Conclusions

I have demonstrated, through the analytical historical narrative I have constructed in this thesis, that the processes responsible for the introduction of domestic violence policy by the Australian Commonwealth government and the government of the state of NSW were rich, complexly contested and persistently shaped by a combination of courage and commitment. Those processes also required risk taking, representational daring, finely tuned policy development skills and the flexibility and resilience needed to operate in a variety of political contexts. They involved luck and the ability to respond to fortuitous opportunities as they arose. Above all, the domestic violence policy processes, and those who pursued them, were driven by deep anger and fuelled by fiercely compassionate sorrow.

In order to capture the intricate achievements, occasional impressions of randomness, but consistent patterns of this process, I would like to borrow an image suggested by Laura Balbo. Balbo made memorable use of the image of traditional women’s quilt making in order to illuminate the work of women in activating for their families ‘the fragmented pattern of … goods and services [which] is an institutionalized characteristic of late capitalist societies (Balbo 1987: 64). Amongst those fragments, she argues, ‘I would suggest that women’s “crazy quilts” are crucial as a technique for survival’ (Balbo 1987: 63). Balbo refers here to the quilter’s skills of recognising the potential in what is worn and cast-off, of making patterned sense of disparate fragments, and of transforming scraps into something of beauty and comfort. She also makes reference to the compelling demonstration provided by quilt making of the ideologically invisible creative work of women. The same vivid image, including its suggestions of ingenuity and determined survival, is also apt for the multi-layered process revealed by this narrative.

Four major themes have been pursued in the thesis in identifying the patterns of the domestic violence policy process. In this concluding discussion, I address the conclusions drawn in response to each of those themes, before expressing a final assessment of the policy process I have studied.
THE POLICY PROCESSES THAT ACHIEVED THE INTRODUCTION OF AN AUSTRALIAN POLICY RESPONSE TO DOMESTIC VIOLENCE

The first and primary theme and task of the thesis has been the construction of an analytical narrative of the policy processes involved in the introduction of the first specifically designated Australian policy response to domestic violence. Those processes have been studied in the contexts of the Australian Commonwealth government and the government of the state of NSW. This section of the concluding discussion begins with some broad conclusions about the two primary approaches adopted in conducting this analysis, followed by identification of the features of the domestic violence policy process that I have demonstrated to have been most significant in determining its nature and outcomes.

The first of the broad conclusions referred to endorses the narrative form adopted as the structural approach for both the analytical investigation undertaken and the presentation of findings in the thesis. Adopted partly as a response to the necessarily chronological and episodic nature of any policy process, the narrative approach proved to be particularly appropriate in tracing the domestic violence process, as it is for the broader women’s policy enterprise of which that process is a part. Although the processes of feminist policy making necessarily took place within the established formalities and sequences of policy practice, the elements of spontaneity, unpredictability, representational reach and spontaneous ingenuity involved, together with the variety of players and diversity of sites in which it took place, mean that the players themselves experienced an unfolding narrative rather than a predictably directed process. I described the nature of this process in its early stages as being a leap ‘in at the deep end’, and as conducted ‘on the run’, as the refuge founders made their first approaches to the policy arena without a name for or a definition of their issue. The process as a whole was characterised by similarly immediate responses to changing demands and opportunities. This underlines the appropriateness of a narrative structure in laying out the patterns of this particular ‘policy dance’ (Bridgman and Davis 2004: 33).

The appropriateness of the narrative approach was also confirmed by the strong indications of contextuality in this policy process. Those indications will be referred
to in the discussion below which draws conclusions in response to the third thesis theme. Here it is noted that the demonstration of the contextual construction of social issues, and so of policy responses, provided by the dramatic ‘discovery’ experience initiating the feminist response to domestic violence in the early 1970s invited the historical exploration of Australian feminist and policy responses to such violence. That exploration, in turn, extended the narrative, and so contextual, reach of the thesis analysis.

