



COMMONWEALTH OF AUSTRALIA

Official Committee Hansard

**HOUSE OF
REPRESENTATIVES**

STANDING COMMITTEE ON LEGAL AND
CONSTITUTIONAL AFFAIRS

Reference: Crime in the community

TUESDAY, 10 SEPTEMBER 2002

MELBOURNE

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

INTERNET

The Proof and Official Hansard transcripts of Senate committee hearings, some House of Representatives committee hearings and some joint committee hearings are available on the Internet. Some House of Representatives committees and some joint committees make available only Official Hansard transcripts.

The Internet address is: **<http://www.aph.gov.au/hansard>**

To search the parliamentary database, go to: **<http://search.aph.gov.au>**

HOUSE OF REPRESENTATIVES

STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS

Tuesday, 10 September 2002

Members: Mrs Bronwyn Bishop (*Chair*), Mr Murphy (*Deputy Chair*), Ms Julie Bishop, Mr Cadman, Mr Kerr, Mr Melham, Ms Panopoulos, Mr Sciacca, Mr Secker and Dr Washer

Members in attendance: Mrs Bronwyn Bishop, Mr Melham, Ms Panopoulos and Mr Sciacca

Terms of reference for the inquiry:

To inquire into and report on:

The extent and impact of crime and fear of crime within the Australian community and effective measures for the Commonwealth in countering and preventing crime. The Committee's inquiry shall consider but not be limited to:

- a) the types of crimes committed against Australians
- b) perpetrators of crime and motives
- c) fear of crime in the community
- d) the impact of being a victim of crime and fear of crime
- e) strategies to support victims and reduce crime
- f) apprehension rates
- g) effectiveness of sentencing
- h) community safety and policing

WITNESSES

ATMORE, Dr Chris, Member, Board of Management, and Volunteer, St Kilda Legal Service Cooperative Limited.....	109
CARROLL, Mr Raymond Charlton, Executive Director, National Motor Vehicle Theft Reduction Council.....	138
D'ARCY, Ms Marg, Convenor; Member, Legal Working Group, Victorian Centre Against Sexual Assault Forum Inc.....	85
GEDDES, Ms Virginia Susan, Coordinator/Trainer, Domestic Violence and Incest Resource Centre	118
GILBERT, Ms Pauline, Coordinator, Administrative Services; Counsellor Advocate, Gippsland Centre Against Sexual Assault.....	85
GRINDLAY, Ms Frances Margaret, Social Development Planner, Moreland Council.....	100
HALL, Ms Janet, Finance Coordinator, Domestic Violence and Incest Resource Centre	118
HUGHES, Mr Geoffrey Stuart, Project Manager, National Motor Vehicle Theft Reduction Council	138
MALONEY, Ms Jacinta, Community Legal Education Lawyer, St Kilda Legal Service Cooperative and on behalf of the Violence Against Women and Children Working Group, Federation of Community Legal Centres, Victoria,	109
MULLETT, Mr Paul Raymond, Secretary, The Police Association, Victoria.....	128

**O'NEILL, Ms Pamela Margaret, Coordinator, Barwon Centre Against Sexual
Assault85**

Committee met at 10.02 a.m.

D'ARCY, Ms Marg, Convenor; Member, Legal Working Group, Victorian Centre Against Sexual Assault Forum Inc.

GILBERT, Ms Pauline, Coordinator, Administrative Services; Counsellor Advocate, Gippsland Centre Against Sexual Assault

O'NEILL, Ms Pamela Margaret, Coordinator, Barwon Centre Against Sexual Assault

CHAIR—I declare open this second day of public hearings in the inquiry into crime in the community, currently being held in Melbourne. Yesterday the committee canvassed a wide range of issues, from crimes against people and general community safety to emerging and sophisticated Internet crime, e-crime and identity fraud. Already, after one day of hearings, an emerging issue is the difficulty of accurately measuring the true extent of crime because of inconsistent and patchy statistics. Added to that is the generally low reportage of sexual crime, which further complicates the picture.

I welcome witnesses from the CASA Forum. In looking at your submission, I can certainly see that the thrust is shared by other people who work in the same area you do and that somehow crimes against women in the sense of being largely in the domestic arena are treated less as criminal offences than perhaps other offences, right down to the use of language and so on. We ask you to begin by making an opening statement.

Ms D'Arcy—In this presentation in our opening statement, we want to focus mainly on prevention. We have addressed the shortcomings of the law and the criminal justice system in our submission. The process of the law and the messages and the symbolism of the law are critical to the provision of justice for victim-survivors and as an element of prevention through the messages that are given about what the community finds acceptable. We refer the committee to the work that is currently being done by the Victorian Law Reform Commission, which is currently conducting an inquiry into sexual offences. We refer you to the commission for further information about the operation of the law in Victoria.

However, as the diagram that is just being circulated shows, a very significant problem is that the law has very little impact on the vast majority of women and men who are victim-survivors of sexual assault and men who are offenders. In the diagram, we have tried to place the issue of victim-survivors and offenders. The little oval in the middle of the diagram indicates probably the degree of contact that they have with the criminal justice system. If you think about it, you realise that there is a vast number of both victim-survivors and offenders who never have any contact at all with the criminal justice system.

In this presentation, we want to focus on the big picture of prevention which is the prevailing culture, because the law and the legal processes obviously operate within that big picture. We as service providers, you as law-makers, and the police, lawyers,

magistrates and judges who are given the task of implementing the law are all affected by that culture. The women and men who are victim-survivors of sexual assault receive the messages about the seriousness or otherwise of their experience through that culture. We would like to ask you today to pause and reflect on some of the messages that we are confronted with on a daily basis and what they might say to both potential offenders and victim-survivors.

As an example, what is being distributed to you now is a design on a T-shirt that is sold by one of Australia's largest and most successful surf and ski wear manufacturers. The slogan for the graphic on the T-shirt is 'Ride 'em'. It depicts a male riding a skateboard, a surfboard and a snowboard and, lastly, 'riding' a woman. The woman in the graphic is reduced to nothing more than a piece of entertainment. Her thoughts, her feelings, her very being are put on the same level as those of a surfboard or a snowboard. This is of course only one in a myriad of messages that demean and objectify women. We are surrounded by others constantly, and for further information about that we refer you to the work being done by the Victorian Office of Women's Policy in their work on billboard advertising.

When we first saw this T-shirt, we rang Rip Curl to complain and organised a number of people to ring Rip Curl and complain. Rip Curl said it was one of their most popular T-shirts. Recently, I was up at Falls Creek skiing for a week. I was enjoying myself, sitting out on the balcony in the sun with a beer. I turned around and there was a bloke wearing a beanie with that graphic on it. When I spoke to him about it and said how offensive it was, he was very apologetic and said that he did not realise and that he had not looked at the graphic. He took the beanie off and turned it inside out. But that message is being given all over the place to young people.

Is it any wonder, then, that when women are sexually assaulted they will blame themselves? They will play down the impact of it and try to pretend it did not happen. Is it any wonder, then, that we are witnessing an increase in women contacting services for support who report drug facilitated sexual assault? That is an act that is very deliberately planned and executed. It is a crime where a man or a group of men very deliberately set out to use drugs, including alcohol, to incapacitate a woman for the purpose of sexual assault. Like all sexual assaults, it is not strangers who are doing this to women—it is their partners, their dates and their work colleagues. So we would argue that the huge challenge for prevention is to address the culture that allows sexual assault to occur and go unreported.

We have instances where we have successfully changed that culture. The drink-drive campaign is a very good example. Back in the sixties and seventies in Australia, going to a barbie or down to the pub, writing yourself off and then driving home was absolutely acceptable. We laughed about it. Men boasted about it: 'God, I was so drunk last night. I drove home and fell out of the car.' It was a joke and was accepted. However, that is not the case anymore. It is now seen as extremely unacceptable to drive while you are drinking. That has been turned around by a combination of legislation, enforcement of the legislation and a massive education campaign. If we can do it for drink-driving, why can't we do it for sexual assault? Yes, it takes money, resources and a commitment from all levels. However, like drink-driving, sexual assault exacts a huge toll on the community. The research that we presented in our

submission is but one small piece of research that shows that sexual assault against children and adults has long-lasting impacts and imposes a huge social and economic burden on the community. It must be one of the most fundamental issues of confidence that can affect us. If we cannot guarantee the protection of one's body and that the law will fully prosecute any assault on our bodily integrity, how can we even begin to say that we have a safe community?

CHAIR—Thank you very much. Do Ms O'Neill and Ms Gilbert want to say something at the outset?

Ms O'Neill—No, we are fine.

CHAIR—The committee agrees to admit the diagram and the design as exhibits. I can only agree with your horror at that graphic. With the concurrence of the other members of the committee, we might write officially to Rip Curl to express how we feel about it. It is just appalling.

Mr MELHAM—I am happy for us to do that.

CHAIR—I might go to the question you raised of drink-spiking—an issue that we have started to see emerge in some of the other submissions from other parts of Australia—and the need to teach young women, in particular, that they cannot allow someone to buy them a drink and they cannot have a drink and put it down. It is something that they have to be very careful about, because there does seem to be a practice of drink-spiking, where a lot of pornographic photographs are then taken and end up on the Web or are used for blackmail. Would you like to add to that?

Ms D'Arcy—I would like to say something about the problem of putting the focus on young women. The focus of drink-spiking needs to be on young men. Young women should know that they have a right to go out to drink, they can wear party clothes and they can look attractive. The difficulty with aiming a prevention campaign around drink-spiking at young women and telling them to watch their drinks is that it is fairly impractical. Think about it: even if you are out at a dinner party and get involved in a conversation and have a glass of wine sitting beside you, you are not going to watch it all the time. It is the same thing; if you are in a crowded club, you cannot watch your drink constantly.

Young women definitely need to know that it is happening. Young men need to know that it is a crime and that they could be prosecuted for it. The bar staff and venues also need to take responsibility for making sure that they are providing a safe environment. They make money out of those young women who are coming and buying their drinks and suffering the impact of that. They have a responsibility to ensure that the environment that those young women are drinking in is safe. We have run a campaign here called the Right to Party campaign where we worked with local venues on their responsibilities and we developed messages that were targeted around the rights of young women to go out and drink but still be safe. That is a really important thing—we must not place the responsibility for sexual assault on the potential victims; it has to be placed on the potential perpetrators and on those people who make money out of it.

Ms O'Neill—If the message that we give out is 'Watch where you are, watch what you are wearing, watch who has got your drink,' we perpetuate a fear of crime, which is something that we are trying to diminish in the community.

Ms Gilbert—Getting away from the drink-spiking, it is about the culture of language and everything around sexual assault. We recently had an incident where we responded to a young woman who had been in a position where there was an attempted rape on her by three young men. She was held down by two men and there was an attempted penetration by the third. When she was back at the police station one or two days later, the police wanted to investigate and they wanted more evidence from her. They asked her to re-enact the scene with three of their policemen in the room. There was no understanding as to the trauma and the implications of men doing that to her. It is a cultural thing, too. The dominant culture has to be changed—its language, its thought and everything that goes with it. We have to start talking in that sort of language and putting the message out there that it is a crime and alerting people to subtle behaviours like that. That was not a subtle behaviour but it can be subtle. I think that is where we have to start. That also is about moving the response from the victim to the perpetrator.

Ms PANOPOULOS—With the drink-spiking issue, I can understand what you are saying—that the sole focus should not be on the young woman—but, from a practical perspective, if I were the mother I would give that advice to my daughter.

Ms D'Arcy—Definitely.

Ms O'Neill—Yes.

Ms PANOPOULOS—In terms of getting the bar or club owner to provide a safe environment—because it is very difficult in the early hours of the morning in a very dark club to have enough staff to police what is going on, and in fact a lot of men and women would find it a bit intrusive into their night of entertainment—do you have any ideas about what the owners of bars and clubs could do?

Ms D'Arcy—Some of it is simply about educating their staff to be alert and educating their staff to be responsive to young women who are in distress. When we did the research for Right to Party, some of the stories we got from young women—and also from our experience of working with women when they report—were about when they felt threatened or had been assaulted within a club; when they spoke to the bar staff, the response was generally fairly unsupportive. We had one young woman who had been indecently assaulted in the club. She became very distressed and the bouncer actually threw her and the man who had indecently assaulted her out on the street together. So it is about educating the bar staff to know how to respond and to look out for the signs. It is not about them going around and acting like police but about educating them to be sensitive about the signs.

One of the other issues could involve a campaign around people buying their own drinks or staff not providing a double shot in a drink unless it is for the person who is buying it. One of the stories that we heard when we did the campaign I mentioned earlier came from one of the venues that has been a very strong supporter of the

campaign, the Gin Palace in Melbourne. They reported that one of their bar staff had been talking about a man who had kept coming up all night and buying gin martinis with double shots. When the man's partner came up to the bar and said, 'I need a glass of water; I am feeling really woozy and I don't know why,' the bar person explained to her that her boyfriend had kept putting double shots in her drink. Being aware of those sorts of things and keeping an eye on them is not huge. It is just like bar staff responsibly serving alcohol: they have an awareness of that. In the same way they should have an awareness of women's vulnerability and should be watching out for predatory behaviour.

Ms PANOPOULOS—I agree with you that the main sources of the problem are certain attitudes in the prevailing culture and that not enough is said publicly that this is unacceptable behaviour, this is not manly behaviour and this is not respectable behaviour. My problem is how we address that without a too heavy-handed approach, because when it looks as if it is coming down from the top and it is a big slap then people, particularly young men, rebel against that. So I am interested to know what ideas your organisation has about those cultural changes, whether they be for an extensive television advertising campaign like the drink-driving one or other campaigns.

Ms D'Arcy—One of the things about the drink-driving campaign was that it was much more than just television advertising. It was three pronged: it had legislation, it had a very aggressive enforcement of the legislation and it had a television campaign. But it also had lots of endorsement from prominent people all around Australia, including sports people—sports clubs got behind it. Whole areas of the community supported that campaign, so it was more than a television campaign. There was a lot of work done in schools and universities.

Ms Gilbert—There has really been a cultural shift in the attitude to alcohol.

Ms D'Arcy—That is right.

Ms Gilbert—That is what it was aimed at; it was to shift the culture. Shifting the culture is what we have to aim at, in the use of language and ideas and in the way we treat victims and perpetrators. In the drink-drive campaign the drunk driver is the perpetrator, and he is not glorified. There was that whole shift in attitude and culture around it. This is what has to happen about sexual assault. We have to put out there that it is what it is: it is a crime, nothing more than a crime.

Ms O'Neill—That goes for violence against women generally, including family violence. It is not a campaign just about sexual assault; it is about violence against women and that that is totally unacceptable in Australia. That is the message we should be putting out.

Ms D'Arcy—I think a television campaign can be useful but it has to be done in conjunction with everything else, to add to the work that is already being done and continues to need to be done in schools—as I can tell you from the responses we get when we go into schools. I do not think a television campaign on its own would be effective. But a television campaign combined with messages that the law will be

enforced and with information that goes to schools, sports clubs and licensed venues would be. So it needs to be a very carefully planned and executed process. Putting half a dozen ads on television would obviously have an impact on some people but would not be the answer in itself.

Ms Gilbert—I think it needs to be backed up by the law and the legal process. I have a client who came back two weeks ago. She had gone to the committal hearing for her rape—she had been raped and the committal hearing was on. The rape occurred in January. The committal hearing was adjourned again because the forensic evidence was not ready, and this was six months after the event. This poor woman went into the court building. She had been offered protection; she had been offered a room where she would not have any contact with the perpetrator. The day came; the room was not available. He was in the foyer and she was led through the foyer. She was totally retraumatised by just being in his presence and by the fact that, six months down the track, her forensic evidence had not been processed, and it is likely to be another six months before there will be any processing of that evidence. So she sits for 12 months.

It was a traumatic rape; it was a really horrific experience for her. She lives in a country town; the perpetrator lives in the town and he is out on bail. He has support behind him; he has family. So she feels as though she is being stalked all the time. She has been on a high-priority housing list to move out of the town. She cannot get out of the town for at least another three or four months, until a house somewhere else comes up. I think it has to be a total response—much more of a response to these victims than there is at the moment, and in so many different layers of the community.

Ms PANOPOULOS—Another aspect that I want to ask a question about is that in your submission you have stated that most victims know the perpetrator and that a significant number of sexual crimes occur within the house.

Ms Gilbert—Yes.

Ms PANOPOULOS—So any campaign or attempt to change cultural attitudes to sexual assault is not just about a young woman being out and about in town.

Ms Gilbert—No.

Ms PANOPOULOS—It is a different pronged approach to the family—basically, back to the family environment and roles, responsibilities and what is acceptable.

Ms Gilbert—Values.

Ms PANOPOULOS—Yes.

Ms O'Neill—There have been various campaigns about stranger danger, and a lot of money has been spent in that area, but that is not where the majority of the danger is coming from, particularly in terms of children. It is not stranger danger; it is daddy, grandad or somebody that the family trusts. Somehow or other, we also need to work

towards protecting these children in some way; that is, by changing the culture and by education—by getting into the schools as early as possible.

Ms PANOPOULOS—It is far more difficult in that environment because there are split loyalties. There might be a mother who loves her father—grandad lives there—but she obviously also loves the child.

Ms O'Neill—When these crimes go to court, it is even more traumatic because the whole family is split up and that sort of thing. When that court process is then drawn out over a long period, the effect on all parties is really quite devastating.

Ms D'Arcy—We should give it space, give it media attention and get people to talk about it. One of the things that we have all noticed is that, since there has been so much media about sexual assaults within churches, we have all had increased—

Ms O'Neill—Our waiting lists.

Ms D'Arcy—That is right. We have all had an increased demand. Part of it is that the more it is talked about, the more it is written about and the more you see it on television in a non-glorifying way, the more children will feel comfortable about coming forward to say that it is happening to them or they are worried about it happening to them, and the more offenders will get the message that they are not protected and that it is possible that the victim-survivor will speak out, seek support and seek help. Part of it is just that. I remember that a couple of years ago, when we put out a press release about something, a journalist said to me, 'No, violence against women—we've done that.' So I think part of it is giving it airspace, if you like—having people talking about it and the impact.

Ms PANOPOULOS—Getting down to the specifics of a campaign aimed at the family environment, do you agree that a key component of that sort of campaign would be not just highlighting the vulnerability of children but also giving them a special status as the most important person in the family to be nurtured and revered?

Ms D'Arcy—Yes.

Ms O'Neill—Absolutely.

Mr SCIACCA—I am interested in the more coordinated approach that you talk about in terms of treating the victims. I was interested to hear your couple of comments about the person out in the country and the one that was asked to simulate what had happened to her. What are your proposals? What do you think could work, where we would try to have a national way in which to do this, where all the states would do the same thing and there would be some guidelines as to how to treat victims of sexual assault so that it is consistent across all the states and territories? As a federal inquiry, we do not have that much power over the states, but we would like to be able to say as part of our recommendations, for instance, that as a federal authority we believe that these sorts of guidelines should be kept as strictly as possible by jurisdictions around the country in handling these cases. You make the point that a lot of these crimes are not reported anyway, and that is because the victims are

probably more scared of the process and what happens afterwards than of the crime itself. Where do you think we could start with a coordinated approach? What are your ideas on that?

