

The Secretariat

Royal Commission into Family Violence.

Please accept my personal submission. It has two parts.

Part One

Family and Domestic violence is a generational problem passed down through families. The cycle is perpetual. Children witness abuse in the home and mimic that behaviour. They grow up with a distorted view of how relationships function and often fall into abusive relationships themselves.

The content of Part One is most relevant to the terms of reference to do with fostering a violence-free society; preventing, reducing and eliminating family violence and building respectful family relationships.

It focuses on the reasons why a prohibition on the corporal/physical punishment of children has the potential to be an effective long term prevention strategy. Corporal punishment is currently allowed under common law in Victoria .

Part Two

The second part of my submission examines the research relating to the perpetration of domestic violence/abuse by police officers. I will focus on VicPol where possible but at times I will refer to other police organisations.

I am currently waiting the results of a FOI request with VicPol for relevant statistics which will hopefully yield Australia's first information on the recorded incidence of police who have been subject to, and breached, a Family Intervention Order. The Commission may wish to access these statistics at some stage as I am unable to include them in this submission. I am still waiting for the data under FOI.

My research into police who commit domestic abuse is the first of its kind in Australia. My initial findings were submitted to the current Senate Inquiry into Domestic Violence in Australia which reports in June. My first submission (No. 136) was "welcomed" by the Queensland Commissioner Ian Stewart. My supplementary submission to same inquiry did not attract any further comment from the QPS.

My submission (below) is a compilation of my former and more recent research. It is an on-going research interest of mine.

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PART ONE

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1. Summary.

I note that Premier Daniel Andrews has stated “nothing” is off limits.

The evidence strongly suggests, that experiencing corporal punishment as a child increases the chance of being a victim of, or perpetrating intimate partner violence, as an adult. (1)

So, if we are to help prevent future family violence, rather than just react to it, we cannot ignore the violence children are subject to at home from those who supposedly love them, and the effect that violence can have on a child’s later life and relationships.

“To end family violence, there needs to be an end in the societal toleration for the aggression that takes place between family members. A shift in attitudes needs to occur, and this shift must begin at the very top. The enactment of legal statutes prohibiting the use of spanking and other forms of family violence should be coupled with public education”. (1b)

The abolition of corporal punishment would send a clear message that respectful relationships do not include any form of violence. It would also ensure the law protects children from assault to the same extent that it does all people and thus affirm their rights under international law.

Corporal punishment is a child’s first experience with violence.

2. Recommendation.

As we seek answers to family violence, it should be up to those who use and defend the corporal punishment of children, including politicians, to provide a logical and evidenced- based argument for its continued use. The consensus is clear among scholars. There is little, if indeed any evidence to recommend its use but there are a great many reasons not to use corporal punishment.

Hence, my recommendation is that the Victorian Government follows the example of New Zealand (2007) and 45 other countries across the world (to date) (2) and prohibits the physical punishment of children.

The reason for law reform would need to be carefully explained to the public and the

necessary education and support provided for parents should law reform occur. See the recommendations of The Royal Australasian College of Physicians (Paediatric & Child Health Division) in point 5b (2)(3)

As our leading Australian academic experts in this area have stated,

“ Banning all physical punishment would reflect governments' unreserved commitment to promoting Australian children's well-being, positive sense of self, and protection from harm. A ban would primarily serve to educate parents, and not to criminalise them. Its aim would be to promote positive discipline and to grant children and adults equal protection from assault.” (3)

3) Introduction

What is corporal punishment?

The Committee [on the Rights of the Child] defines “corporal” or “physical” punishment as any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light. Most involves hitting (“smacking”, “slapping”, “spanking”) children, with the hand or with an implement -a whip, stick, belt, shoe, wooden spoon, etc. But it can also involve, for example, kicking, shaking or throwing children, scratching, pinching, biting, pulling hair or boxing ears, forcing children to stay in uncomfortable positions, burning, scalding or forced ingestion (for example, washing children's mouths out with soap or forcing them to swallow hot spices. (3b)

Across Australia and despite the findings of robust research, there is denial by governments and silence from NGO's about the significance of the relationship between the physical punishment of children and later family and domestic violence.

The “corporal punishment of children” is not included under any definition of family violence, including Victoria's “Family Violence Protection Act 2008”, hence it is often ignored in discussions about family violence, its causes and possible solutions. (Physical abuse is included in the definition)

For example, the recent 2015 publication “Not now, Not ever” by the Queensland Premier's Taskforce on Domestic and Family Violence, mentioned the damage that is caused to children by being exposed to and impacted upon, by family and domestic violence but no mention was made of the violence inflicted upon the children as they are being hit and hurt in the name of ‘discipline’. Nor was there any mention of the possible effects of the violence on later intimate partner relationships. (4)

Indeed, for many, even within the anti-domestic violence movement, the physical punishment of children is not seen to be an issue worth raising.

Why? Hitting a child is apparently not a violent act and children are apparently not learning about the exercise of power and control over others as the pain is applied to their bodies, (often in frustration and anger) by the people who supposedly love them.

The message that it is OK to hit children (within reason) comes from the highest political office in our land.

In December 2013, Prime Minister Tony Abbott, a self-confessed, proud White Ribbon ambassador, who had pledged not to commit, excuse or remain silent about violence against women (and girls) and also to be an exemplary role model for other men, said:

“All parents know that occasionally the best thing we can give (our children) is a smack, but it should never be something that hurts them.” He also admitted hitting his three daughters when they were young. (4b)

While I assume our PM meant to say a smack should not ‘injure’ rather than ‘hurt’ a child, (as hurting a child is almost always a consequence of hitting a child) his comments were nevertheless, grossly irresponsible for the very reason that, “...many cases of physical abuse of children started as mild smacking and the parent gets out of control”. (4c)

What was the response across Australia to our PM’s comments in December 2013?

The silence was deafening. Not one domestic violence related organisation publicly reprimanded the PM. Not even White Ribbon Australia, which does not condone violence in any form against any person, did not speak out about the PM’s comments at that time.

However, since then, its position has changed. Last year, White Ribbon Australia ‘quietly’ issued a position statement which concluded that the physical punishment of children was a form of violence, had links to violence against women later in life and it was not a action they supported.

See my later comments later on White Ribbon.

4) International evidence.

Although there are strong associations between the physical punishment of children and later intimate partner aggression, correlation does not prove causation. Indeed scientific proof on causality will never be possible in this area for two reasons:

- 1) child and adolescent development is dependent on multiple interrelated factors and
- 2) children and adolescents cannot ethically be subjected to randomised blind-control trials which is the standard way in which causality is shown.

We must also acknowledge that the effects of using corporal punishment on a child

are likely to be influenced by several factors including:

the quality of the parent-child relationship,

how often and how hard a child is hit,

whether parenting is generally "hostile",

whether there is clear boundary setting and consistent use of discipline and

whether other disciplinary techniques are also used-particularly ones that are suited to a child's age, and are likely to enhance his or her learning and capacity for reasoning. (5)

While academic debate will continue as to the magnitude and conclusiveness of the harm associated with corporal punishment, the consensus among scholars remains i.e. there is little, if indeed any evidence, to recommend its use and a great many reasons not to. (6)

I will quote from some credible sources and empirical studies to ensure the Commissioners are aware of evidence that has shown a strong association between corporal punishment and intimate partner violence.

4a) In a 2006 paper titled "Assault and Injury of Dating Partners by University Students in 19 Countries and Its Relation to Corporal Punishment Experienced as a Child" authors Emily Douglas and Murray Straus measured the prevalence of dating violence among a sample of 9,549 students at 36 universities in 19 countries.

"Participants completed questionnaires that measured the use of corporal punishment by parents and approval of dating partner violence... Overall, the findings indicated that settings with a high rate of corporal punishment by parents also had high levels of dating assault and injury among university students.

The results have implications for violence reduction policies in that they suggest primary prevention efforts should focus on reducing the use of corporal punishment by parents". (7)

4b) In a two year longitudinal study published in 2006 and based on 188 married couples in Washington State, USA, the authors found that individuals who were physically punished during childhood were more likely to engage in physical and verbal aggression with their spouse, were more controlling with their spouse and less able to take their spouse's perspective. (8a)

4c) Elizabeth Gershoff is a developmental psychologist at the Uni of Texas, Austin (USA) and one of the world's leading experts on the how parenting and discipline affect children's development.

Her 2010 article "More Harm Than Good: A Summary of Scientific Research on the Intended and Unintended Effects of Corporal Punishment on Children" says on

page 46-7:

“Given the strong link found between corporal punishment and aggression and antisocial behaviour in childhood, it is not surprising that this association would continue into adulthood. Having learned that they can use aggression to force and compel others to do what they want in childhood, children persist in using aggression to control others’ behaviour into adulthood.

