

Occasional Address on the receipt of an honorary degree of Doctor of Griffith University

Saturday, 29 September 2001

Concert Hall, Performing Art Complex, Southbank at 2 pm.

Acting Chancellor, Mr Henry Smerdon, Acting Vice-Chancellor Prof Dennis Lincoln, members of the Griffith University Council, distinguished guests, graduates, ladies and gentlemen:

I always enjoy graduation ceremonies. It is impossible not to feel enriched and stimulated by the excitement of the occasion, the intellectual energy and youthful enthusiasm of the graduates and the deserved pride of family and friends whose unconditional love is such that they have forsaken the Brisbane Lions to support us this afternoon. Today is of course extraordinarily special for me because of the great honour that Griffith University has conferred upon me – the honorary degree of Doctor of the University. As my witty husband quips, our mothers always wanted a doctor in the family! Whilst I am delighted to share the day with all the graduates it is especially pleasing to acknowledge the achievements of another law graduate, Ms Rhiannon Moreton-Robinson, one of the first indigenous law graduates from this university.

It is with some reservation that, in the presence of such joy and good will I have decided to present an address on the grim topic of domestic violence, but having been given the opportunity to communicate with you, I want to say something that matters.

A dark shadow fell over the world when terrorists struck at the World Trade Centre in New York and the Pentagon in Washington just two and a half weeks ago. All right-thinking citizens of the world are still emotionally reeling from the shock of such unprovoked monumental violence targeting thousands of innocent civilians and feel deep empathy with the tens of thousands more whose lives have been thrown into turmoil by the loss of their parents, loved ones or livelihoods. In this shrinking globalised world, most of us were only one or two degrees separated from someone who was touched by the tragedy. For example, graduates from this University, like brilliant law graduate and Fulbright scholar Oliver Bennet, are living and working in New York City. No doubt they have their stories to tell of 11 September 2001.

As we emerge from the shock and grief reaction and live with the uncertainty of the effect of the events in the USA on our own lives, our response must be *positive*. We must commit ourselves to maintaining and improving our Australian democratic institutions: a fairly elected legislature, an independent judiciary, an honest and efficient police force and public service and a society which offers equality of opportunity for all. Our challenge is to not let these violent events destroy the tolerance, acceptance and egalitarianism on which our multicultural and great nation of migrants and aborigines is built. I have no doubt that, in the end, the essential goodness and worth of our institutions will triumph over the dark forces of terrorism. We must use the very great privilege of tertiary education in democratic

Australia to make our nation and world a better place in the face of such wickedness.

It seems to me that if we want a peaceful world we must start with a peaceful home. That is not a reality for a very significant proportion of the world's population. Whilst men are occasionally victims of domestic violence, it is women and children who overwhelmingly bear its brunt.¹ A key pillar of the United Nations Convention on the Elimination of Discrimination against Women is the eradication of violence against women and children. Approximately one quarter of the world's women are violently abused in their own homes.² I can almost hear the cogs in your brain turning over: you may have heard of the murder of some rape victims by their male relatives or the killing of brides by some disappointed husbands and relatives in far off parts of the world, but you think there is not much domestic violence in Australia. You may be shocked to know that 23 per cent of Australian women who have ever been married or in a defacto relationship experience violence by a partner at some time during that relationship.³ Three times a fortnight a homicide is committed by an intimate partner and in four out of five of these, the perpetrator is male and the victim female.⁴ More than 40 per cent of homicides occur within the family circle, about 25 per cent of all homicides are marital killings, and almost all child homicide victims are killed by fellow family members.⁵ From a personal perspective, I have been but one degree separated from scores of women who I know have been abused by their partners.

It is an understatement to point out that domestic violence has a negative effect on children. Most women who experience violence from a partner report that they had children in their care at some time during the relationship.⁶ Research reveals that children exposed to family violence may suffer a kind of brain damage which can lead to dissociative and other psychological disorders.⁷ Up to one quarter of young people in Australia have witnessed an incident of physical or domestic violence against their mother or step-mother.⁸ Witnessing parental domestic violence is the strongest predictor of perpetration of violence in young people's own intimate relationships;⁹ hence the evocative slogan in the campaign against domestic violence "Break the Cycle".

¹ See, for example, Flood M, "Claims about Husband Battering", Domestic Violence Action & Resources Magazine, September 2000, Issue 8, pp 7-13.