Ms O'Neill—We have a code of practice with the police already.

Ms D'Arcy—In Victoria.

Ms O'Neill—It is just that the further out into the rural areas you get, the further the reality is from that code of practice. As far as we can tell, through the Victorian Law Reform Commission, it tends to depend very much on who is heading up the sexual offences and child abuse units—that is what we have here in Victoria. It seems to depend on a personality in the police rather than on that code of practice, which is fine for those of us who have very good SOCA units but it is not so good for the rest of them.

Mr SCIACCA—I see that you also advocate much harsher penalties. There seems to be, you say, a leniency in the justice system in terms of not treating these sorts of crimes as serious crimes.

Ms O'Neill—That is right. I think the 'pleading down' type of idea to get any sort of conviction in the case of children who are assaulted is quite a concern, and I can most certainly tell you of incidents in our area where that has happened and how angry the parents feel that their children have almost been dismissed.

Mr SCIACCA—I take it that you would like to see something like what happened in New South Wales: 55 years. That was a very vicious attack, but that sentence sends the message, doesn't it?

Ms D'Arcy—It does send a message, but one of the dangers of it is that just arguing for tougher sentences on their own could have an impact on convictions and reporting. At the moment in Victoria, the Law Reform Commission has identified that the numbers of acquittals are actually going up in rape cases, so there are more acquittals now than there were 10 years ago in rape cases. One of the difficulties around that is that the higher sentences could have an impact on the willingness to convict. Higher sentences are one thing; we are continually disappointed when we see the sentences that are handed down for sexual assault, because it gives the message that the legal system does not take sexual assault seriously. I think that is the problem.

CHAIR—In this morning's news, there was a report that two young girls from New South Wales were abducted from New South Wales and brought to Victoria to be raped. I cannot help wondering whether there is a message there that the perpetrators do not want to be convicted in New South Wales; they would like to be convicted in Victoria, where it is less harsh. That is a helluva message.

Ms D'Arcy—About the national approach, one of the things that I think could be done on a national level would be around developing standards for police training. For instance, at the moment the sexual offences and child abuse units, which are the units in Victoria that deal specifically with police, have one session of one hour—out of a

six-week course—when a representative of their service talks to the police. In the recruit training, they do not have anybody—except for someone within the police, but there is no specific emphasis, I understand, on sexual assault.

Mr SCIACCA—I guess that is what I was trying to get out of you before. You are suggesting that there be a standard procedure that is taken up by agreement by police commissioners or police authorities in every state so that there is a consistent way in which these matters are dealt with.

Ms D’Arcy—And that that is reinforced by training. I think that training is the key to it—the training around not just the procedure but the impact of sexual assault and the degree of trauma experienced by victim-survivors.

Mr SCIACCA—That is a good point. That is certainly something which this inquiry would be able to look at recommending in terms of a coordinated, federal approach. Generally, you are saying that in Victoria certainly—and I think it happens in other states—crimes of a sexual nature like this are not being treated as seriously as they should be and that the sentences that are given out tend to be evidence of that.

Ms D’Arcy—Yes.

CHAIR—I would like to add to that. I think that sentence of 55 years has sent a very strong message. I worry about the argument that, if the penalties are too large, people will not convict. It seems to me to be putting an awful onus on the female and not the perpetrator. I think that 55-year sentence has sent a very big message.

Ms D’Arcy—One of the really positive things of that sentence is that those young women who were the victims of the sexual assault will not have to worry about bumping into the offender while they are walking down the street, like the woman in the case that Pauline was talking about. They are not going to have to worry for at least 40 years about meeting him in the supermarket or anything like that. If that is the least that we can do for those victim-survivors then it is good that we have done that.

CHAIR—I was going to ask you a question about the conviction rate. In the material that you have put to us, you say that there are 34,000 incidents of rape a year—

Ms D’Arcy—Sexual assault.

CHAIR—I see. The figure that we have for rape reported for the last year is 1,269.

Ms D’Arcy—That is right. The 34,000 figure came from the ABS survey on women’s safety that they did in 1996. We got a Victorian breakdown of their figures, so that is where the 34,000 comes from. It is not about reported cases. What we are saying is that at least 34,000 women in one year said that they had been sexually assaulted in some way. But if you then look at how many actually report to the police—

CHAIR—I was just going to look at that. We got those figures from the police yesterday. There were in fact 604 that were processed—that means that a charge was laid. I have asked the police to provide me with, on all the categories of offences against both people and property that they have recorded, not only the number who were charged but the outcome of those charges.

Ms D’Arcy—It would be fantastic to have that, because it is really hard to identify at the moment.

CHAIR—The evidence we got yesterday from another group who gave us some statistics was that there is a prosecution rate of five per cent in the cases of people who are sexually assaulted but there is a two per cent conviction rate. I would be interested to know whether there is a trend, whether there is a particular type of rape for which there is more likely to be a conviction. I suspect that it could be the ones where there is clear evidence—

Ms D’Arcy—It is the ‘stranger danger’ syndrome—

CHAIR—and also bruises, guns or knives involved.

Ms D’Arcy—We see that in the police response. If we have a woman in our crisis care unit who has been raped in a park by a stranger or a couple of strangers, we will have the sexual offences unit and the CIB there, and the crisis care unit will be crawling with police. But if we have a woman who has been raped by her husband the Sexual Offences and Child Abuse Unit will come, if we ask them, and then they will pass it on to the CIU eventually. You can see in the beginning, at the reporting stage, what a difference there is in the response, depending on the type of rape and who the perpetrator is.

Mr MELHAM—I want to come back to licensed premises and venues and their responsibility, and what policy we can come up with. I should declare that I am an honorary director of a large licensed club in Sydney. In New South Wales, we are subject to a policy of responsible service of alcohol. I know that we have a policy for training new staff, amongst other things, and it actually works well. There are some consequential flows, because there are penalties that flow. The licensing police come in under cover and inspect. There is a downside because, when you refuse people service, a lot of them get upset and other incidents flow. But it seems to me it is now working a lot better as part of an educational thing than when it was first introduced and that there is an acceptance of it. Education is the key. But there should be an onus on the venues and on those who work in them to serve responsibly.

But my concern is how much that will capture in terms of the incidence of sexual assault, because on page 3 your submission rightly identifies something that we all know: most commonly—in 64 per cent of cases—the location of a sexual assault is the victim’s home. The other figure is that at least 80 per cent of women and over 80 per cent of children who are sexually assaulted know the men who violate them. I am concerned about a strategy there, because again my prior experience as a legal aid solicitor and barrister in a suburban court before I came into parliament was consistent with those figures and with non-reporting. The reporting only seemed to

occur if there was a breakdown in the relationship between the husband and wife. That is when the other material seemed to flow. What are your thoughts in terms of a policy?

Ms D’Arcy—I think it is a really good point that only a small percentage of sexual assaults occur at or around licensed premises, although it is fair to say that the majority of those involve men that the women know. It is not necessarily a stranger. They may have gone out with a group of friends, their work colleagues, their boyfriend or their date—

Mr MELHAM—It just seems to me that we need a multifaceted approach—that is what I am saying.

Ms D’Arcy—You have made the point yourself that in those venues there is the expectation that staff will be trained around the responsible serving of alcohol. I think a core component of that training should also be around the issue of sexual assault and how to watch out for signs of sexual assault or for women who are distressed or obviously drug-affected and to ensure their safety in some way. It is only a part of the picture of sexual assault, but it does impact on young women’s ability to go out and young women’s fear when they do go out. So, because of that larger impact on the ability to move around the community freely, it is an issue that needs to be addressed.

Ms O’Neill—As well, I think we see very different pictures in metropolitan areas and in rural areas. In rural areas, you will find that the policemen are drinking at the same pub as everyone else, so when a woman goes into the police station and says, ‘My husband’—or So-and-so—‘has beaten me up,’ or sexually assaulted her et cetera, the policeman’s immediate thought is, ‘It can’t be him; he’s a good old boy. I was drinking with him last night.’ So she really has no redress whatsoever. Rural areas are very seriously affected by sexual assault, yet we do not see it in our figures. I do not suppose you do either.

Mr MELHAM—Are there any studies or surveys in relation to alcohol and the percentage of incidents, even within the home, which arise with alcohol as a backdrop to them?

Ms O’Neill—Anecdotally, in terms of family violence and the like, the policemen say to me that it tends to happen later in the night when he comes home from the pub. I do not think there are any statistics to back that up.

Ms D’Arcy—I think there are statistics from the family violence incident reports, which are the records of the incidents that the police collect themselves. I know that at one stage the reports were showing that around one-third of family violence incidents where police were called involved alcohol in some way. But then if you think of your normal suburban home and imagine a night when somebody is not having a glass of wine or a stubby, then—

Mr MELHAM—I am asking that in terms of what strategies we might be able to—

Ms D’Arcy—I do not think alcohol is a cause. I think alcohol is something that men hide behind sometimes as an excuse to commit violence. Men who are violent when they drink very often know they are going to be violent when they drink. The interesting thing in domestic violence situations is that when they go out and get drunk they tend not to assault their mates and they tend not to assault their boss; they come home and assault their wife. So it is a very clear strategy and I do not think alcohol is the cause of domestic violence; I think it is used as something to hide behind.

CHAIR—That is very interesting. In your submission you say:

Many sexually abusive behaviours are evident in children before/around the age of 9 years—often the victim is a younger sibling. Evidence suggests that by the time these perpetrators reach adolescence they may have as many as 4 victims, at home and in the school environment and that the sexually offensive behaviour is becoming ingrained.

One of the things we are interested in is early childhood intervention and just what that means—whether it can also bring about harm. But I would like to hear more about the evidence of this incidence. Do these children come from homes where there is violence or sexual violence? Where does it come from? Does it come from the media? What are the influences?

Ms O’Neill—I do not think we are absolutely sure of any particular influence, and certainly there is no direct correlation between violence in the home and children behaving like that, although there is a lot of anecdotal evidence that children may have been exposed to violence on the television, pornography or violence in their home. One of our CASAs actually do a program with offenders—and there are adolescent offenders. The evidence that they are getting from that, along with the Children’s Protection Society, is that these young people, even at the age of 13, already have four victims and that they started their behaviours much earlier, possibly by the age of nine years. These are grooming behaviours as well, so it is more of a paedophile type behaviour that is going on with grooming the victims by the time they reach early adolescence. That is quite serious and that is why we talk about going into schools and working as much as we can in schools.

CHAIR—Could some of it be part of a bullying culture, in that it is about power?

Ms O’Neill—It is the same thing. It is about power; that is right. But being groomed is one end of it.

CHAIR—You are saying they groom their victims.

Ms O’Neill—Yes. They groom their victims so that they will not tell. It is a hidden behaviour and that is why it is an offence. I think that a lot of children do play sexually, so to speak, but that is quite open. It is these hidden behaviours that are more serious and that are about disempowering the victim through various threats—the same way that a paedophile would.

CHAIR—In other words, you are saying that paedophiles can evidence as young as nine years of age.

Ms O'Neill—Yes. That may well be where it begins—that they get away with that behaviour and then they continue that behaviour, so it is becoming ingrained. There has been a lot of talk recently about corrective programs for men who use violence against women. That is a good thing in itself but more money ought to be spent much earlier on. I recognise that there are all sorts of problems in going into our primary schools and talking to young people about sexual offences and the like, but just because it is rather difficult is not a reason not to grasp that nettle.

CHAIR—I find it absolutely horrific to think that this behaviour is beginning at nine.

Ms O'Neill—Yes.

CHAIR—What early intervention can you have with children of that ilk?

Ms D'Arcy—The research shows that prevention programs at that age and early adolescence actually have an impact. There is no research that shows that re-education programs for adults work but there is evidence that if you intervene at an early stage—as soon as those behaviours become evident—you can have an impact.

CHAIR—We heard some evidence yesterday that some experiments in early intervention—I think they were in the 1930s—showed that it ended up making them worse. So when we talk about early intervention who should be doing the intervening and what skills should they have?

Ms O'Neill—As CASAs, we do some. CASA House do not, because they do not work with children, but the rest of us do some work with children who are 'acting out' sexual behaviours. These do not encompass the grooming behaviours. We are not funded for that type of thing, and you need the specialised training which some people around the place offer. Obviously we would need more staff to do that, and the money just is not there.

CHAIR—Before we get to the money or the staff, what are the sorts of people? When you say 'early intervention', people think of social workers but it may be that they are the worst people to do it. They may not have the skills and training. They may not be the right sorts of people in the way that they think and are disciplined. You may need someone else altogether. Has there been any research along those lines?

Ms O'Neill—No. I have recently been putting together a submission to various foundations and trusts, because we cannot get the money elsewhere, to do some work in that area—what is available worldwide and what is best practice worldwide.

CHAIR—Presumably a nine-year-old who is displaying those sorts of tendencies will need either a psychiatrist or a psychologist, because that behaviour ain't normal.

Ms D'Arcy—The problem is that it is all too normal. That is the problem, I feel.

CHAIR—For them, but not for most nine-year-olds.

Ms D’Arcy—Yes, and it is so common in the community.

CHAIR—When you say it is common what do you mean—what percentage?

Ms D’Arcy—We do not know.

CHAIR—We are not talking about your average nine-year-old, are we?

Ms D’Arcy—No.

CHAIR—We are talking about aberrant behaviour.

Ms D’Arcy—Yes.

CHAIR—So if it is aberrant behaviour there has to be more than someone saying, ‘You can’t do this,’ or whatever; there has to be someone who has the skills to deal with that sort of thing.

Ms O’Neill—The adolescent program—and there is no reason that it could not be extended—is run separately from the CASA because it deals with the perpetrator rather than the victim. This crime has to have been reported to the police. It is much more structured counselling than we have: ‘you will do this; you will not do that’. I do not see any reason that it should not be extended. We are talking to the perpetrator because that family also has a victim. The parent is almost being asked to choose between two of their children. It is not just about that perpetrator; we are talking about a child and the impact on their whole family.

CHAIR—I suppose I am talking about things like aversion therapy. You cannot have that done by people who are just well-intentioned; you have to have that done by people who are clinically skilled.

Ms D’Arcy—I am not sure that there is evidence that aversion therapy works, either. I think there is a need to look very closely at it and to work out what strategies will work and the people best placed to do it. I would be a bit concerned about saying that it should be just psychiatrists and psychologists, because we have had too much evidence from women who have been victims of offenders who have had 10 years of treatment with a psychiatrist. Whatever profession they come from, there is a need for them to have specialist and specific training and a need to develop a program that will work.

CHAIR—You said women had been attacked by people—presumably adults. I am talking about children.

Ms D’Arcy—And children.

CHAIR—The bottom line is that we do not have enough knowledge, do we?

Ms D’Arcy—No—about what actually works. I suppose I was sounding a note of warning about relying just on psychiatrists.

CHAIR—I was not suggesting reliance; I was talking about what sort of skills we need. Obviously we have not got enough evidence of what works.

Ms D’Arcy—No, that is right.

Ms O’Neill—We need to look around the world and see what else is being done.

Ms Gilbert—It is also getting back to the cultural thing. For example, the drink-driving campaign has changed a culture. The culture here that needs to be changed is that sexual assault is not okay. That is the message we need to get out at every level of the community—by supporting victims, by having a legal system that responds to them appropriately, by having a policing system that supports them and responds, and by having a community that does not alienate them. The message is that sexual assault is not okay, like drink-driving is not okay. That campaign was very successful in changing the whole culture around drink in Australia. That is the sort of campaign, the sort of approach, that we have to have.

CHAIR—Are you suggesting we have as many sexual assaulters as we had drink-drivers? I would have hoped it was a lesser number.

Ms D’Arcy—I would say that we do.

Ms Gilbert—Yes.

Ms O’Neill—Yes.

Ms Gilbert—It is culturally embedded.

CHAIR—That certainly shows that we have a problem.

Ms Gilbert—It does. It is culturally embedded.

Ms O’Neill—If you take it right the way through—from harassment right through the broad spectrum of sexual assault—then, yes, we probably do.

Ms Gilbert—That is where it has to begin, as an attack on the culture.

CHAIR—Thank you for your evidence today. We have re-aired some of the things that need to be addressed. We will be writing to Ripcurl.

Ms D’Arcy—Thank you.

[10.58 a.m.]

GRINDLAY, Ms Frances Margaret, Social Development Planner, Moreland Council

CHAIR—Welcome. Would you like to make an opening statement?

Ms Grindlay—Thank you for the opportunity to speak to the committee. I will not go into too much detail; much of the view of the council was put in the submission. I would like to reiterate the view that council feels that crime prevention should be addressed holistically. We use the term ‘social model of health’ in our submission. I am not sure whether the committee is aware of that term—you may well be. It is about looking at health and wellbeing generally, including those aspects of safety and crime that mean so much in health, through the perspective of looking at the socioeconomic wellbeing of the community—things like housing, the ability to access appropriate services, education, the ability to have good recreational opportunities, issues of early life experience and the ability to manage the stresses generally that occur throughout life. The early years, we know, are so important but we also know that periods of adolescence, periods when family circumstances change and the processes of ageing, are all factors that cause stress on families and individuals and those things need to be addressed holistically.

Without that, we find that the stresses increase and they manifest themselves in such things as crime, domestic violence and those other areas. It is important that people also understand the community that they live in and that that community is a very supportive one. We find in Moreland that issues of social isolation are causing a great deal of stress on families. Those issues of isolation can come through a number of factors: certainly the fact that many people in the Moreland community and in Australia generally are ageing means that many people are starting to live alone. They may lose a partner or other areas of support. In Moreland we also have a very high non-English speaking community which, again, can be an isolating factor. As people age, sometimes they lose their English-speaking ability, which may further isolate them.

In Moreland, we are also finding quite an increase in single parent households and lone person households. For example, we have a population of about 137,000, of which 14,000 are lone parent families and just over 13,000 are single person households. We also find that, particularly in the 35 to 50 age group, we have a large number of households of individuals who have never married and who are unlikely to marry. As that population moves into the older age groups, the sort of support that is required to keep the stresses of those households low will become more significant.

It is important to recognise that, as well as addressing the issues of social models of health, there is a need for long-term planning and partnerships between government agencies and non-government organisations and the community to address crime through a holistic view. We are finding that some of the community strengthening and

community rebuilding programs that are under way seem to be having quite a significant effect.

CHAIR—Thank you very much for that. Would you like to expand on what initiatives Moreland Council has implemented with regard to crime prevention as part of your *No single answer* safety plan.

Ms Grindlay—We chose the title ‘No single answer’ obviously to reinforce that holistic approach to crime and safety. We have implemented programs such as liquor licensing accords, that your colleague talked about—partnerships between the council and hotels to look at issues associated with road safety and drink-driving. We have found that those partnerships, which bring people together to discuss issues of concern to them—and we not only cover alcohol but also move into road safety areas and often there are other drugs involved—are supportive and help to address some of those issues. The police, the council and hoteliers are a partnership.