Indeed, an increased likelihood that individuals who were physically punished in childhood will perpetrate violence as adults on their own family members has been found consistently in the literature. Adults who recall receiving more corporal punishment from their parents also report more verbal and physical aggression with their spouses or dating partners....

Not only does the experience of corporal punishment increase aggression through that child’s own lifetime, it is transmitted to the next generation in a cycle of violence.” (8b)

4d) Murray Straus, an acknowledged expert in the connection between corporal punishment and intimate partner violence and co-author of the 2006 study (above) wrote in 2011,

“... research clearly shows that spanking has a serious cost. It tends to weaken the tie between children and parents and increase the probability that the child will hit other children - and the probability that the child, when grown, will hit a dating or marital partner. There is more than 90% agreement on these and other side effects, which have been found in more than 100 studies. There is probably no other aspect of parenting and child behaviour in which results are so consistent”.(8c)

4e) George Holden, a noted expert on parenting, discipline and family violence has commented on the association between corporal punishment and family violence.

In a recent email to me he summarised the research in this way:

“ There is good empirical evidence concerning the complex relations between intimate partner violence and the corporal punishment of children. Three examples will be illustrative.

Perpetrators of IPV are likely to use physical force in their efforts to control others, whether it be adults or children. In other cases, the stress caused being the recipient of IPV results in the partner using corporal punishment on the children. A third example of how the two are related is through childhood experiences of corporal punishment. Parents, by hitting their children in an effort to control them, are modelling how to control other people. In that way, children are socialised into using physical force to control others”. (8d)

5) Other relevant comments and quotes.

a) Rosie Batty, mother of 11 year old Luke Batty, who was killed by his father, Greg Anderson during a cricket training session in the Victorian town of Tyabb in February 2014, said on 6/4/2014 in an online live chat with Ken Lay, former Victorian Police Commissioner.

“We set an example to our children. Physical punishment is never the best option or solution and we should be the role models to demonstrate that it is never ok to hit anybody or anything.”

In another media interview and in her capacity as Australian of the Year, Rosie stated that ,“ Violence is a choice. If you hit a dog, hit a child or hit your partner, it's wrong. (9)

These are powerful statements of her deep personal beliefs but unfortunately they appear not to have not been discussed in the media.

5b) In August last year, child health experts from Australasia’s largest specialist medical college, The Royal Australasian College of Physicians (Paediatric & Child Health Division), issued a Position Statement on the Physical Punishment of Children. It called on governments to ban the use of physical punishment.

It made the following recommendations:

“The RACP believes:

1. Children should not be subject to physical punishment.
2. Parents should be supported to use more effective, non-violent methods of discipline.
3. Communities should help parents to understand better the harmful effects of physical punishment and other violence on children.
4. Legal defences in Australia for the use of corporal punishment should be amended and the law clarified to state that all forms of corporal punishment are unlawful, so the law protects children from assault to the same extent that it does all people”.

In its comprehensive statement and on page 4, the RACP also said under the heading of 'Adverse long-term effects':

"Research is increasingly showing that children who receive physical punishment are at increased risk for a range of adverse outcomes both in childhood and as adults, including mental health problems such as depression and anxiety, aggressive or antisocial behaviour, substance use problems, and abuse of their own children or spouse." Please note the last paragraph. (10a)

The RACP’s position was recently highlighted when Professor Kim Oates, professor of paediatrics at Sydney University and a member of the RACP, repeated his

previous call for law reform in the area of the corporal punishment of children. (10b)

5c) The American Academy of Pediatrics has also published (and this year “reaffirmed” its 1998 publication) a document called “Guidance for Effective Discipline”.

In this very comprehensive document and under the heading “Corporal Punishment” it states,

“ Parents who spank their children are more likely to use other unacceptable forms of corporal punishment. The more children are spanked, the more anger they report as adults, the more likely they are to spank their own children, the more likely they are to approve of hitting a spouse, and the more marital conflict they experience as adults.

Spanking has been associated with higher rates of physical aggression, more substance abuse, and increased risk of crime and violence when used with older children and adolescents.” (11)

5d) In 2009, the UK Royal College of Paediatrics and Child Health, issued a similar position statement on corporal punishment (12) and repeated similar findings. An updated 2013 statement repeated and extended the research findings.

5e) As noted in my opening comments, in 2014 White Ribbon Australia, (the organisation behind the White Ribbon campaign) issued a position statement that stated corporal punishment was a form of violence and that it did not support its use.

It said,

“...evidence suggests that not only is corporal punishment ineffective as a disciplinary measure, but that it may have long term effects on a child’s aggression and antisocial behaviour, as well as links to violence against women later in life.” (13)

The Chair of the Board of White Ribbon Australia has also stated the following in a personal email to me:

“The intention ...(is) to make all our Ambassadors aware of the establishment of the new policy through an article in the next Ambassador Newsletter and secondly, in the near future we intend having all current Ambassadors recommit to the requirements of continuing in their roles (which will include their commitment to certain expectations, including accepting and supporting the various policies of White Ribbon Australia) as a new and annual process.

All newly appointed Ambassadors will be required to make a similar commitment and acknowledge their understanding and support for our policies as part of the admission process". (14)

In other words white Ribbon will not accept men as "ambassadors", who hit or approve of hitting children.

It should also be noted that Michael Kaufman, co-founder of the White Ribbon Campaign does not condone corporal punishment.

In a 1998 article -"Better Fathering Will Help End Violence", he wrote that one practical thing that could be done to help fathers make their kids their a number one priority and to celebrate the capacity of men to care and to nurture, was to have:

"Laws to prohibit the corporal punishment of children. Such punishment teaches children that violence is an acceptable way to express love and to show you care." (15)

Kaufman continues to state his opposition to physical punishment.

5f) Our Watch Campaign.

This anti-domestic violence campaign, was launched on the 5 September 2014 and is an initiative of the Foundation to Prevent Violence Against Women and Their Children. The foundation is an independent, commonwealth funded, not-for-profit organisation, established to drive a nation-wide change in the culture, behaviours and attitudes that underpin and create violence against women and children. (16)

The Chair of its Board of Directors is former Democrat Senator Natasha Stott Despoja AM. So far, it has the support of the Commonwealth, Victorian, Northern Territory and South Australian Governments. Tasmania has recently flagged its intention to join.

On the day of the campaign launch, I wrote to the organisation and asked it to explain its position on the corporal punishment of children. I included a link to White Ribbon's new policy statement and also a statement by Rosie Batty in which she states her opposition to the physical punishment of children. Rosie is involved as one of the campaign's ambassadors.

The response I received on the 10 Sept 2014, was that Our Watch had yet to develop a formal position on the matter, it was seeking direction from its Board of Directors, it anticipated having a public position in due course and it had appreciated the supporting material I had provided.

On the 25th March I was informed by Paul Linossier, Chief Executive Officer of 'Our Watch' in a personal email that "... as previously advised, I have discussed the development of a formal position with our Board and intend to take a proposal to

them this year – it will not be in this quarter (as I had hoped) but it will happen!”

It will be of the utmost importance to the organisation’s credibility that it publishes a policy, similar to that of White Ribbon Australia i.e one that argues against violence in all its forms, including the form of violence known as corporal punishment.

5g) There are often calls for more respectful relationships' education to be taught at school as one means of addressing the culture that supports Domestic and Family Violence. Indeed the theme of building a culture of respect in all schools was contained within three recommendations of the Queensland Premier’s Special Taskforce on Domestic and Family Violence, recommendations 24, 25 and 26. (4)

The recommendations placed an emphasis on:

- » Developing and maintaining respectful relationships
- » Respecting self
- » Gender equality.
- » Recognise domestic and family violence and where to go for help
- » Safely intervene and provide support to victims.
- » Resolve conflict without violence
- » Report fears and concerns safely.

One way to show respect is to ,“Resolve conflict without violence” e.g. not hit another person.

Yet some of the very children being taught this lesson will go home and get hit by their parents in the name of ‘discipline’.

If the child questions this contradiction (between what they are being taught at school and what they see and experience at home), they will then be told by authorities that their parents can legally hit them provided the force used is "reasonable'.

Confusing children doesn't make sense nor does it reinforce the message of non-violence to them!

5h) Australia is a signatory to the UN Convention on the Rights of the Child and the UN Committee on the Rights of the Child has described corporal punishment as a form of “physical violence”, “invariably degrading” and “harmful”. (17)

The Right not to be subject to violence can be found in Article 19 (1) of the Convention.

Moreover, the Committee proposed in 2011, that States should "enact or repeal, as a matter of urgency, their legislation in order to prohibit all forms of violence, however light within the family and in schools, including as a form of discipline, as required by the provisions of the Convention..." (18)

5i) UNICEF -The United Nations Children's Fund- has named six key strategies to eliminate children's exposure to violence: namely supporting parents and families; building the life skills of adolescents to manage risks and challenges leading to violence; challenging attitudes toward violence and discrimination; promoting support services designed for children; implementing policies that support the protection of children; and, collecting data to aid policy planning and delivery.