The second of the decisions taken about primary approaches to the thesis analysis has also been endorsed in practice. This was the adoption of the analytical model offered by the concept of policy activism, which proved consistently apt for this particular policy exploration. As foreshadowed in the Introduction, the policy cycle or framework model proved useful as a skeleton for charting the process stages of the domestic violence narrative, including identification of the particular forms those stages took in this context; proponents of agenda setting analysis also provided useful suggestions about recognition of the means and strategies by which an issue shaped by actors outside the formal policy realm were inserted into the policy agenda. Nevertheless, as the policy process narrative has demonstrated, neither of these analytical models was sufficient for either the encapsulation or the elucidation of the process studied here. Both proved too bound within the processes and expectations of formal policy making for analytical response to such a spontaneous, evolutionary and unpredictable process; neither offered sufficient space or flexibility for the recognition of the range of players involved, or for their complex positioning and relationships; neither assisted in recognising policy engaged processes working across the supposed borders of the policy arena, or in identifying the rich and immanently variable texture of strategic process involved. The approach offered by the analysis of policy activism illuminated all these aspects of the process studied. As the study proceeded, further reasons for the greater suitability of the policy activism approach also became evident. These included the spontaneity of the initial feminist leap into domestic violence activism and then policy, the arrival of the issue in the policy context before the development of a representational analysis or even a name, and the continuing spontaneous pragmatism of the strategies which followed. It can be added that the more traditional policy process approaches also have difficulty in placing a process which moves with equal fluidity across the political boundaries of changing
governments, and the constitutional limits of distinct, in this case Commonwealth and state, government jurisdictions.

Meanwhile, the domestic violence policy process provided an equally consistent ‘fit’ with the conceptualisation of policy activism provided in the Introduction. All of the participants in the policy engaged processes explored in the thesis, whether community based workers and activists, policy professionals or academic researchers, qualify for recognition as ‘activists’ in terms of the requirements set out by Julie Nyland in her proposal of this approach; they were all and consistently ‘driven by their values and critique of existing policy’, as well as by their feminist political commitment to change in the broadest sense (Nyland 1998: 232). Those participant activists were also directly involved with policy, and so can be recognised as ‘policy activists’, through their engagement with ‘the policy process … within the process rather than operating from the outside’ Nyland 1998: 233). This has been established in the case of community based feminist refuge workers and activists by virtue of the ‘hybrid’ insider/outsider role they adopted and which is referred to below; that role has been demonstrated, for example, in the cooperation of refuge feminists with ‘wild card’ strategies guided by insider bureaucratic activists and in their direct participation, but in their own terms, in internally moderated policy processes and structures. This engagement, and the policy activist identification, also hold in terms of Deborah Brennan’s distinction between ‘traditional lobbying and pressure group activity’ and ‘strategic action inside the relevant policy making process’, as they do with the policy process end of Gael Fraser’s continuum from ‘reactive and intuitive … activism … oriented to stopping … policies’ to ‘deliberate and conscious policy activism [with] … a direct impact on setting the [policy] agenda (Brennan 1998b: 88, 103, 82; Fraser 1998: 198).

It is in terms of the nature of the domestic violence process as a narrative of policy activism that three distinctive and determining features of the process were identified. These three circumstances are: the roles and identities of, and the relationships between, the players driving the process; the lack of contest from established professionals in the field in the early stages in the insertion of domestic violence into the policy arena, through government funding for feminist refuges; and, following from consequences of each of the above, the unique role and positioning of the refuge
movement and refuge feminists in the process. As exploration of the domestic violence policy process proceeded, a fourth defining characteristic, which played a part in each of those already mentioned, was also identified. This was the remarkable degree of integration and continuity which characterised the process. These characteristics are discussed in the following sections.

Drivers and players

The significance of the identities and roles of the participant players in the domestic violence policy process has been demonstrated in each of the chapters relating to the main thesis period. The key role, as both initiators and drivers of the process, played by women suffering and seeking to escape from the violence of their husbands and partners has been acknowledged throughout the thesis. It has been demonstrated that those women and their persistent survival strategies were responsible, through their intervention in women’s movement meetings, for the feminist ‘discovery’ of domestic violence in the early 1970s; that they shifted the initial feminist issue identification from homelessness to violence by telling their stories in the first women’s refuges; and that they drove continuing feminist and policy attention to their situation by the use they made, whether or not expected or invited to do so, of ongoing consultative opportunities. It has also been demonstrated that the key site for engagement between the survival strategists and feminists was provided by the women’s refuge, and that refuge workers, eventually identified as refuge feminists, played a central role in shaping and safeguarding the feminist analytical response to their situation. But it has also been shown that feminists throughout the broad women’s movement in this period shared the impact of the domestic violence ‘discovery’ and commitment to the resulting analysis, and played contributory roles as individual feminists moved between refuges and other forms of community based activism, professional involvement with the policy arena, and a variety of kinds of academic research.