In response to what the previous speakers said with respect to the early intervention that is so critical to many aspects of crime, including domestic violence, we are currently piloting the early family enrichment program, which is connected with maternal and child health services. As you know, maternal and child health services are for many families the first community service with whom they come into contact. Often there is a great deal of trust between mothers particularly, or parents, and the maternal and child health nurse.

CHAIR—Is it a sort of expanded baby clinic?

Ms Grindlay—Often the maternal and child health nurse is the first person to pick up other issues. They may pick up issues of inappropriate behaviour. They may pick up issues of stress in the family, for whatever reason, or potential areas of stress, and they are identified at that stage. By intervening at that level—and in Moreland we have 1½ staff who work with the maternal and child health nurse and the family—they try to change the behaviour.

CHAIR—What do they do?

Ms Grindlay—In early life, a complex mixture of things makes for a good or a not good family life. In many cases, there can be physical health issues associated with pre-birth or birth. The stresses could be something physical like a child’s illness or a mother’s illness. Often there is a younger child and there is stress in relation to siblings. They can detect family violence issues. There could be job loss in the family. All these things add compounding stresses.

CHAIR—But what do they do about it?

Ms Grindlay—They either give the service or refer them to the appropriate services. In Moreland, we would have something like—

CHAIR—What are the appropriate services? We really want to get down to what it is we can actually do.

Ms Grindlay—There is currently a program called the Primary Area Mental Health Team, for example. The Primary Area Mental Health Team do not deliver service directly to a client in most cases; they deliver professional advice to someone who is likely to be helped. They can advise the maternal and child health service what advice they should be giving.

CHAIR—What do they say?

Ms Grindlay—It depends on the issue.

CHAIR—Suppose there is a problem in a family. Suppose the mother has taken the baby along to the baby clinic—I will call it that for want of a better term—and it is identified that the child has been abused; say, it is bruised in a few spots that it ought not to have been. That alerts the nurse to something being wrong, involving a parent, a sibling or someone in the household. What does she—the nurse, presuming it is a ‘she’—then do?

Ms Grindlay—She must report it to the child protection area of the Department of Human Services.

CHAIR—What happens then?

Ms Grindlay—It really depends on the intervention on a case-by-case management basis.

CHAIR—I have given you the example that we have. What actually happens? Do they get in a queue for the state department people to come and visit? Who are they? What part does the council play in that? Nothing?

Ms Grindlay—The maternal and child health nurses have a range of skills and they would be using their judgment. They may involve the Department of Human Services if it were a child abuse case.

CHAIR—What do you mean ‘may’? I thought it was ‘must’.

Ms Grindlay—It would depend. I could not answer for all cases, but these are the processes that are in place.

CHAIR—There are a lot of children who slip through, aren’t there?

Ms Grindlay—Yes, there seem to be. As I said, the pilot of the early family enrichment program in Moreland seeks to add supports to the family at that level.

CHAIR—What sort of support? In that case, what would the Moreland Council do?

Ms Grindlay—In looking at issues such as family stress at the early level, there are a number of things that are coming into play.

CHAIR—I understand all that, but what do you do once you have identified that there are stress levels? A family in crisis needs early intervention: what does the plan that you have actually do for that family?

Ms Grindlay—It draws in the resources that would be—

CHAIR—But what are the resources?

Ms Grindlay—There could be many things. It could be a matter of maternal isolation, and this would often be one of the factors. It could perhaps be to refer them to neighbourhood house programs, recreational programs and other social programs.

CHAIR—When you say ‘refer’, what does that mean? Do you write on a bit of paper, ‘Why don’t you go along to the X, Y, Z’?

Ms Grindlay—Yes, and hopefully encourage them to go along.

CHAIR—But that is not going to happen, is it?

Ms Grindlay—Yes, it does happen.

CHAIR—Or does it mean that you can contact someone and they will come and visit them?

Ms Grindlay—In many cases, it is a matter of group therapies or group support. We are also trying to get funding at the moment for post-natal depression programs, because often that is another factor—

CHAIR—Yes, but that is a health thing. We know about that problem and there are ways in which that is being dealt with.

Ms Grindlay—In some cases, it is not being dealt with very well.

CHAIR—What do you do then?

Ms Grindlay—We are finding that often post-natal depression is not detected early enough. One of the things that happens to someone with post-natal depression is they withdraw. They are trying to look after their own selves—they are withdrawing. Often maternal and child health nurses, particularly in some groups, will detect that. Because the mother is withdrawing a little, the relationships between the newborn child or other siblings may not be developing as well as possible. This is where the maternal and child health nurse would intervene.

CHAIR—How? What would she do?

Ms Grindlay—She would advise them of what changes need to be made. It could be involving the older child in more programs, engaging more social support for the mother or some clinical intervention.

CHAIR—When you say ‘engaging social support’, do you mean someone who comes into the house and takes over some of the responsibilities?

Ms Grindlay—Social support usually means engaging the woman with other women or people. It could be something that appeals to her and is likely to be sustainable. It might be a sports program, a sewing club or supporting her in her own family relationships.

CHAIR—With your programs, have you put in place a method of testing success or failure outcomes?

Ms Grindlay—I am not fully familiar with the family enrichment program, but it is a pilot program funded by the DHS. I am not responsible for this program, but there are monitoring and evaluation programs as part of that.

CHAIR—I know that in Victoria local government plays a much bigger part in the delivery of HAC services than in other states and, indeed, local councils make a contribution into the HAC pool. Does Moreland Council do that?

Ms Grindlay—Yes.

CHAIR—Are some of these services that you are delivering HAC services?

Ms Grindlay—We have a HAC program for people over the age of 50 and for people with disabilities.

CHAIR—Back to that model of health that you say is the basis, do you do things other than those we have discussed?

Ms Grindlay—The council runs all sorts of programs, such as recreational programs, youth support programs and identifying youth at risk programs, that aim to holistically benefit the community and, in so doing, reduce crime. We also have a number of specific programs related to community strengthening that we found to be particularly successful. I mentioned them in the submission. The Brunswick community strengthening program seems to be going very well. That is a program centred on an area of public housing which had a history of trouble. It would average at least one call to the fire brigade every week. The police would roll their eyes every time it was mentioned because they were frequently called there for domestic violence, arson and graffiti—the usual sort of social problems.

About two years ago a program funded by the DHS and council was put in place. The cost is \$60,000 over three years, or \$20,000 a year. Essentially, that is staff time for a community development person to work with that community. That has resulted in a community group, which has meant that there is now a group of people based in that area who run their own activities. They run youth programs, they have developed their own understanding of the services that are available to them and they have developed warmer relationships with the police, fire brigade and other emergency services. They have now come to the point of being able to identify their own leadership needs. We have found, on the face of it, that this is a terrific program for

such a community. I do not know if people were ashamed to live in it, but it was not a highlight neighbourhood, so to speak. That has totally turned around in quite a short period of time.

Mr MELHAM—You referred to that on page 4 of your submission. You have given us the cost of \$60,000 over three years, and you are saying that you are still waiting for a thorough research report to be finalised. I am worried about what will happen if the funding does not continue beyond the three years. Do you regard it as having kicked off that community development and that that is sufficient because you now have the local community involved, or is it your preliminary view that it is going to require continued funding in the long term to maintain the positive results that you have achieved so far?

Ms Grindlay—The program seems to be fairly sustainable inasmuch as it has been decided that that worker—whose work was quite intensive over some time—should move to another area. I think it is fair to say it will need ongoing monitoring and ongoing support and, if things start to go wrong again, it may need to be checked. But it seems to be operating fairly independently at the moment in that the worker no longer attends community meetings because they can run themselves.

Mr MELHAM—Are you also producing a cost analysis in that survey in terms of the cost to the community before this program and the cost afterwards? I am worried about the bean counters here. One of the things that might happen is that, if budget cuts come in at any place, programs like this could be the first to go.

Ms Grindlay—The council is considering trying to look at things from economic, social and environmental perspectives, so we try to do that in all the monitoring that we do.

Mr MELHAM—So that has been looked at in terms of the monitoring?

Ms Grindlay—Yes.

Mr MELHAM—Thank you.

Mr SCIACCA—First of all, I want to congratulate you on putting in the submission. I have had some dealings with Moreland City Council in the past in other capacities. It is a very good council and I am very pleased that you are giving this so much thought. It seems that what you are saying is that a lot of crime can be prevented if we address it at a local community level.

Ms Grindlay—Yes.

Mr SCIACCA—I think that speaks for itself, doesn't it? The causes of crime are many, but it is sometimes dependent on one's environment et cetera. Some of the programs that you are doing, you think—at least, anecdotally—are having some effect although you cannot quantify that. Do you believe that as a general rule local authorities should be encouraged to get involved in the sorts of things that you are doing and be appropriately funded? I heard you say that there are 1½ staff in one

section; that is hardly enough to tackle the sorts of problems that you have in places that are covered by Moreland. I know everyone wants more money but, in a way, you are suggesting that, if we spend more money at a local level supporting councils like yours around Australia that are prepared to do these sorts of things, in effect we could well be saving a lot of money further down the track. That relates to the problems associated with people growing up and becoming criminals because that is the environment that they have lived in.

Ms Grindlay—I think that is certainly true. It seems to me that local government is very well placed to coordinate a lot of these programs. I mentioned our leadership group at the local level where council facilitates a group with the regional head of education, human services, VicRoads and the police inspector. It brings together these leaders to look at some of the curly issues and it enables them to have an understanding of them, of the interplay between them and to do something about them. By having that connection at the leadership level, it flows through at the officer level where there is more interplay between various government departments and non-government agencies.

One issue that often comes up about young people is the issue of graffiti and crime. I think the crackdown on graffiti may work for a short period of time, but really it is not the issue. The issue is that young people, by their nature, involve in risk taking behaviour; that is what young people do. It is also a time when they are learning to express their identity. If there are not positive ways in which they can develop their own identity, learn to express themselves and to make a place for themselves within the society, they will find inappropriate ways, like graffiti and tagging. So there needs to be a place where they have an opportunity to develop their own leadership, to learn to be adults, to involve themselves in risk taking behaviour, and that is often effectively through recreation, local programs and those sorts of things. Local government is very well placed to be able to facilitate those sorts of programs.

CHAIR—I do not want to downplay the sense of that, but the kids, by and large, who are into the graffiti and who are causing problems in the community are not the ones who want to go along to things organised by the local council. The kids who go along to the things organised by the local council are usually the kids who are pretty good kids and they enjoy what goes on. I know that, in my own electorate, we have problems with a very curious form of young people's behaviour called swarming where literally hundreds of kids will swarm in a particular place. They will be on stuff. They will wander across the road; you have to be careful that they do not attack the car or that you do not hit them. They are not the kids who are going to go along to the organised sporting and recreational activities or anything else. There are a lot of other good kids who will do that, but somehow we have to find a new way to get at the aberrant behaviour. They are the ones who do the graffiti, too. Getting rid of that expression does seem to have an effect.

Mr SCIACCA—In my electorate it is the opposite. We get people there; we have a graffiti taskforce and we actually grab them. I have officially launched some of them. They actually work. I think it depends on which area you are in.

CHAIR—We have had a program where, instead of doing hideous graffiti, they will dedicate a space where they can come along and do their graffiti.

Mr SCIACCA—We have a particularly good council in my area, too.

CHAIR—I am being quite nice about my council at the moment. I have two so I am not going to talk about one specifically but they do have those programs.

Ms Grindlay—We have had considerable success, through council youth programs, at turning around kids who are seriously at risk. Council has three youth clubs, in Brunswick, Fawkner and Glenroy. The process is often called ‘soft entry’. Young people who have been identified, usually by the school or in some cases by their peers, as heading off on the wrong track in life are encouraged to attend the youth club. It is soft entry, which means that they may be encouraged to do things like recreational programs or abseiling. The youth worker influences that young person in a range of life skills. It is about sport but it is also about a lot of other things—peer relationships, family relationships and leadership development. In fact, there are some fantastic examples of where the diversion has occurred very effectively and in a sustained way through local council youth programs and programs run by other NGOs and organisations in the area. That is a very important message to give to parents and to give to young people—that these opportunities are available to them. If you ask many young people they do not want to go down the road of crime, misery and unhappiness. They know where that will end up but many of them see that as the only alternative to meet the needs of their risk taking behaviour, their peer support and sense of independence and so forth. Those local programs seem to be extremely effective.

Mr MELHAM—In the area I represent in Bankstown there was a pilot program at one stage where police went into local schools. Over time that familiarisation broke down hostility within sections of the community. As you say, it was a strategic intervention that produced amazing results.

Ms Grindlay—I have seen that work in Dandenong. It was called the TimeZone Challenge and it aimed at getting improved relationships between police and local people.

CHAIR—In my electorate we would just like a few more police. We have had our police station shut down—but that is another story.

Ms Grindlay—I think it is important to support the ability of organisations such as the police to get involved in the schools’ prevention programs, and to have other government organisations, officers and leaders work in partnerships and programs that show real benefit. This is another area where I know that the Australian Drug Foundation, through their Safe Clubs Pilot Program, have had some real benefits.

CHAIR—Thank you. Are there any other questions?

Mr SCIACCA—No, but I am very pleased that Moreland Council is here.

CHAIR—I am delighted that you have come along and shared with us. The more models we see that have success outcomes—and measured success—the better. It is important that we start to get a handle on what does work. Do you share your experiences through the Local Government Association?

Ms Grindlay—Yes, there are a number of local governments who are now involved in what is called the Safer Communities Network. It is not only Australian; it connects with the World Health Organisation Collaborating Centre on Community Safety based in Sweden. A lot of the thinking, the theory, the philosophy and the good practice programs are shared through email, thankfully, and through face-to-face networks that we have.

CHAIR—What about the Neighbourhood Watch program? Do you utilise that?

Ms Grindlay—Yes, we do. I think the Neighbourhood Watch has a strong role to play. It tends to have rather a focus on property damage. That is its history, and you will find for many Neighbourhood Watches that that tends to be their focus. I think there have been some concerns that they often create unnecessary levels of fear. However, I think there is great potential for Neighbourhood Watch groups to be very strong community networks for broadening their understanding of the issues of crime and safety so that people understand that alienating young people will not prevent crime and safety problems—it is more likely to encourage them—and that issues of intolerance or not supporting people and issues of social isolation are more likely to create crime than prevent it. But I think that many Neighbourhood Watches—and we have a number in Moreland—are now assisting such things as non-English speaking background Neighbourhood Watch groups. Mutual understanding and support—understanding of unique cultural issues that many families face, different cultural values and different stresses on families that other people in many cases do not understand—and community good feeling are things that benefit crime and safety improvement.

CHAIR—Thank you very much for coming this morning. I think that has given us a good insight into the way some councils are thinking, acting and sharing information.

Ms Grindlay—Thank you for the opportunity.

[11.30 a.m.]

ATMORE, Dr Chris, Member, Board of Management, and Volunteer, St Kilda Legal Service Cooperative Limited

MALONEY, Ms Jacinta, Community Legal Education Lawyer, St Kilda Legal Service Cooperative and on the behalf of the Violence Against Women and Children Working Group, Federation of Community Legal Centres, Victoria,

CHAIR—Welcome. Would you like to begin by making an opening statement?

Ms Maloney—I would just like to say that the reason that the Violence Against Women and Children Working Group within the Federation of Community Legal Centres in Victoria found the need to write to the committee in relation to this inquiry was a concern that family violence may not be recognised as a crime in the community within this inquiry. That is the main reason we wrote to the committee and we would hate to see this issue overlooked. Also, around the issue of fear of crime within the community, there appears to be quite extensive research to support that females rather than males are more often likely to know the perpetrator and to be the victim of domestic violence and sexual assault within the community. I imagine that the CASA Forum that has appeared before the committee has spoken of that and I understand that the Domestic Violence and Incest Resource Centre is also appearing before the committee. Those specialist services are probably better placed to give you a lot more detailed research and data on that. We just felt the need to raise these issues before the committee.

Also, there is something which I failed to mention in the submission that I think is important. I did draw your attention to some of the current inquiries that are happening in Victoria around violence against women. The Victorian Law Reform Commission have a discussion paper at the moment in relation to sexual offences and I understand they have quite a comprehensive review being currently undertaken. I believe that Melanie Heenan will be preparing a submission for this committee as well.

Dr Atmore—I mainly wanted to address some issues around the fear of crime. This comes out of my background when, in the 1980s, I was involved in the public service. I was an activist around issues of sexual violence in New Zealand and I produced one of the first public education videos in 1985. Child abuse and child sexual abuse were a strong theme within that video. For the last 12 years or so I have been a social science academic with a focus on researching and theorising cultural understandings of sexual violence particularly in child sexual abuse. That includes things like news reports, novels, films, conversations and basically the way people try to make sense of sexual violence as an issue. That was really the main reason I felt strongly about having input into the submission and I am grateful for the opportunity to appear here.

I want to say something briefly about why I think the fear of crime context is important in the overall inquiry. I am sure you have received many submissions that

assert—based on lots of research now—that, while men appear in official crime statistics as more likely than women to be victims of crimes like physical assault, there are a number of reasons why there is such a skew in that data. One of the reasons obviously is the fact that when you actually factor in crimes like sexual assault and domestic violence against women those crimes, as we know, are far less likely to come to official attention.

It goes even further than that. I have published quite an extensive discussion about some of the social science research pitfalls, around researching domestic violence in particular. I commend that paper to you. It is included in our submission and it is available from the Domestic Violence and Resource Centre, where I was employed to produce that paper. It is called ‘Men as victims of domestic violence’. It basically sets out for the lay person an account of why coming up with definite statistics is such a difficult proposition. Basically, the overall situation is not just that women appear as victims less often in the official data, it is also the fact that the kinds of victimisation surveys that are done, which tend to overcome that problem, still have major problems with underreporting. That is despite the attempts to make the atmosphere more comfortable for the person being interviewed—to draw them out over time, and all those other standard pressures. That is the first factor. That indicates some problem in relation to any assertions we could make about women’s view of crime. I think women, and also the elderly as a group, are often represented as having somehow an unreasonable or disproportionate fear of crime, given the official picture of who is most likely to be victims of interpersonal violence. I think that is part of that problem.

The other part is, if we do factor in more systematically intimate violence against women—things like rape, domestic violence and sexual harassment—there is some significant research that suggests that women’s fear of crime is not disproportionate at all; it is actually a reflection of the fact that a lot of their experience comes from already having been victimised in some form or another. If a woman has a fear of travelling on public transport at night, she may not ever have experienced an assault in that context, but my argument and the argument of some leading researchers is that that fear can be a projection of her risk of sexual victimisation in other intimate contexts. I think that can partly explain the high level of fear of crime in women.