As UNICEF Executive Director Anthony Lake said,

"Violence begets violence. We know a child experiencing abuse is more likely to see violence as normal, even acceptable and more likely to perpetuate violence against his or her own children in the future." (19)

5j) Finally, it has always perplexed me that little attention is given as to 'why' a child might become an adolescent or adult perpetrator and subsequently, what that might mean in terms of primary prevention strategies.

I have noted earlier that child development is dependent on multiple interrelated factors and a great deal of research effort goes into establishing links or connections between for example, the physical punishment of children and later intimate partner/spousal abuse.

But we have to ask ourselves, what is behind the need for a man or woman to have power over another? What drives a person to exercise coercive control over their partner? Why do some men have vulgar attitudes towards women and a sense of male entitlement? Why are some men so aggressive and angry and why is long term behavioural change so difficult to attain with domestic violence/abuse perpetrators?

Similar searching questions were recently raised in the media. In an article by Jane Gilmore about findings from the NSW Coroner's Court Domestic Violence Death Review Team she wrote:

"How does a man become so terrified by the threat of his partner leaving him that the only solution he can find is to kill her or his children or himself? How do women become so terrified of their partner that they think their only way out is

to kill him? Why is this something that only happens to men? What can we do for the men who feel so powerless that violence is their only option? Because if we do not find a way to help those men, we will never find a way to stop these deaths". (19b)

I would like to draw the Commission's attention to a submission made by Mercurio Cicchini, a Clinical Psychologist, to the current Senate Inquiry into Domestic Violence in Australia.

I have never met him nor have I had any professional contact with him. I did email him about his work.

His submission which is based on a long professional history of working with men and women in the criminal justice system, addresses some of these fundamental questions. (20)

In essence his argument is that " ... an adult's insecurity, emanating from instability of parental care, or abuse in their early years can manifest as a preoccupation with power and control-seeking in later life in the context of domestic or other violence, or impaired life patterns.

In other words, unmet needs from childhood are a primary source of personal and social problems which may manifest as domestic violence."

His recommendations. "...Prevention of domestic violence against women and children can be promoted by Government resources being committed to:

(a) improving the social, economic, political and emotional wellbeing of communities where negative childhood experiences, loss or trauma have been experienced or have a high incidence,

(b) funding of educational programmes about the basic emotional/psychological needs that require to be fulfilled for babies, children and adolescents to develop into healthy and productive adults, and

(c) funding of psychological programmes for both communities and individuals to address the pain from their formative experiences which underpins their emotional suffering and/or their risk to others in the community. "

I would strongly recommend that the Commission read his submission, notes his recommendations and requests that he appear before the Commission and give evidence.

7. Conclusion.

The physical punishment of children is an infringement of their human rights to dignity and respectful treatment and it does not model the behaviour we expect to

see in a respectful relationships.

There is also increasing research evidence (some of which is cited above) that physical punishment not only physically, emotionally and unnecessarily hurts children, but it has a negative effect on positive adult-child relationships, it poses an unjustifiable risk to children's optimal growth and development into adulthood and it can be a contributing factor to later family violence.

Children are our future, and future societies and family members ought not have to suffer any form of violence from others as a result of our current attitudes and unenlightened 'disciplinary' responses to children.

8. References

1) Global Initiative to End All Corporal Punishment of children (2013). Review of research on the effects of corporal punishment working paper.

<http://www.endcorporalpunishment.org/pages/pdfs/Review%20of%20research%20on%20the%20effects%20of%20corporal%20punishment%20April%202013.pdf>

1b) Deeanna M. Button (2008) Social Disadvantage and Family Violence: Neighborhood Effects on Attitudes about Intimate Partner Violence and Corporal Punishment. *Am J Crim Just* (2008) 33:130–147.

2) <http://www.endcorporalpunishment.org/pages/frame.htmls>

.....

3) Bernadette Saunders and Bronwyn Naylor (2012) Parents, it's never okay to hit your kids.

<http://theconversation.com/parents-its-never-okay-to-hit-your-kids-8049>

3b) The Committee on the Rights of the Child

http://www.endcorporalpunishment.org/pages/hrlaw/crc_session.html

.....

4) Not Now, Not Ever. Qld Premier's Special Taskforce on Domestic and Family Violence.

<http://www.qld.gov.au/community/documents/getting-support-health-social-issue/dfv-report-vol-one.pdf>

4b) Tony Abbott admits to smacking his children, rules out ban. Dec 12 2013
Read more: <http://www.theage.com.au/victoria/tony-abbott-admits-to-smacking-his-children-rules-out-ban-20131212-2z7gw.html#ixzz3K3GHB4QB>

4c) Is it time to ban smacking? Life Matters listeners weigh in

<http://australiaplus.com/international/2015-05-26/is-it-time-to-ban-smacking-life-matters-listeners-weigh-in/1451680#sthash.A7EYUvLD.dpuf>

.....

5) Australian Institute of Family Studies. Corporal Punishment: Key Issues. March 2014

<https://aifs.gov.au/cfca/publications/corporal-punishment-key-issues>

6) Ferguson, C.J. (2013). Spanking, corporal punishment and negative long-term outcomes: A meta-analytic review of longitudinal studies. *Clinical Psychology Review*, 33, 196-208.

Note: Elizabeth Gershoff (point 8b below) disagrees with Ferguson's conclusion. She is preparing a rebuttal but as yet it is unpublished. Source: Personal email received by me on 24 May 2015.

7) Emily M. Douglas ; Murray A. Straus (2006) Assault and Injury of Dating Partners by University Students in 19 Countries and Its Relation to Corporal Punishment Experienced as a Child. *European Journal of Criminology* Volume:3 Issue:3 Pages: 293 to 318

<https://www.ncjrs.gov/App/Publications/abstract.aspx?ID=236494>

.....

8a) Alicia D. Cast, David Schweingruber (2006) Childhood Physical Punishment and Problem Solving in Marriage. *Journal of Interpersonal Violence* ,Volume 21 Number 2, February 2006 244-261

<https://www.yumpu.com/en/document/view/6973822/childhood-physical-punishment-and- problem-solving-in-marriage>

8b) "More Harm Than Good: A Summary of Scientific Research on the Intended and Unintended Effects of Corporal Punishment on Children"

<http://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1565&context=lcp>

8c) Murray Straus (2011) Make spanking kids illegal: Corporal punishment leads to problems later in life.

<http://www.naasca.org/2011-Articles/062411-Spanking-DisciplineOrAbuse.htm>

8d) George Holden. Personal email, dated 28 May 2015.

<http://www.smu.edu/News/Experts/George-Holden>

.....

9) Rosie Batty interviewed by Alexandra Kirk

<http://www.abc.net.au/am/content/2015/s4168132.htm>

.....

10a) The Position statement, parenting brochure and media release can be found here.

<https://www.racp.edu.au/page/news/announcement&announcementid=C759934E-0697-4122-A9B5B5FECDB56BAC>

10b) Is it time to ban smacking?

<http://www.abc.net.au/radionational/programs/lifematters/is-it-time-to-ban-smacking/6497130>

Doctors call for smacking ban

<http://www.abc.net.au/am/content/2013/s3811441.htm>

.....

11) The American Academy of Pediatrics . Guidance for Effective Discipline”.

<http://pediatrics.aappublications.org/content/101/4/723.full.html>

12) UK Royal College of Paediatrics and Child Health. Position Statement on Corporal Punishment.

http://www.rcpch.ac.uk/sites/default/files/asset_library/Policy%20and%20Standards/Policy%20Documents/Corporal%20Punishment%20Policy%20Nov09.pdf

13) White Ribbon Policy. The issue of corporal punishment of children and men’s violence against women in Australia.

http://www.whiteribbon.org.au/uploads/media/Research_series/WR_Policy_Corporal_Punishment.pdf

14) Correspondence from the Chair of White Ribbon Australia, John Rosewarne, to myself, dated 9/9/14.

15) Michael Kaufman (1998) Better Fathering Will Help End Violence"

<http://www.michaelkaufman.com/1998/better-fathering-will-help-end-violence-2/>

16) <http://www.ourwatch.org.au>

17) UN Committee on the Rights of the Child. General comment No. 13 (2011) The right of the child to freedom from all forms of violence.

http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.GC.13_en.pdf

18) Report on the seventh session, CRC/C/34, 8 November 1994, page 63, and CRC/C/ SR.166, 3 October 1994, para 13)

http://www.endcorporalpunishment.org/pages/hrlaw/crc_session.html

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19) UNICEF releases first global report on hidden violence against children - See more at: <http://www.unicef.org.au/Media/Media-Releases/2014-9--September/UNICEF-releases-first-global-report-on-hidden-viol.aspx#sthash.V6kKQGr0.09x30IRE.dpuf>

19b) What the Coroner's Court report reveals about domestic violence.