I have noted that my conclusions about the roles and identities of the drivers and players in the domestic violence policy process differ from those who have argued, in the Canadian, USA and Australian contexts, that the ‘climate’ and ‘effect on women’s thinking’ provided by the reinvigorated women’s movement in the early 1970s made it possible for women to speak out about violence, by helping them to understand and
so admit to what had happened to them (Walker 1999: 17; Schechter 1982: 33; Hopkins and McGregor 1991: 8; quotations from Walker and Hopkins and McGregor inter alia). While concurring with these accounts about the importance for these developments of the context provided by the reinvigorated women’s movement, I have questioned the implication that the women suffering violence were in any sense passive respondents to the opportunities and ideas offered by feminists. Such a conclusion is inconsistent with the long history of the persistent and ingenious agency of such women on their own behalf demonstrated in Australia by the work referred to in Chapter One, and by Linda Gordon’s research in the USA (for example, Allen 1982, 1986, 1987, 1990; Saunders 1984; Gordon 1989: 251-2). It is also challenged by the sequence of events I have reported at the Sydney Women’s Commissions in 1973 and 1974 and in the early days at Elsie, by the intervention of violence sufferers at events, for example the RCHR, not directly provided by the women’s movement, as well as by the evidence of the considerable effort which the violence sufferers had to make before the new feminists heard them and responded. All of these circumstances place the women suffering violence as the clear, and long term, drivers of the process which inserted their experiences and needs first into the feminism of the early 1970s, and then into Australian policy.

My conclusions also suggest a variation on another of the arguments proposed by Hopkins and McGregor in their analysis of the origins of the ACT Domestic Violence Crisis Service. Those authors make a clear separation between the contributory roles of refuge workers and femocrats, arguing that ‘refuge workers have been the main driving force’ and in that sense the ‘initiators’ in the ‘movement against domestic violence’, and ‘that the activities of femocrats have been vitally important in enabling the movement to gather momentum’. They also refer to the femocrats as ‘the agents of the [refuge] movement’ in regard to refuge funding, although playing roles as both ‘agents and initiators’ in pursuit of law reform, which required a distinct contribution from feminists placed to respond to issues within governing politics (Hopkins and McGregor 1991: xx-xxi; 38-9). I disagree with neither the emphasis on the key contribution of refuge workers, nor on the distinct policy related opportunities which go with the femocrat role. But I would insist that the distinction identified by Hopkins and McGregor is more valid in terms of roles than it is between individuals. While also acknowledging the many occasions of bitter strategic disagreement between
feminists occupying the various relevant roles, my analysis has also demonstrated the significance of the movement of many individual feminists between those roles, and of the integration of commitment, if not strategic direction, which resulted. The instances of activist cooperation between feminists inside and outside the bureaucracy observed in the thesis, as well as the strategic innovation with which femocrats operated within their profession, make it clear that all operated as both agents and initiators from their different arenas of opportunity. I have also referred to the further level of integration following from the fact that many of the women involved, whatever their roles, shared experience of domestic violence as either or both daughters and partners (personal knowledge; interview material).

The lack of contest from established professionals involved in the introduction of domestic violence into the Australian policy arena

The lack of contest with practitioners in established professional responses to violence between intimate partners involved in the insertion of domestic violence into the Australian policy arena, through the achievement of Commonwealth government funding for women’s refuges, was probably the most fortuitous circumstance involved in the process I have investigated in this thesis. It was a direct product of feminist policy activism, but not through any Australian awareness of the benefits of avoiding a public struggle with those representing the established individual pathology framing of family violence. In Canada, the USA and the UK, the formal government enquiries into domestic violence that opened the way for family violence professionals to influence policy outcomes were at least partly the result of feminist strategies to achieve government attention and policy responses. Similar enquiries, and their consequences, were avoided in Australia through the self confident and daring rush of the Elsie founders, the policy activist advantages provided by the Whitlam ALP government and the consequent women’s policy machinery, and the fast footwork of femocrats. The significance of the confrontations which had been escaped, which is pointed out for the first time in this thesis, only becomes evident in retrospect, and by comparison with the outcomes in the other related countries.

It was nevertheless a defining difference, with crucial consequences for domestic violence policy in Australia. It meant that by the time the first confrontation occurred
between the traditional and feminist representations of partner violence at the AIC Conference in 1979, domestic violence as framed by feminists already had a policy presence and the feminist refuges had received government funds. It was too late for the individual pathology professionals to smother domestic violence in a family violence approach, to claim a defining role in policy development or to succeed in making their supervision a condition of government funding for refuges. When the first government context enquiry was held in NSW in 1981, it was owned and shaped by feminists, with feminist refuge representatives at the table, and traditional professionals participating on feminist terms.

