USA. The report identifies 10 practices and policies needed by each country to address human rights concerns, and argues that trafficked people need to be treated with respect rather than as victims.

We welcome your feedback

Help to shape the work of the Australian Centre for the Study of Sexual Assault. We are interested in hearing your views on the best way to meet the needs of our stakeholders. If you have any comments on services that could be offered, possible topics for publications or areas of research, please fill in the section below and return it to the Institute. Comments can also be provided on-line via the ACSSA website, or email us at: acssa@aifs.gov.au

What other services would you find useful for your work?

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What topics would you liked covered in ACSSA’s publications, or considered for research projects?

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Membership form overleaf ➤
ACSSA services

The Australian Centre for the Study of Sexual Assault is funded by the Office for Women, Australian Government Department of Families, Housing, Community Services and Indigenous Affairs, through the National Initiative to Combat Sexual Assault in Australia. ACSSA provides stakeholders with a variety of services (see below) and is located at the Australian Institute of Family Studies in Melbourne.

Resources
ACSSA is building a collection of publications and best practice literature, reports, and training resources to inform initiatives and programs directed at improving the understanding of, and response to, sexual assault. These materials are available for browsing at the Australian Institute of Family Studies Information Centre, or may be borrowed through the interlibrary loan system. Bibliographic information on these resources may be searched online via the Institute’s catalogue.

Research and advisory service
ACSSA’s research staff can provide specialist advice and information on current issues that impact on the response to sexual assault. Email research queries to acssa@aifs.gov.au

Policy advice
ACSSA offers policy advice to the Australian Government and other government agencies on matters relating to sexual assault, intervention and pathways to prevention.

Publications
ACSSA produces Issues papers, the ACSSA Wrap (short resource papers) and newsletters, which are mailed free of charge to members of the mailing list. Publications can also be received electronically.

Promising Practice database
ACSSA is continuing to build its Promising Practice database, to document and publicise best practice projects and activities being undertaken in relation to sexual assault.

Research
ACSSA staff undertake primary and secondary research projects, commissioned by government and non-government agencies.

Email alert and discussion lists
ACSSA-Alert and ACSSA-Discuss keep members posted on what’s new at the Australian Centre for the Study of Sexual Assault and in the sexual assault field generally, and allow networking and communication among those working on issues related to sexual violence against women.

MEMBERSHIP FORM

Australian Centre for the Study of Sexual Assault

If you would like to join the Australian Centre for the Study of Sexual Assault mailing list, please fill in this form and return it to the Institute. Membership of the Centre is free.

☐ Please add my name to your mailing list to receive ACSSA publications
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Position _______________________________________________________________________________________________

Organisation ____________________________________________________________________________________________

Address _______________________________________________________________________________________________

___________________________________________ Postcode ___________________________________________________

Phone __________________________________________ Fax ___________________________________________________

Email _________________________________________________________________________________________________

Send this completed form to: Australian Centre for the Study of Sexual Assault
Australian Institute of Family Studies
Level 20, 485 La Trobe Street Melbourne VIC 3000 Australia