My own argument also is that fear is sometimes a displaced form of anxiety. I have published several articles and book chapters about this in line with my cultural representations research. I think many people—including, I would suggest, people in this room, given two submissions that I heard earlier and the exchanges around those—still find it very difficult to grapple with the notion that sexual victimisation is actually closer to normal than abhorrent on the scale of human behaviour. There are two reasons for that: one is that while it is not true, of course, that the majority of women suffer sexual victimisation or that the majority of perpetrators—who are usually men—are more common than non-perpetrators, it is true that all the research that is done in a systematic way to try to overcome underreporting suggests that the number of incidences is significantly high in society, so it becomes harder and harder to say it is abhorrent. One of the leading pieces of research which is still commonly cited—it is American, but it was very systematic in the early eighties—comes up with a figure something like one in three for child sexual abuse.

CHAIR—How is ‘abuse’ defined in that study? Sometimes I worry that it includes things at the lower end of the scale to bump up the numbers, which in fact then detracts from the seriousness of what is actually happening.

Dr Atmore—Yes, I can see what you are saying. There are a number of researchers who still produce that high figure, who exclude behaviours like exhibitionism, for example, and yet there are other researchers who argue that exhibitionism in itself can often have quite severe effects, especially on young children. They are generally going with a reasonably accepted definition of sexual abuse; it is not something that includes absolutely everything. There is a second issue related to that. British researcher Liz Kelly has done a lot of research into the fact that victims do not always define their experience of the crime in the way that you might expect if you did your own hierarchy of trivial to serious behaviours. There are quite a few examples of victims who have been traumatised quite significantly by a supposedly trivial act being perpetrated upon them. It is actually a bit more complicated than simply ranking.

CHAIR—I accept that. It is like civil law in that you have to take your victim as you find them. If someone has an eggshell skull and you hit them over the head, the consequences are that that is the way the person was. It is difficult sometimes to get a handle on the degree of behaviour that shocks. For instance, there is evidence of horrendous sexual abuse of people you can only categorise as babies. That sort of abuse is something that most people like to shut out and deny that it happens, whereas it needs to be taken on board. But the people who would like to shut it out may be comforted by the thought that the statistics are really referring to much lesser incidents. Do you see what I mean?

Dr Atmore—Yes, I do. But I would suggest that probably 100 per cent of the types of behaviours included in the most well-known surveys would be covered by the Victorian Crimes Act. We are not talking about behaviours that are not defined as illegal. This links to a bit of a struggle in criminology as a field in the sense that probably for the last 10 or 15 years feminist criminologists have been trying to disrupt the official approach to crime victimisation studies which has tended to underemphasise the kinds of factors that I have been talking about and has tended to take the official data picture as reflecting the true situation. Until the last decade or so, the fear of crime literature tended not to consider how things might break down according to gender. Of the researchers who work on women’s fear of crime, the most notable is Elizabeth Stanko, who has been around for quite a few years now and has done work in Wales, England and the United States—and I have some references to her work. She has been arguing that we have to look at women’s fear of crime in the context of gender relations in society and the fact that, if we do have quite high incidences of both child sexual abuse and violence against women, then we are not just talking about women who fear that something might happen to them; we are also talking about women who have already been victimised and therefore have quite legitimate fears. Whether they project those on to a stranger situation because it is easier—

CHAIR—Coming back to the figures that we have received from the police, the figures of assault, for instance, show an increase of some 2,500 incidents reported

over the year 2000-01. You are saying that in that figure of 2,500, domestic violence against women, which is assault, will probably not show up.

Dr Atmore—Certainly not nearly as much as the real incidence of it.

Mr MELHAM—Page 5 of the submission from the Domestic Violence and Incest Research Centre refers to the effectiveness of sentencing. It states:

Sentencing for perpetrators of family violence is uncommon, as most are not even charged with a criminal offence. For example, in Victoria in 2000/01, police submitted 21,622 reports of family violence. However, only 1,162 charges for assault were laid.

That seems to bear out what the chair is saying.

Ms Maloney—I think that is also supported by the statistics in relation to the seeking of intervention orders by an aggrieved family member where there have been incidents that would require protection. There will be a lot more orders sought for protection, unlike the number of charges for breaches of orders, and that is an issue.

Mr MELHAM—What about strategies to deal with this? Do you have any views?

Ms Maloney—Obviously, confidence in the police is something that is important. Something that has been raised in your inquiry paper is that police attitudes towards crime within the home are important because they will determine whether or not victims of family violence will contact the police in terms of breaches of orders or criminal assaults. So there needs to be confidence in the police response and also in the criminal system. I believe that is something the Law Reform Commission, through their inquiry on sexual offences, is looking at quite closely. So I would encourage you to speak to them as well. For example, our service has two cases of sexual harassment within the workplace which involve sexual offences and neither of those complainants wishes to make a complaint to the police about those matters. So there is a reluctance by victims to report crimes of violence against women.

CHAIR—There is evidence, isn't there, that a lot of women who call the police will then either refuse to lay information or, having done so, will pull out of it?

Dr Atmore—I think that, too, probably relates to my earlier comment about gender difference. One of the problems that I discuss in the discussion paper is that it is almost impossible to talk about something as general as crime in the community, even if you are talking about interpersonal violence, because there is an argument to be made that there are some very significant differences between, say, the typical young man's experience of interpersonal violence and that of a typical young woman. All kinds of factors come into that. With your example of domestic violence, it is impossible to understand that low take-up after the initial report without seeing it in the context of how domestic violence actually works as a process and that the home environment and relationship issues for the woman, as well as resources, are very different from the situation of a young man who gets into a bit of a stoush at the pub which gets out of hand and he suffers some injury.

CHAIR—You only have to visit hospital emergency wards on Friday and Saturday nights to see what happens with violence with young men. What changes do you recommend? What sorts of things are you saying need to be done to improve the situation?

Dr Atmore—One of the things that has come up over and over again in my analysis of cultural representations is that we still do not seem to be saying enough that one of the reasons that this problem is so difficult is that in a sense it is part of our normal environment and culture. I guess this links into the CASA submission from earlier.

CHAIR—I have to say that in a vast majority of households it is not common, and I think we have to be careful that we do not represent it disproportionately, because I do not think that helps either.

Dr Atmore—I would not say a ‘vast majority’—I guess I would say a majority. However, I think it is fairly unusual to even randomly select a household and not find someone in that household who has some sort of contact with or knowledge of someone who has experienced some form of sexual victimisation.

CHAIR—Yes, but that is not in the domestic setting. What you are almost saying to me is that all men are bad and it is going to happen right across all households—and I do not accept that.

Dr Atmore—No, I do not accept that either, and I did say that it is not the majority of people but it is a substantial proportion. I think one of the great costs of sexual victimisation—

CHAIR—But where is your evidence for that?

Dr Atmore—There are 15 years worth of publications—

CHAIR—Yes, but in terms of published data giving evidence of incidences, recorded no matter how, where is that evidence which shows a percentage figure?

Dr Atmore—A lot of it is discussed, analysed and critiqued in my discussion paper as it pertains to Australia and domestic violence. Because I am a social scientist, I can say that there is no easy way to go out and research this question, but no matter how you do it, even the most conservative surveys with the narrowest definitions and methodologies find a substantial proportion. It can range anywhere from 10 to 60 per cent in respect of domestic violence.

CHAIR—But that is not meaningful; 10 to 60 per cent is not meaningful. The range for error there makes it nonsense.

Dr Atmore—It is actually not a question of error; it is a question of how you approach the definition in the first place and how you measure it.

CHAIR—What do you include in the definition? Do you include two people having a yelling match at each other?

Dr Atmore—I would commend my paper to you because it takes 80 pages to discuss those issues. It is a very complex area and that is precisely why there is a lot of argument about the incidence. However, I submit that even if you take the most conservative incidence of 10 per cent, which I think is grossly underestimated for a number of reasons, that is still a highly significant social problem because it involves not just the people directly affected; it involves the lives of the other people who are touched by it.

Resolved (on motion by **Mr Melham**):

That this committee receives as evidence and includes in its records as an exhibit the paper titled *Men as victims of domestic violence*.

Dr Atmore—The other point I wanted to draw the committee's attention to is that I brought along something that I suspect is very hard to obtain in Australia. It is an evaluation of a campaign a few years ago by Edinburgh city council which I understand has now spread to a number of different councils overseas. Edinburgh city council developed a specific campaign around sexual victimisation crimes which they called 'zero tolerance'. It has received a lot of publicity in Europe and it seems to be fairly successful.

CHAIR—We would be delighted to accept that into evidence as well.

Resolved (on motion by **Mr Melham**):

That this committee receives as evidence and includes in its records as an exhibit the paper titled *Evaluation of Edinburgh District Council's Zero Tolerance Campaign: Full Report*.

CHAIR—I wanted to ask you about another aspect. You referred to people trying to make sense of violence, and particularly sexual violence, against children. How can you make sense of it? What motivates an adult human being to abuse a baby, a child, in hideous ways? What motivates them?

Dr Atmore—There are a number of different theories, of course. The psychologists have developed some of the more helpful ways to understand it. I take your point that unless you are actually behaving in that way yourself, it is just impossible to comprehend that anyone would do such a thing. I want to argue that that horror sometimes blocks us from seeing that perpetrators of sexual assault against children are often not monsters. We might think that they are monsters because of what they do—

CHAIR—I am sorry, but if they do it, they are monsters to me!

Dr Atmore—I think that this is sometimes part of our problem. We just put it out there, put a careful circle around it and it has nothing to do with us. That is one of the problems and why we still do not see that the most common perpetrators are members of families, school teachers or whatever.

CHAIR—I do not think that that is right. I think people are horrified by it and that is the point I was trying to make to you before. By trying to expand the definition of violence or acts against children you in a way diminish the need for doing something about those children who are hideously abused because they take solace in the fact that it is really only about ‘this’ and that adds to people wanting to shut that away and not confront it. However, if I talk to people—as I have—who have been social workers and who are with NGOs who have identified the most abhorrent practices against children, physical abuse of children and even babies, what can conceivably be a motivation for that? Is it sexual gratification on their part? What is it?

Dr Atmore—I understand what you are saying but I reiterate that there is no simple answer to that question. What you are calling the most severe end of the spectrum is still not usually the ‘stranger danger’.

CHAIR—It is not; it is people who are close to them.

Dr Atmore—So that is what we need to confront.

CHAIR—There does seem to be evidence with respect to de facto males who are not the father of the child. Whether that is a control issue or a matter of hitting out against the mother, I do not know.

Dr Atmore—I am part of a loose network mainly of psychologists who are working around child sexual abuse particularly in Britain, and there is a growing sense amongst researchers in that field who have been around for a number of years that there is no unitary answer to any of these questions. There are different kinds of child sexual abusers. There are different motivations.

CHAIR—Supposing there are 10; what can be one of them? What sort of thing motivates it?

Dr Atmore—Again, there are a number of different theories. There is a lot to be said for the partial explanation to do with social isolation and lack of connection.

CHAIR—It is so hard to comprehend. You can be the most isolated person in the world but why on earth would you take it out on a baby by sexually abusing them? How can that gratify that person or in any way alleviate social isolation? You could understand if they picked up something and threw it at the wall or went out and got drunk, but I just do not understand taking it out on the most helpless individuals in the community. I do not know how you go about reducing it. It seems, on the statistics, to be increasing, but maybe that is because we are detecting it better.

Dr Atmore—I think there is an ongoing debate about why. Certainly there are some child sexual abusers who are regarded by psychologists as fixated in the sense that very early on in their own lives—this does not explain all child sexual abuse by any means but certainly it relates to some—they had a very similar experience happen to them and, as a consequence, certain situations trigger their behaviour and they take on the role of the perpetrator as they grow older. Sometimes that starts quite young, so there is certainly a partial cyclic explanation.

The other point I would emphasise from the cultural perspective is that there are certainly lots of discourses and images around sexuality in Western society which encourage a distancing and objectification or disconnection. I am not saying that any one factor is involved but all of those things can combine.

CHAIR—Like what?

Dr Atmore—The fact of sex being presented as easy gratification, no consequences, do what feels good. That may be combined with gender inequality, with inequality between adults and children, with children having always to obey adults, for example. The researcher who evaluated the zero tolerance campaign has done quite a bit of work on children's rights and how that factors in.

CHAIR—I do not know which evaluation you are referring to.

Dr Atmore—The Edinburgh council one.

CHAIR—I have to say I think I am probably in favour of zero tolerance. I am coming to that conclusion but I have still got an open mind.

Mr SCIACCA—In terms of those people, there was a recent case in Queensland where some dirty grub raped a 12-month-old baby. Those people are animals. There can be no excuse for that. You do get the odd grub around the place who is an animal, and I think that was the case in that example. At least we would like to think that that is the reason. Obviously, there are also no proper mental processes at work. You do not really know right from wrong when you do things like that to a 12-month-old baby. I did read your submission, Dr Atmore. I am sorry that I was not here earlier.

Ms Maloney—The thing to keep in mind is that, even though their behaviour may be seen as that of an animal, you cannot identify these people within the community, so we need support systems that make it easier for victims to come forward.

CHAIR—I do not know how a 12-month-old baby can come forward.

Ms Maloney—Obviously it is difficult for children but we need protection systems there, perhaps through contact with the Department of Human Services, which I think was raised earlier.

CHAIR—That begs the question I asked before: who are the right people to intervene? We see plenty of evidence around the country that DOCS or the equivalent department here in Victoria cannot deal with what is happening. I ask whether social workers alone are the right people to be trying to find out whether or not something is happening in a family—and you do not have to wait until the child is dead to find out. Maybe we need different sorts of skills. I think this is a new thought and a new debate that we need to engage in when we talk about the need for intervention and the need for protection: who are the best people and what are the skills we need to do this? It may not be what we are doing now at all.

Ms Maloney—Given the introduction of mandatory reporting laws within Victoria, as you are probably aware, within the legislation a number of qualified personnel are listed. The intention of the legislation was to expand the list but there have not been the resources for that to happen.

CHAIR—What sorts of qualifications? That is what I am asking.

Ms Maloney—It was broadening the scope from just teachers, nurses, doctors and police to youth workers and other people who may come into contact with victims. The resources are obviously limited in this area and the issue was the number of complaints that may then be attracted by broadening who was mandated to report.

CHAIR—But that is not the problem that I am addressing. The problem I am addressing is this: once the problem has been notified, what are the skills needed by someone who is coming in to address that problem? Traditionally, we say the someone is a social worker. Maybe that is not the best sort of person. I do not know what the best sort of person is, but maybe we need people with a different variety of skills to start addressing those questions, because you get both sides of the coin. Sometimes the intervention gets it all wrong and screws the family up something awful. It can be for a whole lot of reasons that they cannot identify what is really going on and they do it wrongly. There are a lot of issues here. I certainly think the idea of doing something early obviously has merit, but what is the sort of thing that we need to do early? That is the big question. That is where a lot of the research needs to be done.

Thank you both very much for coming this morning, and thank you, Dr Atmore, for the two papers, which we appreciate and will have a look at. Thank you very much for your evidence and for our discussion this morning.

Proceedings suspended from 12.04 p.m. to 1.09 p.m.

GEDDES, Ms Virginia Susan, Coordinator/Trainer, Domestic Violence and Incest Resource Centre

HALL, Ms Janet, Finance Coordinator, Domestic Violence and Incest Resource Centre

CHAIR—Welcome. I note that you have given us a supplementary submission.

Resolved (on motion by **Mr Melham**):

That this committee receive for publication the supplementary submission from the Domestic Violence and Incest Resource Centre.

CHAIR—You have given us some extra pamphlets and documents as exhibits.

Resolved (on motion by **Mr Melham**):

That this committee receive as evidence and include in its records as exhibits the documents titled *Men as victims of domestic violence*, *What's in a name?*, *Family violence hurts kids too* and *Is someone you know being abused in a relationship*.

CHAIR—I now invite you to make an opening statement.

Ms Hall—At the Domestic Violence and Incest Resource Centre our work is concerned with family violence; that is, all patterns of behaviour in relationships that result in physical, sexual, emotional or psychological harm or suffering, particularly to women and children, and particularly in the home. Our aims in making a submission to the committee's inquiry were two in particular: to make sure that family violence was not overlooked in a consideration of crime in the community and to stress the special nature of family violence requiring an informed and knowledgeable response. Some forms of family violence and abuse are already on the statute books as crimes—murder, rape, assault, damage to property, threats and child sexual assault. Others are not, such as psychological and emotional abuse, financial deprivation, enforced isolation from friends and family and other forms of behaviour that cause someone to live in fear.

Key features of violence against women and children are also listed in this book, which is a handy reference, *Key directions in women's safety: valuing Victoria's women*, from the Victorian government and dated December 2001. We also recognise that the relationship between family violence and child abuse exists. These forms of violence often happen at the same time, and child abuse is also a form of psychological abuse if a child is aware of violence directed towards another family member.

Ms Geddes—I would like to stress that family violence is a particularly common form of violence. You are probably aware that the Australian Bureau of Statistics *Women's safety survey*—and this was not particularly family violence—found that 23 per cent of women had experienced physical or sexual assault from a male partner at

some time in their lives. Other studies have found that 25 per cent of young people have witnessed acts of violence against their mothers or stepmothers at some stage. We are talking about something that is really widespread but, when we talk about family violence as a crime, we are talking about a crime that is largely invisible.

Our concern about the work of this committee is that unless particular attention is paid to crimes of family violence then the work of the committee will continue to perpetuate the community's lack of acknowledgment of the extent of family violence in the community. We urge you to draw particular attention to crimes that would be considered as family violence. It is worth while noting that the *Women's safety survey*, again, found that 81 per cent of women who had experienced physical assault did not report to the police, and 85 per cent of those who experienced sexual assault did not report to the police. Those are very under-reported crimes.

Another point is that family violence does not fit with the community's idea of a crime. Acts of family violence are not seen as crimes in the same way that other forms of violence are seen as crimes. So, for example, if my house is burgled or my car is stolen then probably I would ring the police or a friend and ask for support. I would tell my friends and family about it and everyone would be very sympathetic that I had my car stolen or that all my computer equipment was gone.

However, if my husband assaults me in the home it is not so clear-cut. I feel ashamed to tell people. My husband tells me that I have provoked the violence, that it is my fault. I do not call the police because I am fearful of what that might mean, what my husband might do after the police leave. I am also fearful about what their response is. I do not have confidence in the police response. If I am an Indigenous woman, in particular, I have even less confidence in what the police response might be. I do not tell my friends and family any more because they have lost patience with me. They say that I should have left, that it cannot be that bad otherwise I would have left him. I do not tell the people at work because I am ashamed that my marriage is not a success like other people's marriages. I feel that I am partly to blame for that. I do not tell our friends because they do not see what happens in private; they only see him in public and he is a very charming man. He holds a very responsible job and is a pillar in the community. So I cannot really speak outside of the home about this. I do not contact a domestic violence service because I do not actually know much about their existence and I do not know how to contact them. Often I do not think that what is happening to me is domestic violence so I do not think that I have got the right to ask for help anyway.

Not only do I as the victim maybe not see this as a crime but often the police do not see it as a crime, preferring to see it as a domestic. Often they are unwilling to act on breaches of protection orders. The courts often do not see it as a crime, and quite often the general community does not want to know about it. The Office of the Status of Women study of 1995 actually identified that 83 per cent of people thought that most people would turn a blind eye to domestic violence. So there is widespread consensus in the community that other people will turn a blind eye to domestic violence.