One of the consequences of this considerable difference between the initiation of domestic violence policy in Australia and other related countries was that, whereas in the countries mentioned refuge feminists saw psychologists, criminologists and social workers as their natural enemies, in Australia the primary targets for refuge feminist distrust at this time were bureaucrats, lawyers and police officers, some of whom were also feminists. That distrust made for difficulties and sometimes bitterness; but the obstacles to a policy response expressing even part of the feminist framing of domestic violence were considerably less in Australia than at the same stage of the policy process elsewhere. As shared strategies and campaigns, and cooperation in policy related structures, all make clear, beneath the role oriented strategic tensions, feminists in all of these sites shared an integrated and similarly framed analysis of domestic violence, driven by an equally integrated political commitment.

**The unique role and positioning of the refuge movement and refuge feminists**

The unique positioning of refuge feminists in the Australian domestic violence policy process has been identified as one of the further strategic advantages following from the uncontested entry to the policy arena of the feminist framing of domestic violence. The securing of refuge funding, without any incursion from family violence professionals, established feminist refuges, from the start, as an accepted policy instrument, and feminist refuge workers as the deliverers of a policy endorsed service, and so as policy players in their own right. I have noted the ironies of this situation, given the strength of the refuge feminist rejection of hierarchical structures and methods, and their equal suspicion of bureaucratic players and strategies.
Nevertheless, and perhaps as yet another demonstration of the traditional Australian expectations of social liberal policy approaches at this time, the government funds were expected and accepted, and so was the policy relationship they implied (Sawer 1993: 2-3; 7-10; 2003: 31-49, 103-121). In fact, insistence that refuge should be a state funded service and that refuge workers should be paid salaries rather than be expected to work in a voluntary capacity became a point of principle for refuge feminists and an important distinction between them and traditionally philanthropic charities (Perry et al 1982: 2).

On the other hand, as has also been demonstrated, the early choice of refuge feminists to resist the proposal of Sara Dowse and other Commonwealth femocrats for formation of a national refuge association, also defined their relationship with the policy arena. Rejecting the possible advantages of direct funding through a national refuge program which might have been achieved by the association strategy, refuge feminists refused to accept a move they believed would compromise their essential independence. The outcome was that they placed themselves in a ‘hybrid’ insider/outside role in relation to policy engagement, the consequences of which have been noted at every stage of the policy process. Those consequences included the advantage of strategic cooperation across the policy line for ‘insider’ policy activists as well as for refuge feminists. Examples which have been noted were the ‘wild card’ activities of the refuge movement, when alerted by Commonwealth femocrats, during the difficult funding negotiations under the Fraser Coalition government. Further examples can be found in the placement of refuge feminist representatives in the policy structures initiated by NSW femocrats, and the use refuge feminists made of those roles. Such strategic alliances across differences in relationships with the policy arena provide a further demonstration of the integration noted as a further significant feature of the domestic violence policy activist process.

**The degree of integration and continuity which characterised the domestic violence policy process**

This fourth defining and determining characteristic of the policy process investigated by the thesis has been identified as an aspect of each of the three characteristics already discussed. It has been recognised in the similar analysis and commitment
linking richly various participants, including refuge feminists and femocrats, even when they were separated by differences in roles, locations and strategic opportunities and preferences. The further aspect of this feature of the process which has been demonstrated was also driven by that shared activist conviction. I refer here to the integration of direction and continuity of purpose evident in a process which moved like the flawless transference of a relay baton across changes of governments and between federal levels of jurisdiction. I have argued that the nature of this continuity has been demonstrated by two means: through recognition of the dual processes involved in policy making, namely those of policy development as well as of policy achievement, and through the illumination provided by an analysis from the point of view of policy activism. It is a reading in terms of policy activism which has made it possible to demonstrate the remarkable lines of continuity involved, for example, between the persistent policy development achieved under the Fraser Coalition Commonwealth government and the policy making concluded under the Hawke ALP government, and the use of the precedents established and research undertaken in the Commonwealth setting under Fraser to build a policy agenda at state government level, observed in the thesis under the Wran ALP government in NSW.