<http://www.dailylife.com.au/news-and-views/dl-opinion/what-the-coroners-court-report-reveals-about-domestic-violence-20150517-gh3qhj.html>

.....

20) Mercurio Cicchini's submission is No. 144 in the list of submissions below.

http://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Finance_and_Public_Administration/Domestic_Violence/Submissions

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Appendix:

1. Poem. "It happens Everywhere"

1) Introduction

The terms of reference invite the Royal Commission to consider the needs and experiences of a number of groups in our society- "...children, older people, Aboriginal and Torres Strait Islander peoples, culturally and linguistically diverse communities, gay, lesbian, bisexual, transgender and intersex communities, regional and rural communities, and people with disabilities and complex needs. (1)

However, there is one group of people, whose victims remain silent, whose presence is out of the public eye and whom are generally not understood. This group has no advocates, no service providers and no support groups and due to the perpetrator's occupation, it is extremely difficult to find victims who are willing to talk about their experiences.

They are the partners and children of abusive police officers.

The 2014 VicPol Code of Practice states that the Police have three main functions in responding to family violence:

1) Maximise the safety and support to those involved

2) Identify and investigate incidents of family violence and prosecute persons accused of criminal offences arising from family violence

3) Assist in the prevention and deterrence of family violence in the community by responding to family violence appropriately. (2)

If these functions are to be fulfilled, the special concerns of victims of police officer domestic violence (PODA) require increased sensitivity by VicPol to their particular circumstances.

There are two underlying reasons for my submission.

1) Officers who engage in domestic violence/abuse -what I have coined Police Officer Domestic Abuse or PODA- undermine the public trust in the police and therefore undermine the job of all police officers in preventing and responding to domestic violence.

2) The manner in which police organisations deal with their perpetrators and victims should not be 'in-house' or hidden from the public as currently occurs. I am calling for the police to be not only, more open and transparent about their processes but model best practice within their own ranks. This will give other victims added confidence that they too, will be taken seriously if they seek protection.

We don't condone a police officer stealing a car before and after work. We don't condone an officer drink driving or having a 'line' of cocaine at any time. So why are we not concerned about a police officer abusing their partner or children before or after work? PODA needs to be treated the same as any other crime because that is what it is, a crime and because police families deserve the same right to protection under the law as any other family in our society.

2) Recommendations

1. The Victorian police force post on its official website its current policies and procedures to do with police officer domestic abuse or (police) officer involved domestic violence. This is to ensure:

a) that police officers are held accountable by the public when they are are accused of family or domestic violence.

b) family members/significant others know about VicPol's policies and procedures.

2. In order to be proactive VicPol should, in conjunction with all other Australian police organisations, formulate a comprehensive, transparent, stand-alone policy on PODA with built in accountability measures that can be used across Australia.

3. Due to the lack or inaccessibility of, any useful data on the incidence of PODA, and the apparent political and organisational indifference to the vulnerabilities and needs of its victims, there is an urgent need for national data collection.

This initiative would hopefully see the establishment of a central police data collection agency to monitor progress and implement strategies aimed at preventing further incidents of PODA across Australia and accessible to the public.

4. Any statistics on the perpetrators of domestic violence should include the perpetrators profession. This will hopefully:

a) raise awareness in the community of domestic and family violence

b) lead to further research on the relationship between work stress and violence

c) encourage proactive intervention strategies by the relevant authorities and employers.

5. Vic Pol states that on its website and under the heading "Behavioural Interviews," "The premise for behavioural interviews is that past performance is the best predictor of future performance". (3)

Therefore, applicants for police training should be prepared to have their past and present partners interviewed to determine whether the he/she has had or is currently showing any sign of being controlling, intimidating, possessive or violent.

3) What is Officer Involved Domestic Violence/Police Officer Domestic Abuse or what I have coined Police Officer Domestic Abuse or PODA,

“Officer Involved Domestic Violence” or OIDV, is actually a North American term used in the literature to describe any “... reported, confirmed, and/or prosecuted incident of domestic violence wherein a sworn police officer is the suspected offender.” (4)

The term is not used in Australia or New Zealand nor among police forces in the UK. There is no mention of OIDV in Australia’s National Research Organisation for Women’s Safety (ANROWS) database. (5) Nor is there any research in the the New Zealand Family Violence Clearinghouse on this issue. (6)

In the United Kingdom policy statements have titles such as,

Domestic Abuse by Police Officers;

Police and Police Staff as Perpetrators of Domestic Abuse;

Police Officers,

Special constables and Police staff who are Victims/Suspected of Domestic Abuse

Domestic Abuse Involving Police Employees.

In Northern Ireland their policy is called “ Domestic Incidents Involving Police Officers and Police Staff”.

4) How do we know it exists?

PODA is known to exist among police organisations and unions, domestic violence support agencies, the medical establishment and sections of the media. It is just not mentioned by the police or their political masters in public.

Every police organisation has its own internal procedures (however incomplete or inadequate) to deal with it.

For example, VicPol’s Code of Practice at point 2.5.8 says under the heading “Police Employees and Family Violence,”

“The police response to a family violence incident involving a police employee is the same as the response for any other family violence incident.

Responding police must conduct a thorough investigation to identify any criminal offences and pursue, where appropriate, criminal and/or civil options, and in all cases provide appropriate referrals. Regardless of whatever action is taken, the safety and welfare of the AFM (affected family member) is paramount, and the primary aggressor should be identified.

In addition to this, responding police *must also notify a supervisor* who must attend. This action is to remove any perceived conflict of interest or feelings of guilt on behalf of the responding police and in order to maintain the integrity and professional standards of

Victoria Police.

There are further reporting requirements outlined in the Victoria Police Manual for Victoria Police employees serving an FVIO (Family Violence Intervention Order) on another employee and for an employee being served with a FVIO.” (2)

Implicit within this statement is recognition of the difficulty some officers may have in prosecuting a colleague involved in domestic violence, especially one who is of a higher rank. I am not aware of any other Australian Police organisation that makes a supervisor's attendance compulsory.

We also know of PODA's existence due to international research especially American research (see later), media reports and the practices of support agencies.

5) PODA in the media.

Domestic abuse incidents are not regularly reported or commented upon by the Australian media. This is in part due to the Commonwealth Family Law Act or similar state/territory legislation which makes it an offence to publish proceedings that identify persons involved in family and domestic violence. However, some examples of media reports across Australia about police officers involved in domestic violence incidents can be read about in the media. (7)

However, PODA incidents are always treated as isolated events, rather than part of a systemic problem. That is, the issue is not treated in a way that would explain how police culture creates an atmosphere in which abuse flourishes.

6) What could cause PODA?

In her 2014 article, Diana Wetendorf noted that while the stress of a job or an upbringing in a violent home could well be some of the factors involved in an officer becoming violent,

“...the majority of (PODA) victims tell me that their abusers did not grow up in abusive homes. These victims witnessed a change in their intimate partners as they internalised the tactics of power and control from their professional training and their immersion in the police culture.

Indeed, many of the characteristics required to be a police officer, such as the ability to take control of situations and people, the ability to exercise authority, and the willingness to use violence to gain compliance are the identifying characteristics of a batterer”. (8)

7) DV support agencies.

As part of my research I contacted DVConnect. This organisation is based in Queensland and is a 24/7 telephone service for anyone affected by domestic or family violence. The Victorian equivalent would be 1800RESPECT.

DVConnect, like other front-line services in other states and territories is aware of the existence and ramification of police officer domestic abuse (PODA) on its victims.

A spokesperson for the organisation told me as a consequence of PODA, their telephone operators "...always ask women if they know anyone in the police force and then would make sure we don't involve the police in our planning around her escape..."

I was also told " ...depending on the level of risk to the person from the perpetrator they would, as with any other victim in similar circumstances ".. consider sending her to a high security refuge or a refuge out of the area/interstate." (9)

8) So what's the difference between PODA victims and police perpetrators and other victims and perpetrators of domestic abuse?

Victims of police officer domestic abuse can be distinguished from other domestic violence victims because they must, in order to have any chance of police protection, seek help from the very organisation the perpetrator belongs to i.e. the police.

If there is no contact there can be no police protection.

We must also accept that some police, should they choose to offend, will be 'very able' perpetrators of domestic violence. No other profession has the knowledge, skills, expertise, experience and the connections, to avoid arrest and prosecution by the police as do the police. They have been trained to, and have ample experience in, intimidating and exercising power and if necessary, coercive control over others – all factors at the core of domestic violence. (10)

As Tony Fitzgerald stated, " Skilled police are acutely conscious of how laws can be circumvented or broken without penalty. The better they are at their job, the more they learn. .." (11)

Hence a victim of a PODA could well ask:

How can they protect themselves and their children if they can't trust the police enough to report the violence?

Will they be believed?

Will the police do anything or will they just look after their own?

Are the attending officers abusers themselves?

Are the investigating officers from the same police station as the abuser?