² UNICEF: *The State of the World's Children*, Oxford University Press, UK, 1995; Domestic Violence Resource Centre Fact Sheet *Not Just Another Statistic*, p 1.

³ Australian Bureau of Statistics *Women's Safety Survey* Canberra 1996; Domestic Violence Resource Centre Fact Sheet *Not Just Another Statistic*, p 1.

⁴ Australian Institute of Criminology (1998) *Homicide Between Intimate Partners in Australia*, Carcach, C and James, M in Trends and Issues in Crime and Criminal Justice, No 90, July, AIC, Canberra.

⁵ See Domestic Violence Resource Centre Fact Sheet *Domestic Violence and Children*, p 3.

⁶ Australian Bureau of Statistics *Women's Safety Survey* Canberra 1996; Domestic Violence Resource Centre Fact Sheet *Not Just Another Statistic*, p 3.

⁷ *Preventing family violence through early intervention: a priceless legacy for future generations*. Bain P, Institute Against Family Violence.

⁸ Australian Institute of Criminology Trends and Issues in Crime and Criminal Justice, February 2001, No 195, *Young Australians and Domestic Violence*, Indermaur, D, p 1.

⁹ *Ibid.*

It is concerning that one in three young people (both males and females) recently surveyed reported incidents of physical violence in their personal relationships. Forty-two per cent of 19 to 20 year old women who have had a boyfriend experienced some form of physical violence from a boyfriend at least once and almost one-third of 19 to 20 year old women reported they had been frightened or hurt in one or more instances of violence. Although young men experienced similar levels of physical violence from their girlfriends, the young women were four times as likely to have been frightened by the episode of aggression.¹⁰

Whilst studies suggest that incidents of domestic violence are more common in lower socio-economic circles, domestic violence crosses all cultural, religious, economic, educational and professional boundaries. A 1992 study of Anglican and Uniting Church communities indicated that 22 per cent of the perpetrators attended Church regularly and a further 14 per cent were involved in church leadership.¹¹ Domestic violence permeates not only long term heterosexual relationships but dating relationships and homosexual relationships. A recently recognised form of domestic violence is elder abuse affecting 4 to 20 per cent of the aged¹² and there is growing concern about violence in the workplace.

Australian community attitudes to domestic violence are concerning. Eighty-three per cent agree that most people turn a blind eye to domestic violence, not wanting to get involved and eight per cent feel that physical force is justifiable when the man is "provoked" by his wife by nagging, refusing to obey him, sleeping with another man, refusing to sleep with him, wasting money, not keeping the house clean and not having meals ready on time.¹³

It is self-evident that if we want to reduce the incidence of violence in our homes we must change these attitudes. To quote from a Domestic Violence Resource Centre Fact Sheet: "Domestic violence remains largely a hidden crime. Any hope for change in the future depends on all of us to take responsibility for condemning acts of domestic violence. There are no excuses ...".¹⁴

To do something about domestic violence it is necessary to understand its dynamics.

All too often the question asked is not "Why does someone commit domestic violence?" but "Why does she stay?" There are many answers:

- Victims are usually isolated from other supportive people and networks, often deliberately by the perpetrator;

¹⁰ Australian Institute of Criminology Trends and Issues in Crime and Criminal Justice, February 2001, No 195, *Young Australians and Domestic Violence*, Indermaur, D.

¹¹ Conrade, G *Abuse in Families of the Church Community: A Study of Anglican and Uniting Church Women*, Brisbane 1992; Domestic Violence Resource Centre Fact Sheet *Not Just Another Statistic*, p 3.

¹² Zardani, Y "Leaving Home", Domestic Violence Action & Resources, December 1999, Issue 5 & 6, pp. 11-12.

¹³ Office of the Status of Women "Community Attitudes to Violence Against Women: Executive Summary Canberra (1995); Domestic Violence Resource Centre Fact Sheet *Not Just Another Statistic*, p 4.

¹⁴ Ibid, p 5.