THE RELATIONSHIP BETWEEN THE DOMESTIC VIOLENCE PROCESS AND THE BROAD WOMEN'S POLICY ENTERPRISE

Through this second major theme, I have enquired into the strategic consequences of the relationship between the domestic violence process and the broad women’s policy enterprise. I chose to pursue it as an acknowledgement of the powerful, but sometimes uncomfortable, nature of that relationship. This lies in the logic which makes the circumstances of domestic violence, and particularly the dilemmas faced by women striving to separate from violent men, a most poignant and urgent demonstration of the consequences of the bundle of issues which determine a woman’s access to an autonomous household. On the one hand, that logic means that domestic violence might offer an emotive strategic tool with which to drive the entire women’s policy effort. On the other, it presents the dilemma, identified as ‘victim politics’, of a reduction of the rights of all women to the needs of those most in trouble, and the danger that such a dramatic issue could become a ‘cuckoo in the nest’, soaking up the will and energy available to address the broad policy enterprise. It has been
demonstrated that this was as much an issue for late nineteenth century Australian feminists, as they made complex strategic decisions about alliance with the ‘politics of fear’ offered by the temperance movement, as it has been in the late twentieth century.

The thesis analysis has produced two kinds of response to these issues. The first of these lies in the steady unfolding of the domestic violence policy effort which has been observed at both Commonwealth and state government levels throughout the thesis. This response was expressed in the looks of puzzlement that spread over the faces of former Commonwealth and State Women’s Advisers, when I asked them at interview why they had so energetically pursued domestic violence policy. They were amazed that anyone would ask such a question. Domestic violence is a destructive and urgent issue for many women; all women care about it; of course they made sure that the governments they served paid due attention. Their faces gave the matter-of-fact answer that drove the consistent, creative policy project that has been described in the thesis. At this level, domestic violence required a policy response and the response was made.

The second response is more complex. It is indicated by the observation made at every stage of the process that domestic violence does not appear ever to have been used in this period as an overt strategic driver for the main women’s policy enterprise. It is also signalled in expressions of the ‘victim politics’ and energy diversion fears I have indicated. A compelling expression of such concerns was made at the end of the thesis period by a Canadian visitor who spoke at the National Conference on Domestic Violence, the second significant conference in this area to be convened by the AIC, held in Canberra in November 1985. Linda MacLeod, from Ontario, Canada, spoke under the heading: ‘Policy as Chivalry’ (MacLeod 1986). Her theme was that: ‘The policies of chivalry focus on rescuing the victim, but do little to address the roots of her subsequent victimisation or to address the roots of her oppression.’ She continues, introducing a vivid new image for the dilemma she describes: ‘Wife battering may be providing governments with a convenient, safe and popular way to respond to demands for greater equality for women without seriously tampering with the institutions which perpetuate inequality. The high visibility of wife battering policy may be providing a smokescreen for the lack of progress in establishing
effective programs to guarantee women an equal place in our societies’ (MacLeod 1986: 374). This criticism echoes the disappointment expressed by Ludo McFerren about the NSW government response to the recommendations of the 1981 NSW Taskforce on Domestic Violence (McFerren 1990: 202; Chapter Six above). It also resonates ironically with a recollection later recorded by Helen L’Orange, who drove the NSW policy response, that: ‘I think it was easier to get progress on areas where men felt chivalrous. Domestic violence, child sexual assault, rape … Male politicians felt good about that and felt very unthreatened by it’ (Eisenstein 1996: 182).

These statements are partly an expression of the dilemma inherent in domestic violence policy: that policing and justice system responses are inadequate unless the escaping woman has access to an autonomous household. That means, as has already been observed, that an adequate policy response to domestic violence policy depends on achievement of the entire women’s policy enterprise. That framing dilemma will be pursued in considering the fourth and last of the main thesis themes, the relationship between domestic violence policy outcomes and the strategic processes through which they were pursued. But MacLeod also introduces the suggestion that state emphasis on the ‘easier’ justice system responses to the violence were a ‘smokescreen’ strategy that operated as a diversionary negative pulling against the main body of the women’s policy enterprise.