One particular crime of family violence is worth mentioning and that is rape in marriage. It is almost seen as an oxymoron by some people in the community that you

could have such a thing as rape in marriage. Yet our experience is that a lot of women who are physically assaulted in the home are also sexually assaulted by their partners. But this is something that is very rarely spoken of and women would find it very difficult to come out and say that their husband had raped them. Some people would laugh at them.

Finally, I suppose family violence and the crimes we count under family violence have a financial cost to the community. The recent publication from the Office of the Status of Women, one of the partnerships against domestic violence documents—the annual report—actually notes a couple of studies on the financial cost of family violence. Lately people have started to talk about the links between family violence and other forms of crime where children have witnessed violence between their parents. Those children become quite distressed. Some studies have talked about problems in psychosocial adjustment of young people who witness violence. In Victoria some of the police have recently been talking to domestic violence workers about their perception that a lot of young people who are committing adolescent crimes are themselves the victims of, or have witnessed, family violence in the home. I suppose they are the main things. Our main point is that we would like the committee to highlight crimes in the home because these are so invisible. In most discussion about crime in general these kinds of crimes remain invisible.

CHAIR—I would like to take you up on that point which you made about children who have been in homes where they have witnessed violence. Is there evidence of a correlation between the fact that they have observed violence and that they then go on to perpetrate violence themselves?

Ms Geddes—People are only just starting to look at some preliminary studies of that. I think that we will see a lot more research. I will quote from a journal article by Fergusson and Horwood, ‘Exposure to interparental violence in childhood and psychosocial adjustment in young adulthood’. The conclusion reads:

Children exposed to high levels of interparental violence are an at risk population for psychosocial adjustment problems in young adulthood. Much of the elevated risk of these children arises from the social context within which interparental violence occurs. Nonetheless, exposure to interparental violence, and particularly father initiated violence, may be associated with later increased risks of anxiety, conduct disorder, problems with alcohol, and criminal offending.

CHAIR—You say that research is just beginning.

Ms Geddes—Yes. I do not have a lot that I could quote from, but I think we could look that up and send something back to the committee.

CHAIR—That would be good. I am sure my colleagues have questions as well, but the second thing I would like to ask you about is that you mentioned that Indigenous women find it particularly difficult to report sexual assault or assault in the domestic arena. Is there evidence that women in other ethnic groups within the community find it more difficult?

Ms Geddes—Often when women come from countries where there has been a military dictatorship or where the police have a different kind of code of conduct to

ours, those women perhaps will not contact the police because of the experiences they have had under oppressive regimes in their previous countries. They see the police as having quite a different role from the one that we would like the police to have in this country. Also, particularly if a woman is not able to speak English or she does not have access to some of the information resources in the community, she may not know that what is happening to her is considered a crime in this country. That is not uncommon.

CHAIR—There are also anecdotal stories of women from different ethnic cultures being closeted away—I suppose that is one way of putting it. They are not permitted to take part in the life of the society and, therefore, probably do not come into contact with people, and they find their English skills are very restricted. Do you have any evidence of women who find themselves in that situation?

Ms Geddes—Yes, that is quite common.

Ms Hall—I have heard of cases like that.

CHAIR—Have you dealt with any yourselves?

Ms Geddes—We are not a direct service agency; we are the domestic violence and sexual assault resource centre for the state. We are not involved in direct service on a day-to-day level. However, from the stories that the direct service workers tell us, yes, that is the case.

Ms Hall—As it happens, the proportion of women in refuges from a non-English-speaking background is higher than the general population.

CHAIR—Is that right?

Ms Hall—Yes, which suggests that they have not been protected in the community by the legal system perhaps as well as they could have been.

CHAIR—But it does mean they get to hear about the refuge centres.

Ms Geddes—Yes. What is interesting is that we do hear a lot of stories about the ones who do not hear about them. But, on the other hand, a high percentage are in refuges—higher than you would expect from their proportion in the community.

CHAIR—Are you successful in rehabilitating them? What happens to them? They can only be in the refuge for so long and then they have to move somewhere else. Do you follow them? Do you help them?

Ms Geddes—That is the problem, actually: where to go after refuge. That is the problem not just for women from diverse cultural backgrounds but for all women, because the availability of cheap rental properties is not always adequate and the waiting lists for public housing are long. That is what everybody says in the DV service: you can get the woman out of the house, you can get her into the refuge, but

where do you move her on to next? That is where the system clogs up. That is what happens in Victoria and I gather that it is the same in other states.

CHAIR—It is no good taking them out and then returning them to what they have come from.

Ms Geddes—That is one reason why a lot of women go back. There are a lot of reasons why women go back to violent partners but one of them is that they do not have any options. Often they are economically worse off once they have left the violent partner and they cannot get housing. I worked in a refuge many years ago and I remember the case of one woman who told me, ‘I’m going back because I don’t want to live in this crummy little flat in poverty. I would rather go back to him in the nice, flash house in Doncaster with all the mod cons and survive with the violence again for a while.’

Mr SCIACCA—I would like to follow that up. I am interested in this question of cultural attitudes and the percentages associated with them. With Melbourne being a very multicultural place, have you got some sort of percentages relating to culture? Certain cultures, particularly religious cultures, have a propensity to put the woman very much in the background and a lot of these people would be very frightened. You say that there is quite a high percentage of people from non-English-speaking backgrounds in refuges. Is it a very obvious problem; is there a disproportionate number of them in refuges? Is there a disproportionate emphasis on these people being subject to family violence compared with, say, people in the white Anglo-Saxon community?

Ms Hall—Statistics are a problem with domestic violence because so much of it does not come to public attention or is not collected, so it is hard to say really. Also, there is such a wide variety of people here for different lengths of time in Australia. We do know things from various studies that have been undertaken under the Partnerships Against Domestic Violence initiatives from the federal government and one of them was about people from diverse cultures. There were attitudinal studies done on their knowledge of domestic violence—knowledge of it being a crime, knowledge of sexual assault and so on. There were various measures against how long they had been in Australia, and obviously their knowledge of the law increased with time.

Mr SCIACCA—I mention it because I can say to you—again, with another hat on—that I visited a number of our immigration detention centres and for all that is said about them there are some good things that happen in those centres. One of them was that as soon as people arrived, particularly people from Afghanistan, Iraq and mainly from the Muslim cultures—and this is not any criticism of any religion or anything—the first thing management did was to put them all in a room and provide orientation. They were taken off the boats and taken straight into their orientation—and I was there when they were doing this. One of the things they were saying to the men, in particular, was, ‘This is Australia. It is not Iraq and it is not Afghanistan and women here are treated equally.’

I have to say to you that it was probably one of the most difficult things to get through to the men that that is in fact what Australia is about. We are very good in our multicultural way and we allow people in, but unfortunately there are still some cultures that will want to continue with that thousands of years old role where the woman is not seen as being equal. I guess what I am saying is that we are probably going to have to educate a bit more than just, for instance, around at a detention centre or a processing centre when they come in. Surely you must see a lot of anecdotal evidence of this happening at the centres that you are resourced for.

Ms Geddes—I think we have to be very careful about locating the problems of attitude just in other cultures—remembering that it was not that many years ago that a South Australian judge said words to the effect that a man has the right to use force against his partner in order to get her to have sex.

Mr SCIACCA—I remember that.

CHAIR—He used appalling words—‘rough handling’ or something of that ilk.

Ms Geddes—That is right.

CHAIR—But the good thing about that was that the Australian public, and everybody else, came down on him like a ton of bricks.

Mr SCIACCA—That is right.

CHAIR—He was told in no uncertain terms that that was not acceptable—

Ms Geddes—That is true.

CHAIR—And it was stopped dead in its tracks. It was good that he was really put in his place.

Mr SCIACCA—I remember that.

CHAIR—I remember being so angry.

Mr SCIACCA—If there is a problem in certain cultures of a non-English-speaking background—I know there is a problem right across the community—for example, with these new people that are coming over, would it be of any assistance if there were some sort of education program very early on, perhaps as part of their citizenship training or whatever, so that they are made aware of what our culture is in this country and that we are all equal here?

Ms Geddes—Any training that is going to encourage men to treat women equally would be a good thing.

Mr SCIACCA—One would hope that men that are born here and live here—I know it does not always happen—know that anyway and you should not have to train

them. But I am suggesting that these people who come here from different cultures may initially need a bit more training.

Ms Geddes—It might be a question of degree, because from where I sit and having regard to the work that I have done I do not think that in this culture in general men see women as equal.

Mr SCIACCA—I accept that. But what I am saying is that they should see women as equal because that is what our culture is here. Perhaps men coming here from other cultures, before they get their citizenship, should have it drummed into them a little bit better.

CHAIR—I wonder whether, when people apply to come to Australia, we should ask this question and seek an undertaking on it: ‘When you come here, do you undertake to treat women as equals?’ If you cannot answer yes, you cannot come.

Mr SCIACCA—They will all say yes.

Ms Geddes—We should do that for all judges and politicians too.

CHAIR—Maybe something awful will happen to you if you don’t!

Ms PANOPOULOS—In your submission, on page 3, you stated that police and courts often see domestic violence as a less serious crime than other forms of crime. I know there would be a lot of anecdotal evidence to support that, but do you have any evidence or do you get that from any other studies?

Ms Geddes—The protection orders that we have in Victoria are called intervention orders—they are called other things in other states. There have been several studies here indicating that police are reluctant to prosecute breaches of intervention orders. It is a crime to breach an intervention order. The intervention orders are civil orders. Once you breach it, that is a crime. We do find it difficult in Victoria but under the new chief commissioner the attitudes of police are changing. There is evidence that police are not acting on the breaches. That is quite serious because they are supposed to be protection orders. I cannot quote the study to you right now but I can supply that later.

CHAIR—In New South Wales they are called AVOs.

Ms Geddes—Yes.

CHAIR—There is evidence that they are themselves being abused in that they are too easily given and that the breaches—where a husband, for instance, can be hauled up before the court—are really for the wrong sorts of reasons. I do not know whether that happens in Victoria, but there is a concern about the way in which AVOs have proliferated and whether there ought to be a tougher test for giving them in the first place, because they are used sometimes in divorce actions as a leverage for settlement and that sort of thing. Does that happen in Victoria at all?

Ms Geddes—It has not been my experience from talking to domestic violence workers that the intervention orders are being too easily obtained. People say that the problem is more that, once you have the order, it is not being enforced. That is what we identify as the problem.

Mr MELHAM—But that could be for a number of reasons. You quote some figures in terms of the effectiveness of sentencing. You say that in Victoria in 2000-01, police submitted 21,622 reports of family violence, but only 1,162 charges of assault were laid. Isn't part of the problem that in a lot of instances there is a reluctance on the part of those against whom the violence is perpetrated to continue with the complaint?

Ms Geddes—Yes, and that is about fear.

Mr MELHAM—Some of it is about fear, but some of it relates to what you were saying in respect of people maintaining a relationship because there is no proper alternative in terms of accommodation and other things—the example you cited. That is what concerns me. The figures are pretty stark and they are coming through. I am trying to work out how we can offer some solutions to improve the situation. What is the way forward? I do not know whether it is as simple as the police not enforcing some of these orders.

Ms Geddes—We should not just see the police as the baddies in this.

Mr MELHAM—I accept that, and I don't.

Ms Geddes—It is about community attitudes around violence against women. The police and the judge I quoted are expressing the same attitudes that are prevalent in the community; namely, that to a certain extent some violence against women is okay.

CHAIR—We have to say here and now that this committee certainly is not of that view.

Mr MELHAM—No violence is okay.

Ms Geddes—That is right.

CHAIR—And we think that zero tolerance is pretty good in that area.

Ms Geddes—That is right, but we need the whole community to be of that opinion. After 20 years working in this area, I believe that that is not the case. It has changed, but it is not the case. If my husband assaulted me and raped me in the home, most people in the community would not see that in the same way as if I walked out of this building today and was assaulted and raped by a stranger.

Mr MELHAM—I hear what you are saying—I do not claim to be an expert in this area and I am not here to carry a brief for the police or whatever—but what I am told in these instances is that they find themselves in a difficult situation because a

complaint is made and before they can get it to court, fresh instructions come in that the person does not want to pursue the complaint for whatever reason. Also, some people do not like having to go to court to relive the experience. It is obvious that the statistics are coming through and the problem is there. As a committee member, I am trying to work out what recommendations or guidance at a state and federal level in a partnership approach the committee can make at the end of the process. I am interested to know what you think the way forward is. Part of it is obviously education, and we heard evidence earlier today about the success of other programs. What do you offer the committee as a way to progress the issue or to help improve the situation?

Ms Geddes—There is an attitude issue that we need to address and we could look at some of the other widespread attitude changes and the campaigns that have been conducted in the community. We could look at drink-driving.

Mr MELHAM—That was cited earlier as a success.

Ms Geddes—We could look at the antismoking legislation, at seatbelts, bike helmets—

Mr MELHAM—That is what I am asking.

Ms Geddes—There are a lot of examples where people's attitudes and behaviour have been changed in a very short time by government legislating and promoting community education around those issues and we could learn from some of those campaigns which have been quite effective. Another one of those was .05 and drink-driving.

Ms PANOPOULOS—In your supplementary submission, under 'Strategies', you have stated that more statistics are needed. Could you please elaborate on the statistics you are referring to?

Ms Hall—Things like the involvement of children in domestic violence incidents where the police are called.

Ms Geddes—We do not have statistics on, say, women and disability and domestic violence. We could have a lot more data on the experience of women from culturally diverse communities. Lesbian and gay violence—same-sex domestic violence—is not well documented. There could be some more data from the Family Court.

CHAIR—There is another issue that nobody has mentioned in dealing with domestic violence, and that is elder abuse. Have you any experience in that area?

Ms Geddes—Not direct experience, but that could be another one that is absolutely underdocumented and perhaps even more invisible than some other forms of violence in the home, particularly where somebody is being looked after by a carer. It often is the same with disability. If the person is reliant on the carer, and the carer is the abuser, that person is largely cut off from accessing any services. In both cases we need to train people who are going into the home and who are likely to come into

contact with them to see indicators of violence. I do quite a lot of training in my job. One of the things I notice with health professionals, particularly GPs, is that people are often very unaware of some of the indicators of violence, and when they have had training in those issues they feel a lot more confident in taking some action or making referrals to other services. People do not see it, and I think that that is particularly the case with elder abuse.

CHAIR—It is important to say that, for the most part, carers as a group of people—and there are a large number of them in our community, up to two million of them—are very fine people, but again we have to be aware that some have problems.

Mr SCIACCA—You mentioned the incest resource centre. Do you get much evidence of incestuous relationships? It is the sort of thing that no-one wants to talk about—I certainly find it abhorrent even to mention it—but it obviously must go on to a substantial extent. You would never know, would you, unless someone complained. How would you know? What are the statistics?

Ms Geddes—A major study in the United States a few years ago showed that about one-third or 28 per cent of women had been sexually abused under the age of 16. I would have to get the exact figure for that, but studies suggest that it is higher for females than for males. It is widespread. It is really common. Children are unable to disclose it because the perpetrator usually tells the child, ‘If you tell, I will have to leave and the family will be destroyed.’ So the child who is a victim of sexual abuse within a family often feels very responsible for keeping it secret, otherwise everything will go wrong in the family. Many people do not tell until much later in their lives. It is probably worth mentioning that the Centres Against Sexual Assault in Victoria—I imagine it is the same in other states—say that their figures indicate that it is not the victims of recent rapes that constitute the bulk of their clients, as most of us would think when we think ‘centre for sexual assault’; it is actually people who experienced sexual abuse as children and are now dealing with the effects of that abuse.

Ms Hall—That would be an area where, if one could devise a way of collecting statistics and connecting child sexual abuse with later issues—

CHAIR—Mental disorders.

Ms Geddes—A recent study by the place which was the Victorian Royal Park Psychiatric Hospital found that 71 per cent of the patients there had been physically or sexually abused. That is a very high percentage. It shows that there is a very strong link between mental illness and abuse, and there have been other studies that have explored that. A very interesting issue that goes with it is that, when those people went to that psychiatric hospital and filled out the intake forms or were asked questions, they were asked about their bowels, their periods, smoking and whatever but no-one asked them whether they had ever been physically or sexually abused. That is really common, not just with psychiatric hospitals; most health professionals will not ask direct questions about abuse, and most women say that they would prefer to be asked. I do not know about men.

Mr MELHAM—Are there any studies to show whether they would volunteer it even if the question were asked? How many people would be reluctant to volunteer that anyway, even if it were on a form, and what about any trauma that it might engender? I am not suggesting that; I am just looking at reasons as to why they might not do it.

Ms Geddes—The Keys Young study, a major study in Australia about women who do not seek help from services and why they do not, includes quite a few quotes from women about how they gave hints: ‘I leaked little hints; I wanted him to ask me about it.’ What we say when we are training health professionals is that, once they can think about the indicators, they should ask direct questions. The person can lie; if you are my doctor or my counsellor and you say to me, ‘Is there any sexual abuse in your background?’ I can say no. But your asking me the question tells me that you know about it and that you may not be shocked by my saying yes. Maybe I will not say anything now, but in a couple of months time when I am having flashbacks and nightmares and I am distressed I might come back to you because I remember that you were the person who asked me that question.

CHAIR—As there are no further questions, I will say thank you to both of you for your evidence today; it has been most useful for us in our inquiry.

Ms Geddes—Thank you very much.

Ms Hall—Thank you.

[1.49 p.m.]

MULLETT, Mr Paul Raymond, Secretary, The Police Association, Victoria

CHAIR—Welcome. Mr Mullett, perhaps you would like to begin by giving an opening statement.

Mr Mullett—Certainly. Thank you for the opportunity to present a verbal submission in furtherance of our written submission dated 30 July 2002. In the first instance, I will take you to page 3 of the submission. The principal paragraph on that page is the centrepiece of our verbal submission to you today. In talking about crime prevention, from the association's perspective—and we are not necessarily talking only about Victoria but across all jurisdictions—it is clear that police forces should be properly resourced. There are two main functions of policing. We provide a reactive service to members of the community but, equally, we should be providing a proactive service. One proactive initiative should be, particularly in regard to the perception of community safety, for the community to see that visible police presence. They should see police officers patrolling in police vehicles, not merely driving from job to job in providing the reactive service. They should see their police on foot patrols, on the beat, in and around shopping centres, for example, and they should see police officers on bicycles performing a patrol function. Quite obviously, you can add to that covert patrols, special duties units—as they are referred to in Victoria—regional response units and the targeting of areas that have been hit by one form of crime or another.

Providing all those proactive initiatives and that visible police presence obviously takes resources. Invariably—and again I am not talking only about Victoria but across all jurisdictions—chief commissioners or commissioners of police are provided by government with what in Victoria at least is termed global budgets. So chief commissioners are provided with their budget and they have to work within it. Naturally, wages and salaries consume a major part of the budget as an individual line item. When presented with a specific budget, a commissioner or a chief commissioner can only provide resources within that particular budget, so this question needs to be raised: should police forces as a government agency fall within the normal processes under which other government agencies are treated? What impacts on the community, particularly in terms of crime prevention, is the amount of resources that a commissioner can provide back to that community. As a resolution, should we be discussing and making recommendations about the budgeting process as it applies to police forces across the country?