- Victims believe they have no escape and indeed escape may have been previously blocked by the perpetrator;
- Victims often treasure the kindness and affection they receive in between incidents of violence;
- Physical and psychological abuse may strip the victim of dignity and self-worth; if she is beaten it is because she is bad, it is her fault and she must try harder to be good.
- To leave the relationship is to wreck the family; it may mean there is a risk of losing custody of the children;
- Leaving may result in poverty, particularly in remote areas where there are few real alternatives available;¹⁵
- Victims are right to fear leaving for it is the time of greatest risk of serious violence to the victim; many homicides occur in such circumstances. In any case, separation and divorce do not guarantee safety for abused women and children.¹⁶

Let's return then to the real question: "Why do men abuse their partners?" Studies on domestic violence show that testosterone levels or other biological factors do not cause men to be violent.¹⁷ Alcohol, drugs and stress are contributing factors but domestic violence is caused by the perpetrator's conduct not external influences. It is done in the privacy of the home, often on parts of the body not publicly shown. Perpetrators frequently rationalize their behavior: "She deserved it" or "She bruises easily". Domestic violence represents the need of the perpetrator to subject the victim to domination, control, intimidation and humiliation.

There is hope. Much progress has been made in recent years. Despite the undoubted applicability of the "cycle of violence" thesis to those young people who have witnessed domestic violence, this means only an increased probability that they themselves will become perpetrators or victims; child victims remain masters of their own fate. The majority of children who have grown up in violent homes do not go on to perpetrate violence in their relationships and many are determined to and successfully break that cycle.¹⁸ Organizations like the Domestic Violence Resource Centre counsel victims and educate the community. Queensland's annual Domestic Violence Prevention Week raises public awareness. There is a domestic violence telephone service operating 24 hours a day throughout Queensland and there are 11 regional domestic violence services across this vast, decentralised State which provide counselling, information, referral and support; five within South East Queensland, and others in Cairns, Emerald, Mackay, Roma, Toowoomba and Townsville. Women from non-English speaking backgrounds can access the Immigrant Women's Support Service. Griffith University, through the Gumurri Centre has supported its Director, Boni Robertson, in her groundbreaking

¹⁵ See, for example, Cross, R "Domestic Violence – rural housing in crisis" Domestic Violence Action & Resources, December 1999, Issue 5 & 6, pp. 9-10.

¹⁶ See Domestic Violence Resource Centre Fact Sheet *Domestic Violence and Children*, p 3.

¹⁷ Thorne-Finch, R 1992. *Ending the Silence: the origins and treatment of male violence against women*, University of Toronto, Toronto; Domestic Violence Resource Centre Fact Sheet *Domestic Violence – a man's Issue* p 2.

¹⁸ Australian Institute of Criminology Trends and Issues in Crime and Criminal Justice, February 2001, No. 195, *Young Australians and Domestic Violence*, Indermaur, D, p 5.

report and recommendations on violence against women in indigenous communities.¹⁹ Legal Aid Queensland has set best practice guidelines to assist professionals in providing a consistent level of service to domestic violence survivors²⁰ and has launched a domestic violence self-help kit for victims.²¹ Specialised domestic violence courts have been established in the USA, the United Kingdom and South Australia with a rehabilitative focus.²² Men can receive counselling and advice on the Men's Info Line. Programmes help perpetrators of domestic violence who accept responsibility for their actions and seek to change their violent behavior. This poem reflects the journey of one man who was able to successfully stop his violent behaviour.

Autobiography in 5 chapters.

"Peter"

One

I walked down the street
There is a deep hole in the side walk
I fall in.
I am lost ... I am hopeless.
It isn't my fault
It takes for ever to get out

Two

I walked down the same street
There is a deep hole in the side walk.
I pretend I don't see it.
I fall in again.
I can't believe I am in the same place
But it isn't my fault.
It takes a long time to get out.

Three

I walked down the same street
There is a deep hole in the side walk
I see it is there.
I still fall in ... It's a habit.
My eyes are open
I know where I am
It is my fault.
I get out immediately!

Four

I walked down the same street
There is a deep hole in the side walk

¹⁹ The Aboriginal and Torres Strait Islander Women's Task Force on Violence Report.

²⁰ Headnote, Legal Aid Queensland Newsletter, August 2001, p 3.

²¹ Ibid, p 6.

²² Freiburg, A, "Problem-Oriented Courts: Innovative Solutions to Intractable Problems", Journal of Judicial Administration, Vol ii, 1 August 2001.

I walk around it.

Five

I walk down another street.

Whilst perpetrator programmes are important, less than 20 per cent of domestic violence is reported to police so that such programmes reach only the tip of the domestic violence iceberg.²³ Reported cases are just the ugly pimple on the rotten pumpkin of domestic violence. Feminist groups rightly emphasise the deterrent effect of condign punishments; they warn that rehabilitative programmes may send the wrong message and be seen as too soft an approach. As always in sentencing, some cases will warrant a rehabilitative approach whilst others will require salutary punishment.