My conclusion to this second part of the thesis theme addressing the relationship between the domestic violence policy process and the broad women’s policy enterprise is that the process followed in the thesis was actively pursued with alert attention to these possible dilemmas. I have discovered no overt discussion of either the ‘victim politics’ or the ‘smokescreen’ concerns about domestic violence policy by those directly engaged in policy making in this area. I have nevertheless concluded, in my accumulating responses to this theme in the thesis chapters, that evidence exists of unspoken awareness and tacit care about these issues by the policy practitioners involved. As has been demonstrated in the thesis, that evidence can be found in the quiet consistency with which feminist policy operators have refrained from making emotive use of domestic violence as a publicity driver for the broad women’s enterprise. It is indicated, too, in the persistent acknowledgement in policy documents of the life survival needs of women escaping violent partners, and the increasing
The strength of accompanying statements of the feminist social construction of domestic violence. The strongest of these statements in a policy context would be made after the thesis period in the *Position Paper* published by the National Committee on Violence Against Women (NACVAW) in 1992 (NACVAW 1992: 8-9.) Finally, the same strategic care is indicated by the scrupulous attention with which feminist policy professionals have sought to ensure that justice system responses to domestic violence have operated both as effectively as possible and so as to profoundly challenge the traditional institutions and professions charged with their delivery. One example of this can be found in the sequence of evaluative reports which accompanied the NSW law reforms (NSWDVC 1985: 12-36; 1989: 19-30; Stubbs 1986; see also Egger and Stubbs 1993).

**THE CONTEXTUAL, INCLUDING REPRESENTATIONAL, IMPLICATIONS OF THE DOMESTIC VIOLENCE POLICY PROCESS**

Response to this thesis theme has been shaped by recognition of the dramatic circumstances of neglect followed by ‘discovery’ through which domestic violence was adopted and framed as an Australian feminist issue in the early 1970s. Recognition of those circumstances placed the analysis and policy response investigated by the thesis as part of a contextually relative history of problem representation. It also invited the historical investigation carried out in the first two chapters, which both extends analysis of the significance of context in the framing of policy, and seeks to understand why it was that Australian feminists in the second half of the twentieth century had lost touch with the knowledge of domestic violence shared by their predecessors a century earlier.

Once again my conclusions in relation to this theme fall into two parts. The first reflects the historical study, of which the policy process pursued in the main thesis period forms a part, of the ways in which linked contextual circumstances of opportunity and representation contribute to both activist and policy making problem identification and response. Two conclusions stood out in this analysis. One involves recognition of the extent to which the options available to feminists in both the late nineteenth century and the main thesis period were shaped by the economic and social circumstances identified as determining women’s access to the possibility of forming
autonomous households. In circumstances in which only exceptional women had such a capacity, late nineteenth century feminists abhorred violence in marriage, but focussed on compulsory sexuality as the touchstone for their critique, and concentrated their activist responses on the nature of the marriage relationship, and to increasing the economic options open to women. I have argued that the most fundamental explanation for the disjunction in feminist memory across the two centuries was the eventual substantial intervening change in women’s economic and reproductive circumstances, which made it possible for feminists in the late twentieth century to imagine, and even to start to expect, that a woman could have the option of leaving a violent man and reconstructing her life in her own terms.

The second conclusion which stands out in the contextual analysis undertaken was the recognition that, in addition to the effects of broad social, cultural and economic circumstances, policy representations and possibilities are shaped by contemporary representations of the nature and functions of policy itself. So, in the late nineteenth century, policy objectives like state income support for sole parents or government funding for women helping other women to leave violent partners were beyond the policy imagination of feminists who had not yet experienced the possibilities of a welfare state. That recognition makes changes in policy directions between the two generations of Australian feminists as significant as those in the circumstances of women’s lives in comprehending the ways in which the later feminists framed and responded to domestic violence.

The second section of my conclusions in response to the contextual implications of the late twentieth century feminist policy activist response to domestic violence follows from these points. It involves the opportunity provided by the stage by stage narrative analysis of the domestic violence policy process for observation of the equally gradual framing of the feminist and policy representation which accompanied that process. The feminist analytical process, and its various modes of expression in activist, media, policy and academic contexts, has provided an account of the living, incremental, never predictable process by which an influential new discursive framing was built. This process is the strongest demonstration provided from the thesis material of the implications of context for an activist and policy process. It is a framing built from the representational tools of structural analysis and consciousness.
analysis available to feminists in the 1970s. It is also a demonstration of the means by which a radical framing can be placed in but yet transcend the discursive means at its disposal (see, for example, Carol Bacchi’s discussion of such possibilities in Bacchi 1999a: 63-4).