You factor enterprise bargaining into the budgetary process because any wage increase naturally comes with increases in wages and salaries as a line item. Chief commissioners working within their budget have to seriously address increases in wages and salaries; again, they look to that major line item but particularly to sworn resources. The impact of increasing wages dents police resourcing, and we saw almost 1,000 police depleted from the establishment here in Victoria during the mid- to late 1990s.

We submit that the committee should have an understanding of the policing profession and in particular, as we have precised here today, of the two main objects of policing. One is providing a reactive service to the community. If the community have a particular crime that they should be reporting, we need to provide that service. Similarly, we need to provide proactive policing initiatives, in particular by providing a visible police presence so the community at least have that perception of safety.

Mr MELHAM—On page 2 of your submission you say:

... proper education should be developed within school communities throughout Australia ...

I recall that at one stage in my area of Bankstown there was a pilot program whereby police went into local high schools over a three-year period, which proved very successful in terms of police interacting with and familiarising themselves with local young people. But after three years the program, notwithstanding its success, was abandoned because of budgetary constraints.

Mr Mullett—Unfortunately there is a resourcing implication. That is aside from maintaining a visible police presence as a proactive initiative. Initiatives such as putting in place education programs are proactive initiatives. Here in Victoria we have the Police Schools Involvement Program whereby each and every division throughout the state has, as part of its establishment, a PSIP officer. Invariably, because of the shortage of resources, that particular officer is called upon to work never-ending divisional van shifts to supplement the provision of the reactive service to the community. So that proactive initiative, although in place, is lost because of the inability of governments to provide proper resources to their respective police forces.

CHAIR—I wish to refer to contemporary policing methods overseas that we hear about. I am not going to use the term ‘zero tolerance’, but I am going to use the ‘broken window theory’. It does seem to have worked in New York. Those of us who have been in New York before and after its introduction can testify that the city is different. I wonder about the Police Association’s attitude towards those methods of tackling all crime, the most minor of crime being tackled first.

Mr Mullett—This is probably a personal view to commence with. That theory may have had some application in the late sixties or early seventies in Australia but the question—and it needs to be debated and discussed at length with all the various types of stakeholders—is: does it have application here in Australia, given the different cultures and different communities that we have? To be frank, it is naturally a heavy-handed approach. At some time in the future, yes, we may be able to consider it.

Interestingly enough, the Police Association of Victoria are developing this process. We see it as a possible solution and as a way forward. We conducted extensive research worldwide and realised there was no process in place that properly resourced police stations in particular and all other operational work units. So, in our view, you really have to put in place a resource allocation criteria model so that what you ultimately end up with is establishments at all workplaces, particularly police stations, whereby communities have confidence that their local police station is properly

resourced. Here in Victoria there is a minimum standards model, but that basically caters for the reactive service that I have spoken of earlier.

In order to put in place the proactive measures of our profession, the Police Association of Victoria are currently developing what we call a full resource allocation criteria model and we are basing that on the business outputs that government puts in place. To build on the business outputs, we are looking at a whole range of activity drivers that have application in varying police stations across the state. For example, Dandenong and Frankston police stations are in relatively close proximity and were established more or less the same in terms of resources, but they have their own unique areas within the local communities of both of those response zones. So we have to factor such things as the local demographics and topography of an area into our resource allocation criteria model. We are probably three-quarters of the way through our current process. We are being assisted: we have outsourced to the National Institute of Economic and Industrial Research to get some expertise to assist us in putting a model in place. Hopefully it will be a model that we can patent worldwide, because we believe this sort of initiative has not been investigated and put in place.

CHAIR—When you say a resourcing model—I guess that is what you are talking about—what is the aim of that model? What do you want to achieve? Is it to attack all crime within that area, even the most lowly of crime? Is that what you are about?

Mr Mullett—It takes all that into account and it takes other policing core functions into account as well. The main aim is not necessarily detecting crime after it has occurred but looking after the proactive arm of our profession, and that is preventing crime, stopping it before it occurs. In our view, it is only with a properly resourced force, with that visible police presence in particular, that crime is prevented from occurring.

CHAIR—From what I can gather, in empirical terms it certainly has worked in New York, but I think they have more police per thousand population than we have here in Australia. I do not know whether your resourcing model is looking at having more police. I notice the term ‘sworn police officers’ is creeping in because there seems to be, shall we say, a civilian function creeping more and more into the police force. I guess that could be a problem in certain areas where some people are subject to a regime which, in terms of ethical behaviour, is far more stringent than one that is governed by, say, the Public Service Act. Would you like to comment on that?

Mr Mullett—Certainly the trend is to unite both sworn and unsworn officers under the umbrella of employees and under the chief commissioner. We have philosophical reasons for opposing that view—and I do not want to misquote our colleagues in the public service union, but they have a similar view. What has to be taken into account, naturally, is that when commissioners, or ministers of police in particular, are quoting people resources they are only providing the number of sworn officers. Some tend to include unsworn officers in the overall forces establishment and that is really misleading the community.

In Victoria, for example, we have a sworn establishment of approximately 10,300 officers when in fact the work force that the chief commissioner works with is some 14,000 officers. So we need to be careful when we are advising the community of how many sworn police officers we have. Through our national body, the Police Federation of Australia, we are asking for support to put in place a sound resource allocation criteria model that we are currently developing. We are hopeful that this model will realise how the Victoria Police Force should be resourced in terms of sworn resources, and then we can present that model to our colleagues interstate.

CHAIR—You, no doubt, network and talk with your colleagues interstate. One of the more interesting statistics we have heard in the course of taking evidence over the last two days is that Victoria, it is alleged, has a 20 per cent lower crime rate than New South Wales. I find that quite intriguing.

Mr MELHAM—Taking the statistics back to the 1880s, or something. It is not a recent phenomenon.

CHAIR—Do we record statistics differently or are there other factors? Do you consider you have a 20 per cent easier job in Victoria than your colleagues in New South Wales?

Mr Mullett—As they say, ‘Statistics, statistics, damn lies and statistics.’ I think we can all use statistics, particularly from a political position, to our advantage, and the Police Association certainly does from a public point of view because we believe that, in terms of those statistics, there is an increase in street related crimes. That goes back to our argument, and that should be factored into our resource allocation criteria model. There is a lack of a visible police presence on our streets. When you talk prevention, you very much need that visible police presence to perform the proactive arm in our profession. Hopefully, then you ultimately decrease the statistic of street related crime.

Mr MELHAM—Has the nature of the work changed over time, as well? I am interested as to whether there is more paperwork and bureaucracy involved now, in terms of an officer’s time. In terms of numbers, are there more now in middle and senior management than there were in the old days, and less on the ground?

Mr Mullett—In Victoria we have had the restructure known as Local Priority Policing. If you take the first initials of those three words, you come up with LPP, which we termed ‘less police protection’ because it was nothing other than a process to reduce police resourcing and particularly take away the planks of middle management, which was decimated in Victoria.

CHAIR—You still have not told me whether you think there is less crime in Victoria than there is in New South Wales.

Mr Mullett—It is very difficult to compare apples with apples, and again you can use statistics to your advantage. Our colleagues in New South Wales could use their statistics as compared with ours, as could we, and compare the various categories within those statistics. It is interesting that our enterprise bargaining campaign late

last year was to obtain pay parity with our colleagues in New South Wales because of the exact nature of the work that police officers are performing in New South Wales.

CHAIR—You are telling me that you do not think it is the case.

Mr Mullett—No. And they would say the same.

CHAIR—When we had Victoria Police giving evidence yesterday, I asked them about the statistics in this advertisement, which we will make an exhibit, and I asked them whether they were true. They said that they were. I asked why the strategy, about which they gave evidence, in the areas where they were concentrating—I will find it in the additional submission in a minute—did not include things like homicide, rape and aggravated burglary, which have all been shown to have increased quite dramatically. In relation to crime prevention, the things that they were ticking off on were not things that are on the increase. Does the Police Association have a view on that?

Mr Mullett—Firstly, the statistics in the advertisement are very selective in nature. There have been decreases in various areas. One prime example is theft of and from motor cars. There has been a significant reduction of some 25 per cent in that area. That is not recorded in that advertisement.

CHAIR—That could be because car theft is one of the things they have a strategy for. Maybe you would say the strategy is working. The question I ask is this: why does the strategy not include those things? Homicide and rape are not included in the strategy that they told us they had in place for prevention.

Mr Mullett—It is very difficult to prevent homicides in particular, in our view.

Mr MELHAM—Is that because many homicides are by people who know one another, in domestic situations?

Mr Mullett—The vast majority are, but the rest—I am generalising—are organised crime related. There could be strategies, but it is very difficult to deal with strategies to prevent homicide.

CHAIR—Wouldn't the first thing in regard to homicide be to have some statistics—they may exist; I do not know—that showed the nature of the homicide: the percentage that is committed in street violence, in the course of another crime and in the domestic scene?

Mr Mullett—In Victoria, they are currently looking at measures and there will be a bill going through the parliament shortly looking at amendments to legislative authority to allow police officers to search people for illegal weapons. So the use of the weapons act will hopefully be amended. You could suggest that this would prevent a homicide similar to the one we saw in Prahran recently.

CHAIR—In the river—ugh!

Mr Mullett—But, again, alongside that type of legislative authority to combat or prevent street related crime, you need to sit adequate police resourcing.

CHAIR—I accept that.

Ms PANOPOULOS—I have a couple of questions. You mentioned in the submission the need for education programs directed at parents—presumably those who are part of dysfunctional families, because that was cited by your membership as the main reason that leads people into crime. What sort of education programs did you have in mind?

Mr Mullett—The process may be commencing with our new chief commissioner. From a policy position as far as the force is concerned—and we support it—she wants to work more closely with the community, involving those community groups and hopefully teaching and educating people in the lower socioeconomic classes. For example, in the housing commission area we have here in Victoria in a suburb like Richmond, do you put in place a program similar to the Police Schools Involvement Program that addresses and educates dysfunctional families?

Ms PANOPOULOS—How do you do that? That is what I am saying. Are there any ideas emanating from the force that could guide us?

Mr Mullett—It is very much in its infancy, but it is all about creating proper networks with those areas of the community. So hopefully you can appeal to them through an education process and teach and guide them so that ultimately you come to a stage where you do not have the number of dysfunctional families you once had. To educate someone like Kath Pettingill and her family may be somewhat difficult—

Ms PANOPOULOS—It would perhaps not be an efficient allocation of resources. Do you keep statistics for crime rates and the types of crimes in areas with a high concentration of department of housing accommodation?

Mr Mullett—The Police Association does not, but the Victoria Police force would have that statistical data.

Ms PANOPOULOS—Perhaps we could follow up some of that information, Chair. My second question relates to the recommendation for additional police officers. You stated that there were 800 additional police officers in April this year. Of course, you would be familiar with the new police office buildings that have been built, particularly in regional Victoria. Does the association acknowledge the problem that there have been new police stations with an officer, yet, because of the way resources are allocated, that police officer is rarely in that small country town which has this new, swanky police station? What I am hearing on the ground is, ‘We want that police officer who is allocated to our town to be on the ground. We want to see them.’ Is it acknowledged by the association that there is a problem?

Mr Mullett—It is a problem, albeit a relatively minor problem in Victoria.

Ms PANOPOULOS—It is not a minor problem to the people in my electorate.

Mr Mullett—Sorry, which electorate is that?

Ms PANOPOULOS—My electorate is in the north-east of Victoria. It includes the small towns of Chiltern and Yackandandah.

Mr Mullett—You still have a one-officer station at Chiltern.

Ms PANOPOULOS—What I am saying is that the officer is never there. He is called up to Wodonga all the time.

Mr Mullett—That is similar to our example of the Police Schools Involvement Program officer. Because of the shortfall in resources at 16-hour and 24-hour police stations, the one-officer stations are, on a never-ending basis, being called on to supplement resources, particularly at the 24-hour station at Wangaratta. We certainly acknowledge that. There are certain policy protections within the Victoria Police force that should not allow that to occur. We found that when the 1,000 jobs were cut from the Victoria Police force in the 1990s single-officer stations were being utilised on a never-ending basis to supplement resources—particularly at 24-hour police stations and particularly to work night shifts at those police stations—at the expense of local communities.

Ms PANOPOULOS—At Wangaratta now I think we have 80 Victoria Police officers. I have been led to believe that we have something in that vicinity for a population of 16,500 in the region.

Mr Mullett—There are two parts to that example. Firstly, obviously they are still under-resourcing within that particular police division; there are resourcing issues to be addressed. Secondly, the officer from Chiltern, for example, should not be sent to Wangaratta, because of the personal practices policies. There is a clause within the Establishment Control Occupancy Management Policy that does not allow officers to be used in a flexible sense at the same level of rank, skills and duties. In the position descriptions, the duties of an officer in a one-officer station are entirely different from those of a normal senior constable or constable operative at a 24-hour station. So that should not be occurring.

Ms PANOPOULOS—I have heard anecdotal evidence that Wangaratta has the highest proportion of police officers per capita. Can you verify that or provide information to the committee about that?

Mr Mullett—The Victoria Police force would have those types of statistics. Hopefully, when we get to the end point of the process of developing our resource allocation criteria model, we will be able to provide that to you.

Ms PANOPOULOS—You can see what I am trying to say. You have a small country town with one officer and a population of 2,000 and Wangaratta, which has a population of 16,500 with roughly 80 police officers—I stand to be corrected on the exact number. It seems ridiculous to remove the one law enforcement officer from the country town.

Mr Mullett—Again, we acknowledge that. That should not be occurring for the two main reasons I have referred to.

Ms PANOPOULOS—My last questions are about drugs in prison. I am absolutely fascinated by the inability of anyone involved in the relevant industries to explain to me how it can still go on. I do not understand how drugs can get into prison—a small, confined geographic area with brick or stone walls and barbed wire—and prisoners can access them more easily than they could out in the general community. Firstly, does the force acknowledge that there is a problem? Secondly, is there a strategy to combat this? Thirdly, is there an attitude of ‘they are crims anyway, so it doesn’t matter; we have more important things to do because we are under-resourced’?

Mr MELHAM—I do not want to cut across the questioning, but I have a related question. Is it a force problem or is it a correctional services problem?

Mr Mullett—I was just about to say that it is a correctional services problem and I do not want to cut across my colleagues in the Community and Public Sector Union who represent correction officers. I just want to say that crooks are very innovative and where there is a will there is a way. You combat a strategy that they have put in place by putting your strategy in place. They will find ways around that and implement a new strategy, which you then have to counter. So it is very much cat and mouse. To draw a parallel from our profession, it is like putting in place strategies to apprehend street dealers: you put a strategy in place and you apprehend a couple of dealers; they become aware of the strategy and they then adjourn, consult and put in place their new strategy, which you then have to counter and combat.

Ms PANOPOULOS—I have another question on that issue. Does the Victoria Police force liaise with prison officers or correctional services on this issue?

Mr Mullett—No doubt they would. Bear in mind that I am from the Police Association. I think there would be some form of interaction. But it is all about combating strategies; when you are dealing with crooks every day, you realise that the inventions they come up with are numerous.

Ms PANOPOULOS—I understand that. I am still incredulous.

Mr Mullett—We would probably support you in that.

Ms PANOPOULOS—I will leave it at that.

CHAIR—I will ask you one question about your submission. You talked about the problem of putting people into the prison system. On page 2 of the submission you say:

The Association also has a view that imprisonment without proper education programs within the prison system leads to a situation where the perpetrators of crime who are incarcerated simply learn to commit more serious crimes.

Do you know what percentage of the prison population has never been charged or convicted previously? I know we say that recidivism runs at about 40 per cent but I would like to know about the other 60 per cent in jail. Have they been convicted and perhaps been on a community program? What percentage of the prison population actually goes to jail for a first conviction?

Mr Mullett—I cannot give you a percentage but I suggest that it is relatively low.

CHAIR—So by the time someone goes to jail they are pretty well on the way to being a member of the criminal class. Is that too harsh?

Mr Mullett—No, you are probably correct in your terminology but, as far as putting strategies in place, should we just say that they are lost causes? Would it be better to try to skill and qualify these people so that when they re-enter the community they can become worthwhile members of the community?

CHAIR—I suppose I am leading to the question of where the resources are better put. We have 21,900-odd people in jails and we have 58,900-odd who are out there on community programs. Wouldn't it be better to put the resources into those nearly 60,000 people who have not yet gone into the prison system—and we would really like to keep them out of the prison system—because they are by far the largest group of people who have been convicted? I do not think they come into the public purview much at all. They are likely to be first offenders and obviously the judicial system has said, 'Let's see if we can save these people and keep them out of the prison system.'

Mr Mullett—Sure. It is a matter of balance, and no doubt you as a committee have to take into account the balance when you hand down your recommendations. Is it far better to point even continual offenders in the right direction than to provide them with tools—for example, making number plates—that actually resource them to commit further crimes when they get on the outside? They are developing skills inside to go out into the wider community and commit further crimes.

CHAIR—Our next witness is going to talk to us about the rebirthing of vehicles, I think. The point I would make is that until we embarked on this inquiry I did not realise how many people who are convicted are out in the community on non-custodial sentences. I was absolutely amazed to find that 75 per cent of all convictions result in that and only 25 per cent actually go to jail. I think that is a statistic that would amaze most people.

Mr Mullett—That indicates that crime is prevalent in our community and once again there is the need to proactively police communities to prevent crime—and that is our main point.

CHAIR—One of our other witnesses actually made the statement that in Victoria it is pretty hard to get into jail.

Mr Mullett—It is easier to get out—to escape!

Mr SCIACCA—You made the point about being proactive. The whole idea of crime is that a lot of it has its birth in dysfunctional families, poorer communities and the imbalances in society. You people are dealing with it all the time. I do not know what you do with that. You talk about more resources—more police on the beat. Surely that would have some effect, if you are patrolling and people know. But you can go over the balance and it can be distorted to such a degree that if you had too many police people would say we were in a police state or something. I do not know where you find the balance.

We are having this inquiry and it is good that we are getting all these different angles on what to do and what is happening out there. It is more an expedition to find out just exactly what is going on out there. As the chair said, 75 per cent of people do not go to jail. That could be a good thing, too. It seems to me that the public has to be educated and when we fix up society's ills, if you like, we can probably reduce crime anyway. What you are saying is what all police forces around the country are saying: 'We need more resources; we cannot handle what we are doing now with the resources that you give us.' Every government says, 'We have to find the money to do that.' Is that your ad?

CHAIR—No, it is not.

Mr SCIACCA—It is not their ad?

CHAIR—No.

Mr SCIACCA—We have worse ones than that in Queensland that your sister organisation up there is running against the Beattie government. I read your submission; I do not have any specific questions. There is no point asking about prisons—that is not your caper. Once you put them there, it is not your business anymore. I thank you for your submission—it is very good.