Where can they hide, be safe and heal if the perpetrator knows where all the refuges are?

Where can they go if they are a male victim of a female police officer?

What if I work with my police partner?

And what of those female victims of PODA in rural and remote communities, where there is only one or two police officer stations and no support for hundreds of kilometres?

Betty Taylor, a leading Queensland domestic violence advocate who specialises in domestic violence training, prevention and intervention said it was hard for victims of police domestic violence to come forward.

" The area ... is a dark secret still..Over the years I have supported women who have left abusive partners who were police officers... It is hard for them...as they rely on police to protect them but the police service often protects their abusers...While the media are keen to interview survivors of abuse, they often don't realise how hard and often unsafe this is for

survivors to do this...It has taken a long time to expose the abuse and sexual assault within the Defence Services and even now it is hard for victims to come forward. I believe it is the same with the police. Their partners are very reluctant to seek assistance for fear of reprisal...there is a cone of silence over the issue...." (12)

9) What are some likely repercussions for speaking out?

First, the victim may not be taken seriously. Denial and disbelief by others that a police officer could do such a thing and the minimising and invalidation of their experiences are often present.

Speaking out against a fellow officer is likely to risk retaliation, isolation and scorn. However wrong it is, the 'old' police culture with its misplaced emphasis on defensive solidarity, silence and blind loyalty, may well come into play. Fear for their own and their families safety, is very real.

Until senior police and politicians speak out against PODA and there are a specific public policies in place to manage it, a reluctance to report will remain.

Certainly, ignoring the issue is not what Police Leaders in the United Kingdom are doing.

A very recent 2014 report into the general response of all 43 regional police forces in England and Wales to victims of domestic violence, conducted by Her Majesty's Inspectorate of Constabulary for England and Wales (HMIC) stated on page 35:

" Police officers can also be both victims and perpetrators of domestic abuse. Although not a major focus of this inspection, it is an uncomfortable fact that cannot be ignored. Some of the victims we spoke to in our focus groups had been in abusive relationships with police officers.

They described their utter lack of confidence in the police response and fear that the service would "look after its own". It is vital for public confidence that those police officers who are perpetrators of domestic abuse are brought to justice. Forces should also have consistent and robust disciplinary policies to deal with this issue." (13)

I have recently written (under their Freedom of Information Act) to every one of the 43 Police Forces in the UK. Of these, over half have a specific stand-alone policy on PODA. VicPol could also collect these policies if they asked, at no charge and with little delay.

10) Prevalence of Police Officer Domestic Abuse.

It is generally accepted that the best way to treat a problem is to admit the problem exists, where possible gather relevant data and then act accordingly. Without statistics you can't know how common a problem is, who is most likely to be involved, what factors may be contributing to the problem and what strategies can be put in place to address these factors.

Unfortunately, there is no available data in Australia.

Most research on OIDV/PODA has been completed in the USA and the UK where it has been publicly acknowledged and discussed for over a decade or more. In both countries there was a widely publicised incident where police officers killed family members and then themselves. These incidents galvanised the public into demanding something be done about it. (14) (15)

US research into OIDV/PODA began in the mid to late nineties and some early American research indicated that domestic violence was 2-4 times more likely in the families of police officers than in the general population. (16) However, those studies had critical methodological flaws that made those estimates highly suspect but that has not stopped the American media continually quoting these statistics.

More recent American research published in 2009, has shown that American police officers may perpetrate domestic violence at a higher rate than the general population, 28% versus 16%, respectively. (17)

Other estimates have been given over the years and each has shown the prevalence to be higher than the general population, however, definitive statements cannot be made, as there are no comprehensive statistics available, no American government entity collects national data and potentially higher rates of abuse might be offset by lower rates of reporting by fellow police officers.

The situation in Canada is also poor. There are no statistics on OIDV/PODA, though some police forces report the number of disciplinary incidents by staff involving domestic assault, harassment or threats.

For example, the Royal Canadian Mounted Police disciplinary reports contain some information on domestic assaults. However, what's available online is just for the most recent two years and isn't credible as the numbers are several times lower than the rate of domestic violence for the Canadian population, much less the much higher rate for police officers found in American research. (18)

This lack of reliable, comprehensive empirical data is also missing in the UK and throughout Europe. (19)

Nevertheless, if similar American statistics were replicated in Australia-and note they would only represent those domestic incidences that are known to have occurred -it would be a cause of great concern, not only for the future partners of police officers but because of the increased risk to the children involved.

11) My FOI request to VicPol for data.

Last year, I put in a Right To Information request to the Queensland Police Service (QPS) about the incidence of PODA. While no data was available, information provided to me, clearly indicated that domestic abuse is still perceived by the QPS to be essentially a private family matter. Furthermore, unless the abuse impacted on the capacity of an officer to do their job or adversely impacted on the public perception of the service, the QPS would not get involved.

Incidentally, at the time of submitting an RTI request to the QPS, a similar RTI application was made to the Qld Department of Justice and Attorney-General for statistical data on the number of Custodial Correction Officers who had been respondents to domestic violence orders. However the Department replied that it would not be able to provide any reliable information.

What of VicPol?

According to the 2013-2014 Victorian Police annual report there were 431.0 family violence related crimes against the person per 100,000 population. Victoria Police attended 65,393 family violence incidents in 2013-14 and applied for 17,101 family violence intervention orders in 2013-14. (20)

Currently, I am in the second round of a legislated 45 day cycle, while I wait for a FOI request from VicPol to be finalised (FREEDOM OF INFORMATION ACT 1982 - SECT 21+ 22(5))

Information relevant to my request is apparently available.

My FOI request was received on 27 March 2015.

I requested:

“a) The number of police members who were respondents to a Family Violence Intervention Order for each of the last 5 years. By rank and sex if possible.

b) The number of Police officers who were in breach of a Family Violence Intervention Order for each of the last 5 years. By sex and rank if possible”.

(A Respondent is defined in s.4 of the FVPA and means the person against whom an application for an intervention order has been made, an intervention order has been made against or a family violence safety notice has been issued).

On the 14/May, 48 days later (calculated 27 March-14 May) I called the FOI of the Business Services Department (Freedom of Information) for a progress report.

I was informed that a letter had already been sent to me on the 11 May (the 45th day as per legislation) requesting a deposit of \$25 as the costs of processing my request was estimated to be between \$50-100. I was also told that upon receipt, another 45 day block would begin again. So I could be waiting a minimum of 90 days for my request.

If I receive the data in time for my submission on or before the 29 May, it will be the first time statistics on PODA have been published in Australia. Unfortunately, even if they are released, I do not expect them to be reliable because of the very real problem of under reporting that occurs with victims of Domestic Violence and especially so with victims of PODA. Nevertheless, a bench mark will have been set for future comparisons.

Statistics on PODA need to be more accessible and free for public consumption.

12) Police Culture.

Another important point to note in trying to understand PODA, is the part played by the ‘police culture’.

VicPol is a large, complex, para-military organisation, almost totally unionised and male dominated organisation especially in the ranks above sergeant. Approximately 36 per cent of the Victoria Police workforce is aged between 45 and 64.

The 2013- 2014 Victorian Police Annual Report reveals the proportion of male to female sworn officers was approximately 75% male to 25% female but the percentage of female sworn officers above the rank of sergeant was only 13.4%. (2955 male to 397 female officers) (20)

In Queensland, the 2014 figures were similar to that of Victoria with 74% male to 26% female (21) and again, very heavily weighed towards males in the ranks of sergeant and above.

In 2014 the NSW Police Force had a ratio of male to female sworn personnel of approximately 73% male to 27% of sworn personnel. (21b)

VicPol also has its own internal police culture with its emphasis on police loyalty, teamwork, defensive solidarity, conformity and obedience to authority.

As Christine Nixon, former Victorian Police Commissioner wrote on p 137-138 in her book "Fair Cop",

" Police culture is strong, as it must be, to provide unity of purpose and courage in difficult times. And it is inherently steadfast and unquestioning, a by-product of its military foundations...The nature of policing requires teamwork, trust and solidarity. These attributes breed loyalty. But 'misplaced loyalty that tries to protect police who have acted outside the law betrays the majority ..who work conscientiously to uphold the law"...I cautioned there was nothing to cherish in a 'brotherhood' that undermined organisational values, excluded people who did not fit the mould or closed ranks to ward of scrutiny or to conceal corrupt practices." (22)

Any researcher into PODA cannot ignore what the police culture might mean with regards to the police professionally and ethically investigating their own as the temptation to protect a fellow cop could be too great. Hence, policy that addresses these situations can't leave anything to the discretion of a fellow officer.

An example of the difficulty some police will find when prosecuting a fellow officer, especially a more senior one, can be seen in a part transcript describing an encounter between a couple of Brisbane general duties officers who had pulled up a Detective Senior Sergeant for a suspected traffic violation. It reads,

"Constable: "Senior, we'd rather not be doing this as you well know, but it is what it is and..."