ASSESSMENT OF THE DOMESTIC VIOLENCE POLICY OUTCOMES IN RELATION TO THE STRATEGIC PROCESSES WHICH ACHIEVED THEM

Expressions of disappointment about the outcomes of the domestic violence policy process came in two forms: criticisms of the operation of the specific, mainly justice system, measures introduced in the period of the thesis, and the broad critique which has been reported, which saw those specifically focussed measures as cheap and narrow when compared to the complete transformation of women’s lives and the power structures framing them that would be required for a comprehensive solution to domestic violence. These critiques do not involve an ‘either/or’ situation; both forms of policy response were identified as essential by the feminist framing process. The strategic question that is the focus for this theme lies in accusations that attention to one necessary policy response became a diversion from the other, and that the diversion was the product of strategic decisions consequent upon over-involvement with the policy arena. It can be identified in the varied feminist opinions about what happened in NSW between 1981 and 1985: was the policy built on the recommendation of the 1981 Task Force a brilliant piece of policy activist opportunism or a femocrat sell-out of the far-reaching and visionary agenda expressed in those recommendations?

My conclusion in response to this theme has been indicated in the concluding sections of Chapter Six. My argument is that it is possible, as a policy activist, to bring both vision and pragmatism to the policy arena. I have demonstrated that the policy achieved in the thesis period, for all the flaws and dilemmas of implementation, some of which are still being worked on, includes examples of policy concepts which both fit and transcend the realities of concurrent policy practice. This is an argument about the framing of policy instruments which relates to the theory proposed by Carol Bacchi about the possibilities of both recognising ‘the limits placed on constructions by structural factors, including the power of institutions and individuals to shape
discourse, while insisting upon the possibility of challenging constructions which have effects we despise' (Bacchi 1999a: 64). Building on the analysis of categories of feminist policy offered by Janet Flammang (1997: 255-6), as well as the pragmatism of Meredith Edwards’ and Margaret Levi’s (1990:146-53) policy activist assessments of alliances, bargains and discounts, my conclusion is that the feminist policy instruments of the women’s refuge, the protective order backed by powers of arrest, government sponsored community education and the social policy response implied by government recognition of domestic violence all amount to incremental measures, skilfully presented in comfortable equity terms, which also represent a transformational response to the circumstances of women’s lives.

THE NATIONAL CONFERENCE ON DOMESTIC VIOLENCE, 11-15 NOVEMBER 1985

The thesis and its conclusions end with one last piece of the policy activist narrative. A second major conference relevant to the themes of this thesis was convened by the Australian Institute of Criminology right at the end of the main thesis period, in November 1985; its proceedings were published the following year (Hatty 1986). The disputes, ideas and strategies it engendered made their contribution to domestic violence policy developments beyond the thesis period, and it has consequently not been analysed as part of the primary research material for the thesis. I introduce it here not to make a detailed examination of all it encompassed, which would be inappropriate, but to use the proceedings of the conference as a final confirmation of my conclusions, and in order to demonstrate one last aspect of the domestic violence policy process.

Much that happened at the 1985 AIC Conference continued the themes and processes identified within the narrative to this point. The conference was the product of yet another policy activist strategy, and one which returned the tactical focus to the Commonwealth government arena; the identities of those driving the strategy do not have to be known for the activism to be recognised. In his opening address, the Director of the AIC, Richard Harding, reported the origins of the conference in a resolution passed at the ALP National Conference in 1984, a year after election of the Hawke ALP Commonwealth government, which called on that government to
‘develop a national approach to violence in the home’ (Hatty 1986: 6). The outcome was that the AIC was asked to convene two conferences, one on domestic violence and one on child abuse. The separation of those issues, because of ‘the range and complexity of problems to be tackled in each area’, spoke of all that had been achieved on both since the first AIC Conference in 1979 (Hatty 1986: 3). So did the prominence in 1985, at both the conference and in its published proceedings, of the representational discourse of the feminist social structures framing of domestic violence (see for example Hatty 1986: xvii-iii).