CHAIR—You talk about the police resource model that you are working on. Is that designed to tell you how many sworn officers you need, in your view, to properly have proactive policing as well as reactive policing? Is that what you are trying to determine?

Mr Mullett—That is right.

CHAIR—How far away would that model be from being finished?

Mr Mullett—We are hoping that it will be finished by the end of this month.

CHAIR—Would you be good enough to let us have a copy of it when it is published? That would be useful for us to have.

Mr Mullett—Sure. Dr Ian Manning from the National Institute of Economic and Industry Research is assisting us in developing that model. Quite obviously we need outside expertise.

CHAIR—It is particularly designed to deal with the number of sworn officers as distinct from public service officers, if I can put it that way.

Mr Mullett—Yes.

CHAIR—Thank you very much for coming to give evidence today. We appreciate that. It does help us with our inquiry.

Mr Mullett—Thank you for the opportunity.

Proceedings suspended from 2.29 p.m. to 2.39 p.m.

CARROLL, Mr Raymond Charlton, Executive Director, National Motor Vehicle Theft Reduction Council

HUGHES, Mr Geoffrey Stuart, Project Manager, National Motor Vehicle Theft Reduction Council

CHAIR—I welcome the witnesses to the table. Would you like to make an opening statement?

Mr Carroll—Yes. The National Motor Vehicle Theft Reduction Council is a unique organisation established by all state and territory governments in conjunction with the insurance industry. Its sole purpose is to facilitate a number of major infrastructure, policy and practice reforms across government and industry, all leading towards a long-term sustainable reduction in motor vehicle theft.

CHAIR—I noticed that here in Victoria the police statistics show that there has been a reduction in car theft, down from 42,276 in 2000-01 to 37,677 in 2001-02. Do you claim any credit for that?

Mr Carroll—It is an interesting concept of claiming credit when you are dealing in crime prevention, because the cause and effect is somewhat problematic in identifying those issues. Our thoughts on the results that are being achieved are more that our stakeholder groups, being the major industry and agency groups that we deal with, are responsible for the reduction in vehicle theft, but we believe the reason why those groups are actually now concentrating their efforts on vehicle theft is a direct response to our actions.

Mr SCIACCA—Chair, are those figures that you quoted applicable in other states or just Victoria?

CHAIR—The figures were provided to us by Victoria Police yesterday in their submission.

Mr SCIACCA—I wonder if that is the case in other states as well.

Mr Carroll—We are pleased to be able to say that motor vehicle theft is declining fairly rapidly in this current calendar year. In the 2000 calendar year there were approximately 139,000 thefts nationally. In 2001 there were 137,000; it was pretty much the same. We have seen a dramatic decrease of about 25 per cent over the last six months. For the 2001-02 financial year, the figure is about 125,000 thefts compared to 137,000 in the previous financial year.

Mr SCIACCA—Would one of the factors be technological improvements in the production of cars and that they are a bit harder to steal than they were some years ago?

Mr Carroll—Not directly. There would be some influence from that but, as we will probably point out in our presentation, there are seven million unsecured cars in this country which your typical, spotty-faced 14-year-old with his screwdriver can steal.

Mr Hughes—Three out of four stolen cars are more than 10 years old. It is that great pool of older vehicles that are most at risk. Perhaps it would be an appropriate time to start working through the presentation.

Mr Carroll—Hopefully it will put the whole thing in perspective.

CHAIR—That would be great.

Overhead transparencies were then shown—

Mr Carroll—The presentation will necessarily only be able to give you a snapshot, given the time frames that we have today. Very briefly, we will tell you what the council is, we will give you an overview of vehicle theft in Australia, the dynamics of professional theft and the counter measures that are being put in place, and the issues of juvenile theft and the interventions that need to be put in place there.

The council is a joint initiative of all Australian governments and the insurance industry. Its genesis was from a decision of the leaders forum in 1994, which led to the formation of a national task force in 1996 through 1997. The task force developed a five-year strategy to reduce motor vehicle theft in Australia and recommended that the council be established for that five-year period to undertake facilitation of the strategy. It is a nine-member council. It represents the motor and insurance industries and the justice and transport agencies at the national peak level of those bodies. It was given a fixed-year term of five years, with funding of \$9.5 million. Fifty per cent of that funding is derived from state governments, proportional to how many vehicles they have of the total vehicle fleet. The other 50 per cent is from the insurance industry through the Insurance Council of Australia.

We are a very small, project based organisation. There are only four people working within the council. We see ourselves as project managers using the external resources of our stakeholders or consultants to do a lot of our work. Our role is to facilitate cooperation between government, industry and community at a national level to deliver a strategic response to vehicle theft rather than the ad hoc good ideas that might have preceded us. The philosophy underlying the role of the council is that every organisation that we classify as a stakeholder organisation has a role to play in vehicle theft reduction but none of them have it as a core business output. If you look at the motor vehicle industry, for instance, they can do a lot about stopping vehicles from being stolen but they are really about making vehicles and making profit. Reduction of vehicle theft is not a core goal for them. We see this right across the board. The police might be the one agency that would be an exception to that, except we really cannot expect police agencies to be responsible for having transport agencies, manufacturers or the insurance industry change their processes. They are limited to a response role to the vehicle theft that does occur in most cases.

CHAIR—Surely insurance companies have a vested interest in making manufacturers make vehicles more secure. I would have thought that it was a good sales point and the market would demand that.

Mr Carroll—They do. Insurance companies are the conduits really of where the community's money in the form of insurance premiums goes out the other end in the form of the profits that the criminals make. The insurance companies do have a very keen interest in trying to reduce vehicle theft and that is why they are partially funding us. But, at the same time, they are also driven by their own business practices and their own requirements to meet their shareholders' expectations. Vehicle theft is only one small focus of what insurance companies do.

Mr Hughes—Unfortunately, some information that we will leave with you today shows the rate of apathy in the community about the problem. There is a perception that it is inevitable and that flows through to people rating vehicle security well behind things like safety, environmental impacts and those sorts of things when they are selecting a vehicle.

Mr Carroll—They would rather have an upgraded stereo system than a better security system basically. It is that sort of thinking.

Mr SCIACCA—Unless it is their car that gets stolen.

Mr Hughes—That is after the event.

Mr Carroll—This graph gives a snapshot of vehicle theft across the country and I will explain in a moment about our data collection. Our data collection really became accurate in about January 2000. I omitted to say at the start that the council commenced operations in March 1999 so we have just ticked over the 3½-year mark. This shows monthly vehicle theft and our data is showing that in about March 2001 it peaked nationally at over 12,000 vehicle thefts per month. In June of this year we were down to about 9,000 vehicles per month. So there was a considerable drop in vehicle theft over that time.

Mr SCIACCA—That is nationally?

Mr Carroll—Yes.

CHAIR—Why?

Mr Carroll—Our best guesstimate as to why that is occurring now is that due to, in some part, our activities but certainly due to our stakeholders' activities vehicle theft has been put on people's agendas. There has been a huge upsurge in the amount of publicity about vehicle theft. We have announced any number of initiatives like wreck registers coming into force in the various states. We have had a voluntary immobiliser campaign in operation for nearly two years now. The more emphasis you can put on these sorts of crime issues, it tends to have a mass psychological effect on the people who commit those crimes. Professional car thieves are very wary now about what is happening regarding stopping their activity, where they have previously had years of

unfettered activity. Opportunistic thieves are seeing the publicity and thinking that people are paying more attention to car theft. It has a depressing effect on the desirability to commit offences. How long that is sustainable is another issue. We hope that our major infrastructure reforms will kick in over the top of those and make vehicle theft much more difficult.

Looking in a very snapshot sort of way at the vehicles that are stolen and what happens to them, this graph looks at the 2001 calendar year. About 137,000 vehicles in total were stolen. About 95,000 of those are what we call purely opportunistic thefts. It is a part of the three out of four vehicles that are over 10 years old. They are stolen for transport, the commission of another crime, joy-riding and those types of things. Whilst many of them are damaged in that process, they are recovered within 24 or 48 hours and are often returned to the owner.

CHAIR—How many would be found and returned?

Mr Carroll—Around 95,000 cars out of 137,000. They are not stolen for their economic value; they are stolen only for a use.

CHAIR—I see that there are 95,000, but you are not telling me that all of them are found and returned?

Mr Carroll—Of 137,000, about 95,000 are found and returned.

Mr SCIACCA—That is 75 per cent.

Mr Hughes—About 80 per cent are found within a week.

Mr SCIACCA—That is interesting.

Mr Hughes—Albeit many have sustained substantial damage.

Mr Carroll—Of the outstanding vehicles, about another 15,000 in total would be found with what we could call minor strips—they have had some parts removed. They may be burnt when they have been vandalised or they may be burnt because they have been used in another crime and they do not want DNA fingerprint samples taken from them. Some at the very bottom end of the value chain are just lost. They are stolen, dumped in a park or desolate land somewhere—

Mr Hughes—In water.

Mr Carroll—Eventually, they fall apart and the councils pick them up and take them to the dumps. At the more expensive and late model end of vehicles, about 20,000 cars are not recovered—they just disappear off the face of the earth. We believe they are actually dismantled for the use of parts in both the legal and illegal repair industries. We believe that stolen parts are infiltrated back into the legal parts industry because they cannot be identified—a part is a part, once it is removed from the car. Around 7,000 cars a year are what we call ‘rebirthed’: given the identity of a

wrecked car or a car from another state. The cars are re-registered and then on-sold to unsuspecting buyers as whole cars.

The last line on the slide refers to fraud. The traditional wisdom in the insurance industry has been that somewhere between eight per cent and 10 per cent of all vehicle theft reports are actually fraudulent—the car has not been stolen; the owner has organised it to happen. We have just completed some fairly detailed work in the insurance industry and it is now believed that that figure could be far higher. In some particular insurance books, which might focus on more up-market, valuable cars, it could be as high as 25 per cent.

CHAIR—Really?

Mr Carroll—That has a significant impact for us and for government in that we are artificially inflating vehicle theft figures. Strategies to stop theft are not the same strategies that will stop fraud.

Ms PANOPOULOS—What leads you to think that that figure could be up to 25 per cent?

Mr Carroll—That is taking a very detailed look at particularly a couple of insurance companies that use very detailed fraud indicators: the type of vehicle stolen, how long the policy was in existence, where it was stolen from and whether it was recovered or not recovered.

Mr Hughes—Whether it was under finance, for example.

Mr Carroll—You add up all the factors. Whilst you cannot use fraud indicators to say, ‘This is a fraudulent claim and we won’t pay it,’ because it would lack evidence, the fraud indicators are determined indicators of potential fraud.

Mr SCIACCA—You say that approximately 80 per cent of them are returned and 20 per cent of them end up the way it says there, but in terms of fraud, obviously you are reverting back to the same 137,000, aren’t you?

Mr Carroll—Yes.

CHAIR—Do you mean 25 per cent of the 20,000?

Mr Carroll—I had better be careful not to give the wrong impression. The 20 per cent might be of the 137,000, but only about 50 per cent of all the 137,000 cars actually results in an insurance claim.

Mr SCIACCA—I see. So the 20 per cent, in fact, has nothing to do with the 137,000. The 137,000 refers to the car thefts that are identified as theft.

Mr Hughes—And result in a claim.

Mr SCIACCA—So in addition to that, another 25 per cent of all claims are fraudulent?

Mr Carroll—No. I need to explain that: of the 137,000 thefts, about half of those result in an insurance claim, because a lot of those cars are very old in value, the owners get them back the next day and they do not make a claim. Of those 65,000-odd claims, some insurance companies would only have a 10 per cent fraud rate because of the type of cars they insure en masse. Other companies might have a more specialised book and their fraudulent claims could be as high as 25 per cent, because of the types of cars and the situations that people who buy them find themselves in.

Mr SCIACCA—That is what I was getting at.

Mr Carroll—Yes.

Mr SCIACCA—It is still part of the 137,000 thefts.

Mr Carroll—It is, but not claims.

Mr Hughes—You need to look at it in terms of an insurer's book and the ranges between 10 and 25, depending on their mix of insured.

Mr Carroll—Regarding where we get that data from, one of our very early aims after establishing the council was to get accurate data on what is actually happening. One of the big discrepancies in relying on police data is that they will usually release it once a year, often some months after the end of the counting period. Different states have different counting rules and it is really very hard to get a handle on what is happening in a particular crime picture.

We now collect 150 pieces of non-personal data on reported theft instances from all police services, insurers and registration authorities nationally. We receive those snapshots quarterly. About six weeks after the end of each quarter, each police service gives a download of all thefts reported to them for that quarter. About 70 per cent of insurers give us details of all their claims. We get twice-yearly snapshots of the registration authority databases. Importantly, we also get the manufacturers' vehicle specification database. We relate those four sources to be able to not only identify the fact that X number of Commodores was stolen but the sorts of Commodores that were stolen—what model designations, which is very important when you start looking at what professional thieves are doing.

All of that data is governed by some fairly stringent data provider agreements so that we are protecting the commercial interests of insurers. It is analysed and released within six to seven weeks of the end of each quarter. The data is made available on our web site via a search engine to all of the organisations that we classify as stakeholder organisations, so they can go in and do their own searches on the data. On our web site alone, we get close to 400 searches a month by insurance companies, police agencies and so forth. It might be arguable, but we think it is the most timely and sophisticated system of its type in the world. It is a world leader in data collection of a particular crime issue. More importantly, we are able to give it back in a useable

format to the people who need to use it. That is part of raising awareness and stakeholder involvement in combating vehicle theft. If they can get the data and know what they are looking at, they can then move on to actions.

One of the important things that we need to get across to all of the people we deal with in our role is that what we are doing is not a series of unrelated ideas to try to stop vehicle theft. The things we are doing are very much related in a strategic sense. A lot of people have trouble getting their heads around what that strategic sense is. Again, we have not got time to list the methodologies in great detail, but the left-hand column of this matrix lists the eight major methods that professional thieves use to convert stolen vehicles to cash—and that is what they are in the game for.

CHAIR—Would you mind reading them out, because they are a bit difficult to read.

Mr Carroll—It is a bit small; I am sorry about that. The first method is cross-order transfer. Very briefly, it simply means that you could steal a car here in Victoria, drive for 18 hours to Queensland, take off its number plate and registration label, take it to Queensland Transport, say you have just purchased it, register it and then on-sell it to an unsuspecting buyer. Queensland Transport would not know that that car was stolen in Victoria.

Cloning is a similar thing but you do not take the car out of the state. You steal it here in Victoria, ring a friend in WA and say, ‘I have a green Commodore VT. Can I have a VIN number?’ A VIN is an individual 17-digit number supplied to every car in the world. Each car has an individual number that is not its registration number. That is applied to the car in three places in a very unsatisfactory format that we are trying to change. You would simply get that VIN from a similar car in another state, reproduce the aluminium plates, put them on the stolen car, restamp the number, take it to VicRoads and register it. They would not know that that car is currently registered in WA.

Mr SCIACCA—Is there no national database?

Mr Hughes—We will come to that.

Mr Carroll—That is one of our strategies. Wrecks is simply where you purchase a wrecked vehicle at an insurance auction, apply the identifiers off that vehicle to a stolen vehicle of the same make and model, present it to the transport agency and say, ‘I have fixed this car. I now want to register it.’ You register it and sell it on to an unsuspecting buyer. Parts and ‘cut and shut’ are simply combinations of building a new car out of a combination of parts from stolen cars. Strip and buyback is one of the really cute ones where you steal a car, take it to your workshop and, being very careful not to damage it or scratch the paint, surgically strip enough parts off it to have it declared a write-off by the insurance company. You then place it outside your workshop, call the police and tell them that someone has abandoned the car. That car would go through the system and end up at an insurance auction. You would buy it back from the insurance auction, take it back and put the bits back on. You would now legally own a stolen car without changing anything.

Mr Hughes—It is an illustration of the sophisticated logistics networks that these people use.

Mr Carroll—These people are often very heavily into organised crime. If you are at an auction and someone else unwittingly wants to buy the shell that you want to buy back, you just walk over and tell them that you will shoot them if they buy it. That happens regularly in Sydney. Model upgrade is another cute one where you steal an expensive performance model of a particular car such as a WRX STi, which is worth maybe \$60,000 or \$65,000, you go down the road to the car yards and buy the cheapest base model—not the performance model—of that same model car. You might pay \$20,000 for it. You take it back to your workshop and build an STi onto that base model by using all the good parts and just continue the registration; you do not change it. You now own a car that is worth \$60,000 instead of \$20,000.

Across the top of the graph are the strategies that we are employing with our stakeholders to stop those things happening and to make it structurally very difficult for the thieves to get away with that. We will talk briefly about those strategies now. A combination of strategies have to be in place to prevent each methodology. Unless each strategy which is ticked is in place, that methodology will not be stopped. To get these strategies in place is the challenge for us, because some of them are very difficult in terms of logistics, resourcing government agencies and getting manufacturers to look at things differently.

CHAIR—What are the ones across the top?

Mr Carroll—There is the National Vehicles of Interest database, and I will explain later what it is—it is for policing; the National Exchange of Vehicle and Driver Information System, which is the transport agency data base; improvements to registration inspections; a simple security label to be applied to new motor vehicles; the issue of whole vehicle marking to start addressing that components and parts issue; public access to vehicle information, so that members of the public are able to easily source information from transport agencies to inform themselves about the status of a particular vehicle that they might want to buy; and insurance practices. The last one is police investigation. You see there is a tick in every box. The reason for that is that no matter how well these strategies are put in place and no matter how well they are operated at the national and state level, there will always be the smarties who try to beat the system, who think of a new way of doing things and will always require police to investigate motor vehicle theft. The advantage for police when these things are in place is that information systems, vehicle identification and things like that give the police far better tools to do much more cost-effective investigations.

CHAIR—Going back to your figures that show that, of 137,000 car thefts, so many are more than 10 years old, the professional thieves are going to steal the top-of-the-market cars, the new cars.

Mr Carroll—Newer cars.

CHAIR—So they probably have 100 per cent of new car thefts, have they?

Mr Carroll—Yes, professionals will steal pretty much anything from a 1994 model onwards. For BMWs, the most common year of manufacture stolen at the moment is 1994. Professionals like to be able to integrate the stolen car into the used car market as easily as possible. If they steal a 2002 model, it is very hard to sell it because people who are going to pay that amount of money want to know too much about the history of the car—where you bought it, when its last service was and all those sorts of things. The other issue is the parts. There are no parts markets for cars of less than two or three years of age because, if they are in a crash or they break down, they get brand new parts. So it is after two to three years that there is a stolen parts market in the used market.

I want to talk very briefly about the interventions that we are now doing. National Vehicles of Interest sits within CrimTrac, the national police information system. It now holds stolen vehicle information reported to police, so that if I report a stolen car to VicPol today it will be uploaded to NVOI and will then be available through NVOI to all other police services, practically on a real-time basis.

CHAIR—And do they access it?

Mr Carroll—When a police unit anywhere in the country makes an inquiry on any particular vehicle, if it has been reported stolen in any state, the NVOI connection will tell their local database that it is a stolen car that they are looking at. That has only been in place for about 18 months.