Sergeant Tolsher: "You don't have to do it, you don't have to do it."

Constable: "Mate, we do have to do it, we do."

Sergeant Tolsher: "You don't have to do it." Constable: "We do."

Sergeant Tolsher: "You and I know we don't."

Queensland Civil and Administrative Tribunal senior member Kerrie O'Callaghan said the negative effect on the junior officers was clear in their interviews.

"I felt sick knowing we had pulled over a police officer," said one. "It made me feel like I was doing the wrong thing because he was a Detective Senior Sergeant and I'm only a Constable," said the other". (23)

A similar account is mentioned in the book "Jack Knife" when the author, a Senior Constable in the NSW police service, was pulled over for a Random Breath Test. He knew he would fail the test and that there was a good chance he would know the police who were going to breath test him.

He writes, " ..even though I was affected by alcohol I had already decided that despite the fact I may or may not know the police...I would not allow them to treat me any differently to anyone else simply because I was a police officer..one of the police officers approached my car...I got my police ID out with my licence, immediately I said to him "Mate, I'm on the job, and I have no doubt I am going to go over".

The look on his face was shock as he froze in his tracks. As it turned out the poor guy was

only fresh out of the academy... I know the boys felt terrible in having been placed in this position some of who I knew... but none the less I ..was the one responsible.." (24)

Unlike the previous example, this officer took responsibility but the potential conflict of interest is obvious.

13) History of OIDV/PODA in the USA and UK

In 2003, the US based International Association of Chiefs of Police (IACP), the world's largest organisation of police officials, issued an up-date of an 1999 stand-alone national model policy on OIDV to ensure consistent and effective responses to the commission of domestic violence. (25)

The IACP recognised OIDV as an issue of profound importance and one that demanded a definitive response.

The updated policy emphasised five main areas that needed to be addressed:

prevention

education and training

early warning and intervention

incident response protocols

victim safety and protection

post-incident administrative and criminal case actions.

However the document did caution that no "model" policy could meet the needs of any given law enforcement agency and that each agency would need to tailor its policies to ensure compliance with all laws, regulations and agreements.

Although some progress has been made in implementing the updated ICAP model policy, some ten years later and as of last year, only 4 of the 50 American states had a stand-alone, comprehensive policy for officer-involved domestic violence: Florida, New Jersey, North Dakota and Washington. Some states referred to sections of the model policy or had it as an appendix of the state's civilian domestic violence policy. But most American states had no domestic violence policy at all. (26)

Reasons have been put forward to explain this slow progress, including :

- a) attempts to minimise the issue by defining it as a domestic or family problem which has nothing to do with the law or the police,
- b) there were no in-built accountability mechanisms within the policy document,
- c) it is 'expected' police abusers will self report and this is highly unlikely
- d) the police culture still reflects outdated notions about DV, leading officers to protect their own.
- e) while there are advantages of greater collaborative relationship between local police departments and domestic violence agencies, the close working relationship could blur professional and personal boundaries resulting in the corruption or compromise of the advocates role thereby leaving victims of PODA nowhere to turn for help or help. (27)

All salient points for Australian policy makers to note.

American advocate and author specialising in OIVD, Diane Wetendorf, earlier this year expressed her frustration of the situation in the USA when she said,

“ The lack of progress we have made in confronting police-perpetrated domestic violence is shameful. Collectively, police administrators and officers, prosecutors, advocates, and the public continue to turn our backs on police victims. Are we afraid to acknowledge that law enforcement’s response to domestic violence in their *own* family reveals their genuine attitudes and beliefs about domestic violence in *any* family?” (28)

Across the Atlantic and in the UK, PODA has been addressed by the Association of Chief Police Officers of England, Wales and Northern Ireland (ACPO). The Association is an independent, professionally led strategic body that brings together the expertise and experience of chief police officers from the United Kingdom and Ireland and provides a professional forum to share ideas and best practice, coordinate resources and help deliver effective policing. (29)

ACPO has publicly published two stand-alone documents. Both documents encouraged the Chief Police Officers to consider the application of the aims and principles of the policies to all police officers and staff as appropriate.

The first document published was the 2004 policy relating to Police Officers who Commit Domestic Violence-Related Criminal Offences. (30)

It is interesting to note that the policy clearly stated that Police officers who commit domestic violence-related offences should not be seen or treated as distinct from any other perpetrator and should be investigated and held accountable through the Criminal Justice System in the same way as any other person.

The role of those who might take primary intervention or evidence collection roles was emphasised. A number of regional police forces across the UK have incorporated this guidance into their own procedures or the guidance ‘sits’ beside their own policy and is to be read in conjunction with their policy.

The other 2008 document was for police officers, police staff and partners or family members of officers and staff who were victims of domestic abuse-related criminal offences and non-criminal incidents. This policy was called Guidance for Police officers and Staff as Victims of Domestic Abuse. (31)

However these model policies are now considered to be outdated primarily because the police misconduct system underwent a fundamental review in 2008 which led to the Police (Conduct) Regulations 2008, later superseded by the Police (Conduct) Regulations 2012. Further information on this decision can be read in the Reference Section. (32)

Neither VicPol or any other police organisation in Australia has a policy even remotely equivalent to these former model policies.

14) Why is PODA considered such a sensitive issue by police organisations?

I have already been told by the FOI section of VicPol that as the information I sought “... is quite sensitive in nature, any document provided to this office when created will require to be circulated throughout the organisation for Victoria Police Command to respond to any concerns they may have with releasing the information.”

I believe this is because the image of an officer abusing others in their home is just not congruent with the public image the police want to reveal of its members. Indeed

The bedrock of police authority is the community's trust and confidence in its ability to enforce the law in a fair and impartial manner and for its members not to be seen to be above the law.

As former NSW Police Commissioner, Peter Ryan said "... at the end of the day, policing only happens by consensus. Police can only police because people allow them to...(if people feel alienated from the police, and resent their authority, then policing goes out the window. They can't do their jobs any more.." (33)

Christine Nixon, also a former Victorian Police Commissioner in echoed Ryan's statements when she said in her book, Fair Cop "...police must not lose connection to community or they lose the bedrock of their authority; trust." (22)

15) Police life

Despite the stressors police face they are not above the law and their families have every right to be protected from an officer if he/she is unable to adapt or manage their stress, anger, cynicism and frustration. There is no excuse for abuse.

No one would doubt that being a police officer, especially a general duties or frontline officer, can be a very stressful occupation. Attendance at violent domestic disputes and traffic accidents, confronting the mentally ill or emotionally damaged individuals, dealing with irresponsible or just plain nasty individuals who might spit, hit, slap, bite, kick or punch them are possible daily occurrences.

Add to those pressures shift work and a restricted social and family life, a heavy workload or a large volume of paperwork, attending a situation involving risk or physical injury, searching a building for a suspect, or attending a death scene or informing loved ones of the injury or death of a family member or child, can all take toll on a officer, especially a young one with limited life experience and skills.

Thus and not surprisingly, given the high levels of personal responsibility for the welfare of others and the potential exposure to dangerous situations and/or aggressive or abusive people that can occur at any time, some police become authoritarian, suspicious, insensitive, wary of others, hyper-vigilant and sceptical of whatever is said to them by both 'victims' and 'witnesses.

Ultimately, some officers will break-down or suffer in silence with PTSD or other mental illnesses. Others will self-medicate with alcohol unable or unwilling to let it be known they are not coping.

A 2012 US study, found that police officers with PTSD are 4 times more likely to be involved in DV and dependent drinkers, 8 times more likely. (34)

In a message to recruits from the Senior Human Services Officer of the Queensland Police Service in the July 2013 Version 1.7 of the Introduction to Policing booklet, he echoes the above and says,

...there are some things you can do to build your psychological fitness and maintain your emotional stability... maintain good supportive relationships with close family members, friends and others, especially outside the service... to alleviate the negative impact of adverse experiences....Be mindful of how you think about stressful situations or crises.

Having the ability to reframe ... be conscious of what you are thinking in any given situation and you may find you can change the outcome.... Being able to accept circumstances that cannot be changed can help you to focus on what can be controlled by you, and thereby improve your coping ability...Also, learning how to take decisive action in adverse situations, so you don't avoid or detach completely from problems or stressors. Problems don't go away just because you wish they would." (35)

A further insight into the stresses and consequences of being a cop can be found in the quote below by Ian Levers, himself a QPS sergeant and current President of the Queensland Police Union. He said in an article called "R U OK?" in the Queensland Police Union Journal, May 2014 Pg 4.

" On a personal note, we need to continue to ensure we look after the ones we care about most: our families and friends. Mates and family are the most important part of our lives, and that is certainly true in policing.