Another significant continuity is indicated by the strong presence of refuge feminists and refuge feminism at the conference. That presence was foreshadowed in the AIC Director’s speech. He acknowledged ‘workers in women’s refuges’ as ‘predominant’ among the interest groups represented at the Conference, drew attention to ‘the prominence in the program of perspectives developed in the refuges and shelters’, and promised that the conference ‘would not be one of those where experts who are not personally touched by a problem dominate the discussion’ (Hatty 1986: 4-5). If this was a strategy to avoid trouble, it did not succeed. The problem this time was not, as in 1979, conflict between the refuge-framed feminist response and the traditional pathological and therapeutic approach to family violence. The ground for contention in 1985 was that the refuge framing, rightly identified by Richard Harding as prominent in the papers presented, had now been claimed by so many others. For all the refuge presence, the repeated acknowledgement of the feminist framing of domestic violence, and even some statements by women who had suffered violence, the majority of papers were presented by Australian and international professional and academic experts. Response to domestic violence, as framed from refuge experience, had become an expertise. That had benefits for the issue and its future in policy, but refuge feminists saw their ownership of the issue as threatened, and felt they had been side-lined. They responded in the traditional wild-card way with a march to Parliament House and a protest demonstration (personal experience). The ‘hybrid’ relationship between refuge feminists and the policy arena continued, splendidly.

The dilemmas as well as the opportunities of federal structures also continued. The bold, broad brush federal strategy launched at the ALP Conference had initiated the high profile AIC-convened gathering. But the constitutional restrictions on
Commonwealth government participation in the domestic violence policy arena, which were explained in the Introduction to the thesis and shaped the processes it has examined, still had their effect. The Commonwealth Attorney General, Lionel Bowen, set out those restrictions in his opening address to the conference. He assured participants that his government would pay attention to their recommendations. But the only innovation to follow at Commonwealth level was the nation-wide community education strategy, the National Domestic Violence Education Program, which took place between 1987 and 1990.

The more substantial innovations represented by the 1985 AIC Conference were those evident in the proceedings, and it is to those that I turn for my concluding assessment. Among the papers on refuges, law, policing and government consultations, all topics which had developed substantially but were familiar themes, were some which introduced significantly new issues. One, in the legal area but acknowledging a newly recognised dilemma, was Zoe Rathus’ paper on the case of a Queensland woman who had killed her violent husband after years of cruel and demeaning violence; Rathus introduces the crucial and difficult issue of the application of the defence of provocation (self defence) to such a case (Rathus 1986). Another significant legal innovation is signalled by the paper presented by Lawrence Sherman and others, reporting on the research into the effectiveness of differing policing responses to domestic violence conducted as the Minneapolis Domestic Violence Experiment. The outcomes of this project, originally published in 1984, claimed to demonstrate the deterrent effectiveness of the arrest of domestic violence offenders (Sherman and Berk 1984). These conclusions would drive a contentious debate about the relative importance of protecting the self-determination of domestic violence victims and the preventative possibilities of mandatory arrest policies (for example, Wehner 1986; QDVTF 1988: 128-33). Another significant development, which reflected concerns expressed in the findings of the 1981 NSW Task Force on Domestic Violence, but which were beyond the powers of government, was reported in Jean Gledhill’s paper on the domestic violence project conducted by the Commission on the Status of Women of the Australian Council of Churches (Gledhill 1986, and see ACC 1986; for another expression of church responses see Bowen and Horsburgh 1986, revised 1989). Yet another innovation, apparently a direct response to the interactions which took place at the 1985 conference, is the Statement of acknowledgement and support...
by a group of male participants (Hatty 1986: 679, Appendix I). Finally and most significantly, the 1985 AIC Conference included several papers expressing the productive challenge offered to the initial feminist response to domestic violence by the differing cultural locations, experiences, needs and framings of Aboriginal and migrant women (Ridgeway 1986; Moo 1986; Maglizza 1986; Ciurak 1986).

The conclusion contributed by the 1985 AIC Conference to those I have already drawn about the nature, themes and distinguishing characteristics of the domestic violence policy process, lies in the lens it provides into that process at the point where this study ends. That lens provides a viewpoint into a mature and successful process, which had achieved by the end of 1985 the insertion into public policy, into the practice of several relevant professions and into academic research and reflection, of the representation of domestic violence ‘discovered’ and framed by feminists since the early 1970s. The conference also provides a snapshot of a process full of searching debate and growth, not only in relation to the practical responses it was producing, but also, and particularly through the challenge of the diversity of experience frankly represented by women located in differing cultural situations, right inside the representational construction directing the process. The 1985 conference was part of and recorded a complex, active and developing process. Its demonstration that living continuity is an essential characteristic of the process of activism, policy making and policy activism studied in this thesis, completes my analysis. It also places that analysis as a contribution to, as well as a recognition of, a remarkable, crucial and ongoing process that has challenged the nature of policy while transforming the lives of unmeasurable numbers of women.