CHAIR—What about the ones that we are told are being exported? We are told that there are container loads being rebirthed.

Mr Carroll—They are a new issue, which I can touch on briefly. We are trying to fix what is happening here at the moment, but I will mention that at the appropriate part of the presentation.

Importantly, NVOI also provides stolen vehicle flags to NEVDIS, which is the other information system I will talk about now, to notify state transport agencies that a particular car has been stolen in a particular state, almost in real time. In terms of implementation status, two years ago this system did not exist. All states, except Tasmania, now have a direct connection to NVOI, but we are pleased to say that in the last week the Tasmanian Police Service have made overtures that they will be connecting to NVOI very soon.

Mr Hughes—Hopefully, it will be by year's end.

CHAIR—What does the 'O' stand for?

Mr Carroll—It stands for 'of'. We use a lot of these acronyms. The National Exchange of Vehicle and Driver Information System—this is why we use acronyms!—is designed to link state and territory registration databases in real time. Let us go back to that issue of cloning—if someone tries to clone a vehicle in Victoria, when the VIN is put into the VicRoads database, it will say that that car is currently registered in Queensland. The database will ask, 'Why are you producing it

here when it is still registered in Queensland?’ NEVDIS hosts the national VINs database. All the manufacturers notify NEVDIS of all the new VINs that have been introduced into the country, which allows registration authorities to recognise that VIN when a car is presented for registration for the first time. As I said before, it gets the NVOI and, importantly from our perspective, it stores written-off vehicle information, which I can show you with the next series of slides.

But, in terms of implementation status, again we have been very successful over the last 18 months working with all the transport agencies. Tasmania cannot connect because their registration database is not functionally capable of connecting. It needs to be totally redeveloped at a cost of about \$14 million and they do not have that. We have worked with the department of infrastructure in Tasmania to at least get their written-off vehicle information into the national grid by other means so that there will not be a loophole in the system.

With respect to written-off vehicle registers, probably the most common method of re-identifying a stolen car is to apply the identity of a wrecked car—and we talked about that. South Australia introduced a Written-off Vehicle Register in about 1996. New South Wales introduced a different wrecks register in 1997, and the other states have not introduced anything. We need to capture the fact that a vehicle is written off by an insurance company and someone in the motor trades records the level of damage the vehicle has and then makes the information available. If a car is presented again for registration on the presumption that someone has fixed the wrecked car, it can then be subjected to an identity inspection with the inspector having the original record of damage. He would know if the car had been run over by a semitrailer—it was two foot high and there was no way known it could possibly be fixed. If it was a car that was repairable, he could look for those areas on the car that a qualified inspector could tell had been repaired, and this would ensure that he was looking at the same car.

It has been a major challenge to get all state transport agencies to agree to a nationally consistent set of standards to operate those wrecks registers. Importantly, we also got them to agree to what we call a ‘statutory write-off’ category. Any vehicle that has been run over by the proverbial semitrailer will be declared a statutory write-off and any vehicle that is declared as unsuitable or unable to be repaired legitimately will be marked on all state registration databases as never to be re-registered. So if a thief uses that identity on a stolen car, he cannot register it anyway.

Mr Hughes—They are the ones they like most because they are able to buy those at the cheapest price.

Mr Carroll—We had instances of cars for scrap value, which might have been a thousand dollars, being bought for \$15,000. They did not want to buy the metal, but simply the identity. Importantly too, once the consumer access systems are in place, if you are looking to buy a car, hopefully it will be a one-stop shop approach where you will ring the REVS in your state and, as well as telling you what they do now—that the car has not been reported stolen or has not got any encumbrance—they will also tell you whether it has or has not ever been declared a written-off vehicle. They will tell you how many times it has been registered in its life and when the last registration

took place. It gives the consumer a lot more power in determining whether the car is legitimate. As I said, before a written-off vehicle can come back into the registration system it has to undergo identity inspections.

That is the status at the moment. By the end of this year we should have written-off vehicle registers in every state. That information will be available real time to all the other states via NEVDIS. Of all our strategies, it is probably the single biggest barrier for professional car thieves. I might also point out that this raft of registration improvements, in terms of information exchange and processes, is costing the state transport agencies collectively about \$30 million,

CHAIR—What you have done is establish a national standard and link all the different jurisdictional bases. Was that able to be done because there was a federal involvement? Was that a driver?

Mr Hughes—A process that certainly did help was the national road transport reform process. Again, it was a bit similar to our model—the Commonwealth working in conjunction with the states. Through organisations such as the Australian Transport Council, where John Anderson and his state counterparts determine national policy, a number of decisions were taken on these issues several years ago to try to drive that process forward.

CHAIR—So sort of coming out of the COAG process—

Mr Hughes—That is its origin, yes.

CHAIR—But it is true to say that, if you did not have Commonwealth involvement, it probably would not have happened.

Mr Hughes—If the NRTC catalyst had not been there arising out of the COAG process in the early 1990s, it may have happened but at an even slower rate than it has. Unfortunately, whilst it is good that those structures have been there, we have had to be the drover's dog biting at the heels to get people to stay focused and actually implement what it is they have agreed to move towards over time. As you are aware, states are able to move and embrace change at different rates. The down side of this sort of stuff is, whether you are New South Wales or the ACT, the cost of making changes to your systems is virtually the same but your capacity to pay is quite different. We have found that the well resourced states have been able to embrace these changes more rapidly than the less resourced states, which then leaves the less resourced states exposed as a potential black hole in the system.

Mr SCIACCA—How about Tasmania? They are going to be okay, aren't they?

Mr Hughes—Because we have managed to find another way of skinning the cat for them.

CHAIR—I would not call Western Australia poorly resourced. They are damned well resourced.

Mr Hughes—I would not put them in that same category. There is a different set of issues at play there.

CHAIR—I think Peter Beattie would take exception to that too.

Mr SCIACCA—I was just making the point that Tasmania—

Mr Hughes—I was really referring to Tasmania and the ACT, to be perfectly frank.

CHAIR—The ACT has more money than it knows what to do with sometimes.

Mr Hughes—Not the officials we speak to.

CHAIR—I should not say that, should I?

Mr Carroll—A lot of it does come down to the priority placed on a particular issue within large bureaucracies. It is probably still fair to say—and it goes back to what I was saying right at the start—that vehicle theft reduction has not been a core business activity for transport agencies. When you go to them and knock on their door and say, ‘We need you to do this, this and this,’ it finds its level in the priority list and often it will be very low. We have funded a lot of the necessary work—a lot of the consultancy work—to develop the principles and practice. We have given states direct funding grants to do some of the things they need to do—not necessarily because they could not afford them but because they were not going to be allocated in the priority of the work. Once we said, yes, we will pay for that, it was able to elevate its priority quite considerably.

We have also used political means—visiting ministers and telling them of the importance of the work. We have used the public and the media to do a very good job in Queensland recently by saying that if they were last with the written-off vehicle register they would become the clearing house for stolen vehicles nationally. Those sorts of statements publicly are the ones that tend to get the action.

We are now moving on to the motor vehicle industry. I will just point out that vehicle identification, or the way it is applied to a vehicle, is extremely poor. It is not only poor here, it is also extremely poor worldwide. As an industry the vehicle industry opposes doing anything to improve vehicle identification. They do not see it as a priority. For example, we have two levels of vehicle identification that we are trying to get the industry to embrace in this country. Firstly, there is what we call the very baseline improvement. The original concept was to take the aluminium compliance plate which bears the identification number and is held on by two little pop rivets—and it takes a thief about three minutes to take that from one vehicle to the other—and simply replace it with a low-cost label that cannot be removed from the car without being destroyed and has some counterfeit protection so you cannot make your own on your home computer. That label would cost about \$1.50 per vehicle. We have had quite a lot of trouble getting the motor industry to embrace that concept. We have been working with the working party for some 18 months and we have come up with a specification for the labels. They are tamper resistant, counterfeit

protected, bar coded, and we want them apply to the front and the rear of the vehicle and to be easily distinguishable from a non-genuine product.

Ms PANOPOULOS—What have been the main reasons for resistance from the industry?

Mr Carroll—Again, it is a priority issue. Improved identification will not sell any more vehicles than they currently sell—an improved CD player may. They also do not wish to change their production processes for things that they do not see as important. They are marketing issues. Security comes a very poor third behind things like safety and environmental issues.

Ms PANOPOULOS—They are the reasons why, but what excuses do they use?

Mr Carroll—It is not so much excuses—

Ms PANOPOULOS—Do they say openly that it is not a priority for them?

Mr Carroll—Yes.

Mr SCIACCA—Do you look at that sort of thing?

Mr Carroll—We will look at it. We will get around to that.

Mr Hughes—There are also logistical issues but that is the major one.

CHAIR—Presumably, you can only have influence on cars that are made here.

Mr Carroll—Actually we are having more success with some of the imports, which I will now talk about. There is technology in those labels to make a fake very easily discernible from a real one. As for whole of vehicle marking, there is the whole issue of identification of vehicle parts. We have worked with the private sector, being a start-up company here in Australia and the motor industry, to develop a whole of vehicle marking system which is microdot based. It applies the VIN up to 10,000 times to the car within a couple of minutes. In concept it needs to be applied by the manufacturer across their whole range to work, and it has to have a secure supply chain. We have been successful although faced with worldwide opposition to do anything in this field. BMW Australia, Porsche, Holden Special Vehicles, Mitsubishi—on some lines—and Ford—on some lines—have been applying this to vehicles right across their range as of September last year. We are looking at the moment at about 30,000 new vehicles getting this, something that is really a world breakthrough in terms of state-of-the-art vehicle identification. Some other manufacturers are coming on board and we will have 75,000 new vehicles a year being marked by the end of this year, which is about 15 per cent of the passenger market. It has not been done anywhere else in the world to this level.

CHAIR—So it will be on the humble Commodore?

Mr Carroll—In about 2006 it might be on the humble Commodore.

Mr Hughes—That is an issue. We would be able to make significant inroads into professional theft if the VX Commodore had microdots.

CHAIR—Is that the most commonly stolen car?

Mr Hughes—Of late model cars it is a reasonably high target of professional thieves.

CHAIR—The maker gets good tariff protection. Why can't it be conditional?

Mr Carroll—We have these issues that we work through cooperatively with our stakeholders; we try to work internally. The issue of this at that level is that, if we can prove through these real world trials on the cars that are now actually having them applied that it does work and that it does have a positive cost benefit outcome, eventually we can move towards an Australian Design Rule process. But until we have evaluated this over a number of years we cannot even approach that process.

CHAIR—Is the reason they are not interested in doing anything before 2006 that the bulk of the sales of the Commodore are into fleets for business?

Mr Carroll—Yes, exactly.

CHAIR—So it does not relate to the driver of the car, because they really do not care?

Mr Carroll—Yes.

Mr Hughes—It is a major issue.

CHAIR—So why don't the fleet buyers care?

Mr Carroll—Again you look at that issue of not many current model cars being stolen; it is when they are three or four or five years old.

CHAIR—So it is when they sell them—

Mr Hughes—Fleets have usually disposed of them by the time they are at risk.

CHAIR—What if you had a whole campaign and said, 'Don't buy a second-hand Commodore that is two to three years old because its chance of being stolen is X per cent'?

Mr Hughes—We probably would not get our security labels up and running in the first instance if we were to do that, so we do need to be a touch diplomatic about it.

CHAIR—Do they say they will not put them on before 2006 because it is a tooling up question? What do they say?

Mr Carroll—That is part of it. I think they believe that by 2006 the evidence will be in as to whether these things really do work or not. We believe they will work. I appreciate we are running out of time. I want to flick through very quickly to our youth issues. I heard what you were saying to a previous witness, and I think these are very relevant to you. There are insurance practices that we are working on. Opportunistic theft occurs with old cars. There are seven million of them out there. The two strategies include vehicle immobilisation, in terms of immobilising the older fleet. That can be done either through a voluntary process or a compulsory process. WA does have a compulsory process in place.

CHAIR—So we are talking about a lock on the wheel?

Mr Carroll—No, it is actually an electronic immobiliser that gets fitted to the engine. It is very effective.

CHAIR—But not for professional thieves.

Mr Carroll—The immobilisers actually are. They are very effective against opportunistic thieves. Professional thieves will still get the car in some way.

Mr Hughes—What we are finding is that even professional thieves are not defeating the immobiliser by overcoming it; they are getting access to the keys by breaking into homes or offices, or they are loading the whole thing onto the back of a truck.

CHAIR—Sometimes they send a trailer.

Mr Hughes—Yes.

Mr Carroll—The other strategy is the juvenile offender strategy. It is probably important to note that many thousands of kids get involved in motor vehicle theft. The vast majority of them only touch vehicle theft and then drop out of it for whatever reason of their own accord: they might bump into the law, they might get a scare—or they might get a girlfriend! There are all sorts of reasons that they just get involved at a peripheral level. About 15 per cent of kids actually do go on to become very high-rate, recidivist car thieves. It is just in their blood.

CHAIR—Fifteen per cent?

Mr Carroll—It is 15 per cent of any size sample of kids who have been known to be involved in car theft.

CHAIR—So it is 15 per cent of those who experiment?

Mr Carroll—Yes, and a high-rate, recidivist car thief can steal 300 cars a year very easily and cause a lot of damage and a lot of costs. We have evaluated two programs in Australia that have dealt with these high-rate, recidivist car thieves by using a motor mechanical program to engage their interest in motor vehicles for long enough to then show them that perhaps there are some other alternatives in their life. Those programs have had extremely good outcomes, according to the evaluation. So our strategy has been to look at building state and territory capacity to actually run some more of those programs.

At the moment, they are really only run by the welfare sector and propped up with some state government funding, and they definitely struggle. So we have developed the national best practice program. We are providing the model and some seed funding to have some projects established in three states. Through the National Crime Prevention program, the Commonwealth is now making a contribution of about \$1 million to those three projects. We of course need to involve local stakeholders at a state level in order to make sure those programs operate properly. The first site will be in Tasmania later this year, followed by Queensland and WA as the other two test sites. They will be very rigorously evaluated. It is not that we as an organisation can go around funding youth programs—we do not have those sorts of resources—but we want to be able to demonstrate to mainstream juvenile justice agencies that these programs do work and that they can be a major change agent for some of these young people.

Mr Hughes—It costs about \$140,000 a year to keep a juvenile in secure care. These programs are based on about \$5,000 a head to put them through a 10-week training course. That has a success rate of about 40 per cent to 50 per cent of turning that high rate of offending around.

CHAIR—What do you mean by ‘secure’?

Mr Carroll—Detention.

CHAIR—Do you mean ‘in jail’?

Mr Carroll—Yes, or in a youth training centre or something like that.

CHAIR—But not in non-custodial, which is where most of them end up. So that is not a meaningful comparison. I am starting to learn this. We have 59,000 people in non-custodial circumstances and we really only have hard-core criminals in jails.

Mr Carroll—By the same process, by the time the kids get to the youth training centres they have already been through those other interventions. A kid will have a dozen of those interventions before he will actually be sentenced to juvenile justice. It is those kids who are at the really hard end—almost at the stage of being locked up and the key thrown away because they are hopeless—that these programs actually engage.

CHAIR—So you are taking multiple offenders?

Mr Carroll—Yes.

Mr SCIACCA—I imagine there would be a fair bit of cost involved anyway, Madam Chair, in the non-custodial. And you are saying that, for \$5,000—

Mr Hughes—For about \$5,000 a head you can put them through.

Mr SCIACCA—you can have a 40 per cent success rate. That is an enormous saving to the community, isn't it?

Mr Hughes—There are some young car thieves in Western Sydney that, at 17 years of age, have stolen 600 cars and damaged nearly all of them. If you think about the relative cost, even if you can reduce that significantly, it is a huge saving to the community.

Mr Carroll—The last issue that we have relates to the mandatory immobiliser. WA introduced a mandatory immobiliser scheme in 1999. We have just finished a major study of that scheme. WA have a net cost saving so far of \$6.4 million per annum—that is after the cost of the community applying immobilisers to their cars, the government subsidy and all sorts of things. Their theft rate has gone down 16 per cent per annum during the course of the scheme. That is the total opposite to the rates in other states, in two of the last six months at least, which have gone up. We think their fleet is now closer to a 72 per cent immobilisation rate, which is a significant rate compared to, say, Victoria's at around 40 per cent. It has not saved a lot on insurance claims due to the fact that you are actually saving all these old cars that would not have had insurance claims anyway, but you are saving the community a lot of out-of-pocket expenses. The cost-benefit analysis of the same sort of scheme in other states is positive, except for perhaps the Northern Territory and Queensland because of the lower theft rates that they have. That is not to say that there would not be a whole lot of social benefits for those states if they did this. We need between six and seven million cars—

CHAIR—Which states have lower theft rates?

Mr Carroll—The Northern Territory and Queensland.

CHAIR—Why?

Mr Hughes—What that is really saying is that, if you use the WA parameters of having to fit an immobiliser when the vehicle changes hands from one party to another, our analysis is that the transfer rate in those states relative to their rate of thefts—that is, how many vehicles are stolen per thousand registrations—is not sufficient.

CHAIR—Why is it lower in Queensland than in Western Australia?

Mr Hughes—Perhaps it is the sunshine; who knows? They have traditionally had a lower than average theft rate compared to the national average. The Australian figures—

CHAIR—Do you have figures that show which state has most on a per capita basis?

Mr Hughes—Yes—per thousand registrations per head of population. We can leave you with that information today.

CHAIR—Who has the worst?

Mr Carroll—New South Wales.

Mr Hughes—They have the most cars and the biggest infrastructure to absorb stolen parts; it is not really that surprising.

Mr Carroll—We have a very extensive communications program to try to get what we are doing out there.

Mr Hughes—I have our web site details here for you.

Mr SCIACCA—I have to go, but I would just like to make the comment that you were talking about the fact that it is of low priority. If someone pinches your car it is a pain in the butt, but in the end most people insure and they just go to the insurance company if it is not an arm or a leg. So I would imagine that you guys would have had some difficulty, as you say, in being able to emphasise the importance of this to the stakeholders themselves. I can imagine why the insurance company would be interested—and no wonder they are funding half of it, not more—because it is a big cost to them, I suspect. But I never even knew you existed, so we are learning all the time.

Mr Hughes—One of the major problems we face is that about 50 per cent of the owners of very old cars, based on surveys we have done, actually think the thief is doing them a favour if they steal their car.

CHAIR—Thank you very much, gentlemen, for that most interesting presentation. I think it has opened our eyes quite considerably. There are quite a few questions I would have liked to have followed up on but we have run out of time. We may take an opportunity later in the inquiry to talk with you again. Thank you for your contribution.

Resolved (on motion by **Mrs Bishop**):

That this committee receives as evidence and includes in its records as an exhibit the additional documentation provided by the National Motor Vehicle Theft Reduction Council.

Resolved (on motion by **Mrs Bishop**, seconded by **Mr Sciacca**):

That this committee authorises publication of the proof transcript of the evidence given before it at public hearing this day.

Committee adjourned at 3.33 p.m.