As we all know, unlike other jobs, we can't go home at the end of the day and talk to our partners and children about our day. It's either too confidential, or too confronting to discuss with loved ones, so we bottle it up. ... We all need to remember just how tough a job we do as police. Unlike any other area of the government, we face intense scrutiny every day and live under the ever-increasing spectre of oversight bodies.

Not to sound soppy, but with all the 'big picture' things we have on in our work lives, we may forget to talk to and with our friends more often than we should. Let us not be 'too big' or 'too proud' to either ask one of our friends and colleagues if they are ok, or if you are doing it tough, to give us a call at the Union. We will keep it highly confidential, and we can put you in touch with people who can provide you with assistance if you would like that. Maybe you might just like to have a cuppa and a chat with someone. We can do that, too".

Good advice but the expectation of a cop's colleagues is for the officer to be 'on the ball,' otherwise he/she is a liability and a threat to all concerned. From an organisation's perspective, while it recognises the stress that officers encounter in their general duties and that they can encounter at home due to the disruption shift work has on family life and relationships etc, any stress should not be allowed to affect an officer's role or performance.

This seemingly narrow perspective can have dire consequences as we can see below.

An example of the stark reality many police face and the personal consequences that arise out of their day to day reality, was recently revealed when ABC Radio presenter Rob Mailer interviewed Glen Loutilt, a police chaplain based in Rockhampton on Police Remembrance Day, 29 Sept 2014.

Glen Loutilt made a comment that he was fairly confident that many police would not talk to their superiors about things that were troubling or upsetting them for fear of it being used against them. Instead a confidential chat with a police chaplain, who was outside the system, was seen, he said, as a safe alternative.

It appears that culture of retribution for perceived "weakness" is still alive and well.

However, when the interviewer asked Glen about how police deal with the horrendous things they see, day after day. He replied and I quote,

"I guess the police have their own way of dealing with that ...It's a hard one for me to

answer because I don't want to say something I shouldn't say ...because I see the way police officers deal with it sometimes ..that's what the police do...I'll keep that one in house if you don't mind."

I believe Glen was referring to the abuse of alcohol by officers. Cops are big drinkers and alcohol is used to suppress feelings and to forget.

Clearly, there is still a long way to go in assisting the police to manage the stresses of their job in a more healthy manner and provide the necessary organisational support.

I sent a copy of the interview to Belinda Neil, author of the book "Under Siege" which gives a graphic account of how constant high level stress took a toll on a her, a highly trained and experienced police officer. She like many other officers ended up with Post Traumatic Stress Disorder.

She replied on her Facebook page on 10 November 2014 and said:

"...I have to say it still frustrates me that the same issues I dealt with 10 years ago are still occurring today, i.e. the stigma and perceived 'weakness'. This attitude must change if we are to be serious about early intervention and helping someone before they hit a crisis point... I believe Glen was most probably referring to police self medicating with alcohol, perhaps withdrawing from family and friends in the process. In the NSW Police, programs have come into effect concerning alcohol and its effects, however, there are no programs or simply not enough education given on the effects of constant exposure to trauma, how to deal with it effectively, and early intervention. I think too much is spent on reacting to problems rather than being proactive and addressing issues prior to them happening."

There is a Facebook group known as the Forgotten 300 and it is for former NSW police officers who are suffering various injuries and conditions and the family victims dealing with Police suicide. Last year, on the 3 August, it posted a note from David Bentley, President Medically Retired Western Australian Police Officers Assn. Inc, who stated:

"There is an entrenched culture of silent suffering by officers who are :

- a) too afraid to seek support and treatment for fear of jeopardising their future careers,
- b) being branded as "weak" by senior members whose only concern is having sufficient staff available to maintain their key performance targets and
- c) being made to feel that their illness is their fault rather than something which has happened to them as a consequence of their profession.

Consequently depression and post traumatic stress disorder lead to eventually psychological breakdowns and these officers are then quietly forcibly retired with no prospect of employment or ongoing support. It is a reality which will only increase exponentially as the "thin blue line" gets thinner and more overworked. The wives, partners and families of every police officer need to ask themselves the question "who will take care of us when our main income earner is too sick to work, loses their job and has no prospect of employment?..." (36)

16 Conclusion

The Victorian Police Force says it is committed to progressively improving its response to Family Violence as it is an insidious part of the community with long lasting impacts on

victims, including children.

However, some victims of family and domestic violence are to be found within the Police 'family' itself and it is likely that some police officers become perpetrators, in part, because of the nature of their job.

"Police officers are trained how to intimidate and interrogate suspects, conduct surveillance, find people who don't want to be found, and use force without causing serious injury — all valuable and important skills when used to protect the public. But when used against an intimate partner, such efforts can be devastating." (37)

Vic Pol has the opportunity to continue to lead other Australian Police Organisations in its response to this form of violence by being both open and transparent with regards to the abuse perpetrated on police families by its own members.

VicPol is a male-dominated profession but that does not mean it cannot have a heart and reach out to the families of its members who are in need of support.

I trust my background research in this area will bring some public awareness, much needed attention to PODA victims and change within VicPol.

17 References

1) Issues Paper – Royal Commission into Family Violence, page 11.

<http://www.rcfv.com.au/MediaLibraries/RCFamilyViolence/UploadedDocs/RCFV-Issues-Paper.pdf>

.....

2) CODE OF PRACTICE FOR THE INVESTIGATION OF FAMILY VIOLENCE Edition 3 V2 2014 page 15, 2.5.8 Police employees and family violence VicPOL Code of Practice.

http://www.police.vic.gov.au/content.asp?a=internetBridgingPage&Media_ID=464

The manual can be acquired by the public at a cost.

http://www.police.vic.gov.au/content.asp?a=internetBridgingPage&Media_ID=90679

.....

3) Recruitment Process Explained.

<https://www.policecareer.vic.gov.au/websites/victoriapolice/userdocuments/Behavioural%20Interview%20Tips.pdf>

.....

4) IACP Discussion Paper on Domestic Violence by Police Officers.

<http://www.theiacp.org/Portals/0/pdfs/IACP%20DV%20by%20Police%20Policy%202003-%20Discussion%20Paper.pdf>

.....

5) <http://www.anrows.org.au/resources/networking-database>

.....

6) The New Zealand Family Violence Clearinghouse

www.nzfvc.org.nz

.....

(7) Police officer charged over alleged domestic violence incidents. Aug 24/2012

<http://www.theherald.com.au/story/269772/police-officer-charged-over-alleged-domestic-violence-incident/>

.....

Policeman Paul John Rasmussen in court on rape and assault charges Mar 18/2014

<http://www.dailytelegraph.com.au/news/nsw/policeman-paul-john-rasmussen-in-court-on-rape-and-domestic-assault-charges/story-fni0cx12-1226857977682>

.....

Police officer faces domestic violence charges 12 Dec 2013

<http://www.abc.net.au/news/2013-12-12/police-officer-faces-domestic-violence-charges/5151826>

.....

Police officer stood down.

<http://mypolice.qld.gov.au/blog/2014/08/21/police-officer-stood-brisbane-region-3/>

.....

NSW cop charged over domestic violence

<http://www.theaustralian.com.au/news/latest-news/nsw-cop-charged-over-domestic-violence/story-fn3dxiwe-1227293403443>

.....

Victoria Police male constable charged with stalking female colleague

<http://www.theage.com.au/victoria/victoria-police-male-constable-charged-with-stalking-female-colleague-20141117-11odgj.html>

.....

NSW officer charged over domestic incident

<http://www.couriermail.com.au/news/breaking-news/nsw-officer-charged-over-domestic-incident/story-fnihsfrf-1227321395353>

.....

Investigation into policeman accused of domestic violence

<http://www.heraldsun.com.au/news/law-order/investigation-into-policeman-accused-of-domestic-violence/story-fni0fee2-1227191848632>

.....

8) Police-Perpetrated Domestic Violence: An Advocate’s Pessimistic Historical Perspective Domestic Violence Report 19 (3), Feb/Mar 2014; Civic Research Institute ©2014 Diane Wetendorf, Inc. All Rights Reserved.

http://www.abuseofpower.info/Wetendorf_Pessimist.pdf

.....

9) DV Connect -Domestic violence Hot Line. <http://www.dvconnect.org/>

.....

10) Barriers to Safety for Victims of Police Domestic Violence Sandra S. Stone page 333-36

Department of Sociology and Anthropology, State University of West Georgia,
http://webapp1.dlib.indiana.edu/virtual_disk_library/index.cgi/4951188/FID707/DVBPO/BTS.pdf

.....

11) Tony Fitzgerald quoted in Andrew Fraser (2010) Snouts in the Trough. Hardie Grant Books. Melb. Page 5

.....

12) From email correspondence with Betty, 6/4/14 and 25/03/2014

.....

13) Everyones Business: Improving the Police Response to Domestic Abuse.

<https://www.justiceinspectorates.gov.uk/hmic/wp-content/uploads/2014/04/improving-the-police-response-to-domestic-abuse.pdf>

.....