Despite the progress made, domestic violence remains a significant social evil. What can we do about it?

This year 54 per cent of undergraduates in Business and Law and 75 per cent of those enrolled in Health courses at this University are women. These figures reflect the social revolution which has taken place over the last quarter of a century. Gender equity is increasingly obvious at every level of society. For example, about one-third of our State parliamentarians are now women, the second highest proportion of women in a legislature in the world. The exercise of power and authority by women importantly helps change previous, perhaps unconscious, perceptions that only men exercise power and influence. We can all work to change entrenched beliefs that the ideal masculine model is aggressive and dominant, especially in personal relationships.

We can of course ensure our intimate personal relationships are based on equality and reflect this in the way we raise our children. We also have an opportunity in our personal relationships at work and within the community to provide positive role models and, if occasion arises, offer support to possible victims or positively influence possible perpetrators of domestic violence. We can all work to eliminate violence and bullying in the workplace.

Those of you who are graduates in Commerce or Management may be able to further the work of worthwhile campaigns like Business against Domestic Violence, recently organized through the Office of the Prime Minister. Make no mistake, domestic violence is an economic issue and the cost of it has an enormous impact on the individual, community and government finances. Not only are there the physical and psychological injuries to the victim, there are the financial and emotional repercussions for the victim's family and friends, the direct financial cost to the victims and the growing economic cost to the community of counselling, pharmaceutical, medical and hospital services and sometimes emergency housing to victims. There are indirect and incalculable costs to society of the lost days,

²³ Foster, G "Maybe I'm Burnt Out" Domestic Violence Action & Resources, December 1999, Issue 5 & 6, p 26.

weeks or years of contribution of skills and earnings that a shattered victim may have made to the community. There are long term costs when child victims themselves become dysfunctional and anti-social and the very significant costs of apprehending, charging, trying and punishing the perpetrators.²⁴ It makes economic sense to work to eliminate domestic violence.

Many of you law graduates will practice in criminal or family areas or volunteer at community legal centres and will have clients involved in domestic violence. Your understanding of and sensitivity to the issue will be important both to your clients and to society. The *Domestic Violence (Family Protection Act) 1989* has improved the lot of victims; your role in ensuring clients understand their rights and responsibilities, combined with the role of the police in early intervention and the role of the courts in recognizing domestic violence as serious criminal conduct, will be crucial in rendering positive social change. Recent research from the Australian Institute of Criminology reveals that court orders are more effective than police protection alone.²⁵ The importance of the rule of law to stamp out domestic violence cannot be overestimated and is the most effective weapon against it.

I reiterate that domestic violence is a major health issue²⁶ and you graduates in Health Sciences and Nursing Health will very likely be called upon to minister to its victims; this will provide you an opportunity to help break that cycle.²⁷

Finally, you graduates in International Business and Politics may well have the chance to assist in the implementation of policies, domestically and internationally, to help eliminate levels of domestic violence.

Much has been done but much hard work remains before Australia can claim to have significantly reduced domestic violence against women and children. Our challenge is to show leadership and use our privileged positions and skills within our community to make it and the world more peaceful by working towards this goal. We are now shocked to recall that in the 19th century husbands were lawfully entitled to discipline their wives with a stick as long as it was no thicker than their thumb; hence the expression "rule of thumb". Let's hope our community soon has a similar attitude to those who turn a blind eye to the hidden crime of domestic violence, not wanting to get involved.

I have focused on a single though significant social problem. There are all too many others. My hope is that those of us who have degrees conferred this afternoon by this great University, a centre of enlightenment, progression and reason, can achieve success, whatever that subjective concept may mean to each of us. But as we do, I hope we use the privileges and responsibilities that come with education to lead our local, State, national and international community

²⁴ Australian Institute of Criminology, "The Costs of Violence", p 13.

²⁵ Australian Institute of Criminology Trends and Issues in Criminal Justice March 2000 No. 148, *The Effectiveness of legal protection in the prevention of domestic violence in the lives of young Australian Women*, Young M, Byles J, and Dobson A, pp 5-6.

²⁶ See, for example, Stratigos, S, "Domestic Violence is a Health Issue", Domestic Violence Action and Resources Magazine, October 1999, p 25.

²⁷ Bullock (1998): Domestic Violence Resource Centre Inc Annual Report, 1999-2000, p 2.

ethically and with intellectual strength and fair dealing to make this imperfect world a little less so.