14) The Crime that changed Tacoma

<http://behindthebluewall.blogspot.com.au/2013/04/wa-10-years-after-tacoma-police-chiefs.html>

Click on “10 years later. Looking back at former Tacoma Police Chief..”

.....

15) Murderpedia <http://murderpedia.org/male.B/b/bluestone-karl.htm>

.....

16) National Centre for Woman Policing
<http://womenandpolicing.com/violencefs.asp>
.....

17) Police domestic violence nearly twice average rate.
<http://www.sfgate.com/bayarea/article/Police-domestic-violence-nearly-twice-averagerate-2536928.php>
.....

18) Royal Canadian Mounted Police
<http://www.rcmp-grc.gc.ca/pubs/adj/ann-report-rapport-eng.htm>
.....

19) John Bishop (2012), When Heroes are Villains. Unpublished article. Personal correspondence, Washington State, USA
.....

20) The 2013-2014 Victorian Police Annual Report Pages 36, 62, 71 and 73.
.....

21) Sustaining the unsustainable. Police and Community Safety Review, final report August 2013 p.274)
<http://statements.qld.gov.au/Content/MediaAttachments/2013/pdf/Police%20and%20Community%20Safety%20Review%20Report.pdf>
.....

21b) The history of women in the police force.
http://www.police.nsw.gov.au/about_us/100th_anniversary_of_women_in_policing/history
.....

22) Christine Nixon & Jo Chandler (2011) Fair Cop. Victory Books. page 130.
.....

23) Drink-driving police officer demoted after attempt to escape breath test. <http://www.brisbanetimes.com.au/queensland/drinkdriving-police-officer-demoted-after-attempt-to-escape-breath-test-20131207-2yxzk.html#ixzz3K2ijxLZp>
.....

24) Jack Knife. The crashing of a policeman. NSW Police and PTSD. Paul 'Little' Jack Homer. Zeus publications 2011. page 317-318
.....

25) IACP Discussion Paper on Domestic Violence by Police Officers.

<http://www.theiacp.org/Portals/0/pdfs/IACP%20DV%20by%20Police%20Policy%202003-%20Discussion%20Paper.pdf>

.....

26) The National Prevention Toolkit on Officer Involved Domestic Violence

<http://nationaltoolkit.csw.fsu.edu/resources/policies>

.....

27) Link no longer accessible

.....

28) Police-Perpetrated Domestic Violence: An Advocate's Pessimistic Historical Perspective
Domestic Violence Report 19 (3), Feb/Mar 2014; Civic Research Institute ©2014 Diane Wetendorf, Inc. All Rights Reserved.

http://www.abuseofpower.info/Wetendorf_Pessimist.pdf

.....

29) Association of Chief Police Officers

<http://www.acpo.police.uk/About/AboutACPO.asp>

.....

30) Police Officers who Commit Domestic Violence-Related Criminal Offences

http://www.kent.police.uk/about_us/policies/crime-intelligence/documents/N30_ACPO_Domestic_violence_and_police_officers.pdf

.....

31) GUIDANCE FOR POLICE OFFICERS AND STAFF AS VICTIMS OF DOMESTIC ABUSE

No longer accessible.

.....

32) Response to a Freedom of Information Request (000171/14). Source document is Item 13 of the Minutes of The Complaints and Misconduct Working Group of the National Policing Professional Standards Portfolio Dated: 10/4/2014.

“The ACPO policy i.e. Police Officers who Commit Domestic Violence-Related Criminal Offences “..has not been updated since 2004 and the world has clearly moved on significantly since then...Paper discussed at the meeting as to whether there is any case or appetite for a separate policy on this subject to be re-established. Group decision is that a separate policy is not required..

This regulatory regime and associated guidance (as now reinforced by the College of Policing's Code of Ethics) means that any known or suspected behaviour of a police officer – whether on or off duty – in respect of any criminality, and as far as domestic violence is concerned, any conduct which falls short criminality but nonetheless is likely to bring the reputation of the police service into disrepute will ordinarily be dealt with an alleged breach of standards of professional behaviour relating to discreditable conduct. Where criminality is suspected, misconduct proceedings are normally suspended whilst the criminal element is being investigated.

The Working Group felt that there was little value in producing bespoke guidance relating to officers known or suspected to be involved in the commission of domestic violence, as no such separate guidance exists for any aspect of off-duty criminality. There is an abundance of evidence that Professional Standards Departments deal robustly and expeditiously with any known or suspected case of domestic violence involving a police officer, not least as there is widespread and increasing police focus on the importance of protecting victims of domestic violence and bringing offenders to justice.

Police officers who commit acts of domestic violence should expect to be dealt with no more or no less vigorously than any other member of the public. The police misconduct regime is an additional means of ensuring and reinforcing the highest standards of conduct in the private life of police officers..”

.....

33) Peter Ryan quoted in Sue Williams (2002) Peter Ryan -The Inside Story. Page 241, Viking. 2002

.....

34) Alcohol Abuse, PTSD, and Officer-Committed Domestic Violence. Karen Oehme, Elizabeth A. Donnelly and Annelise Martin, Policing 2012.

<http://policing.oxfordjournals.org/content/early/2012/07/13/police.pas023>

.....

35) Link no longer accessible

.....

36) <https://www.facebook.com/TheForgotten300>

[http://statements.qld.gov.au/Content/MediaAttachments/2013/pdf/Police %20and%20Community %20Safety%20Review%20Report.pdf](http://statements.qld.gov.au/Content/MediaAttachments/2013/pdf/Police%20and%20Community%20Safety%20Review%20Report.pdf)

.....

37) <http://fusion.net/story/111413/nowhere-to-run-intimate-violence-and-the-problem-with-police/>

.....

Appendix

Poem. 600 words. Title: It happens everywhere.

Author: Alan Corbett.

Warning.

This poem is about domestic violence. It contains graphic descriptions and foul language. .

.....

When I first met him at a charity ball
He said he really liked me

I believed him

And for the first time in my life I felt special

He was the strong, silent type
A man who knew what he wanted

And when he asked me to live with him I agreed

Some time later
He said he didn't like the clothes I wore

So to please him
I ditched them all

And with his guidance bought some more

It was on a Saturday, one month after
He said to me, "I don't like your friends you're not to see them again"

I thought that was too much
And I protested "But I'll miss them"

He just sneered at me
And in a rage he grabbed his car keys

And yelled, as he left "Don't wait up I won't be back for a while"

When he did come back
Angry, drunk,

With blood coming from his nose and a swollen left eye

I tried to comfort him
But he just kept on saying

“It was all your fault, it was all your fault”

“You don’t love me”

I promised not to see my friends any more.

The next morning, he went out early
He came home with some flowers and chocolate too

“I’m so sorry my love”, he said

as he lovingly touched me
“It won’t happen again”

Then off to work he went.

How romantic
For him to think of me like that
He really is the man of my dreams

Now what could I do to please him?

While he was at work
(He always wants me to stay at home)

I cleaned the house
Made his favourite dinner
Dreamt of what might be

I dressed up for him that evening
Put on his favourite music
Carefully, laid the table Forks, knives and spoons in the correct position

Dimmed the hall lights
And waited to greet my man

In my sexy blouse, skirt and black fishnet tights

He opened the door
I had a smile of excited anticipation

But, he yelled in the half-light,
“What the f**k is goin on?”

I didn’t tell you to do this!”

And then he spit out the words I can still hear today

“Where are you... you “f**kin bitch?

It’s time to pay”!

He kicked the chairs and smashed the dinner table

The food went flying

My dinner of love was reduced to a little blobs of waste

All over the dining room floor.

Then he saw me cowering

My make-up was running down my cheeks

“You miserable c**t”, he spat

“Back up against the door”

“Remember, I own you tonight and every night”

“Now lift up your skirt

I’ll show you what I do with other whores

I fell pregnant

He was not pleased

“Why did you do this to me ” he screamed

“Who will care for me now

“ now that you have ‘it’ ... to feed”.

From that day on

I walked on eggshells

Afraid to cause him any grief

For now there were two of us I had to protect

And when he walked out the door

to go to work

I would always sigh a breath of relief

Every so often he would say

“Don’t think of leaving me”
“Don’t even dream of giving me a surprise ”

“Cos, I’ll always find out where you are”

“I’ve got many, many, pairs of eyes.”

Months later:

I dare not complain I deserve no better

He is not to blame

It’s been all my fault

Sometimes, people say to me, “It’s not on”

“Why do you stay”?

“Run away’

‘Call the police’

‘He can’t continue to have his way”

But I tell them ...

I dare not do anything

Where would I go?

I have no money

I’m afraid of what he’ll do

And ... I still love him

He was my man

“But the Police are there to protect you” they say

I told you I can’t make a fuss

I can’t report it I just can’t

Besides...

It’s always worse after work

He drinks every night

And besides

Any cops that come knocking late

Will probably be...

His work mates.

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