

Police and Community: Making it Happen

The 7th Australasian Women and Policing Conference
Hobart, Tasmania
August 21-24, 2011

Policing For Women

Margaret E. Beare
mbeare@osgoode.yorku.ca



My talk will focus on the policing of:

- Women as victims of sexual assault,
- Women as victims of domestic abuse, and
- Women as mothers.

A tribute to Christine Nixon ...

“Even leadership researchers who should know better remain attached to a masculine kind of leadership sometimes termed ‘heroic leadership’, those who lead from the front with a loud voice and over-confident vision.

Professor Amanda Sinclair “The Leadership of Christine Nixon”,

The Journal for Women and Policing, Issue No. 24 Winter edition, 2009. <http://www.acwap.com.au/journal/issue24.pdf>

Melinda Tynan quotes Christine (who used to quote John Avery)—

“The turtle only make progress by sticking his [her] head out”.

United Nations Entity for gender Equality and the Empowerment of Women.

- July 6, 2011 Press Release announcing the UN, 2011. *Progress of the World's Women: In Pursuit of Justice.*
- <http://www.unwomen.org/2011/07/justice-still-out-of-reach-for-millions-of-women-un-women-says/>
- See <http://progress.unwomen.org/pdfs/EN-Report-Progress.pdf> for the full report.

Policing Sexual Assault

Toronto Police officer's quote...

“I've been told I shouldn't say this...

in order to avoid sexual assault, a woman should not “dress like a ‘slut’”.

Thousands turn out for Melbourne SlutWalk

- *The Australian* May 28, 2011 7:42PM
<http://www.theaustralian.com.au/news/nation/thousands-turn-out-for-melbourne-slutwalk/story-e6frg6nf-1226064712915>

'SlutWalking' movement takes off in Australia



Thousands turn out for Melbourne SlutWalk

Toronto...



UK



India—July 31, 2011



To what avail...Toronto Focus on the Policing of sexual Assault...

- **1975 Report of the Police Committee on Rape**
- **1983 Report of the Godfrey Task Force on Public Violence against Women and Children.**
- **1986 Report authored by Det. Sgt Margo Boyd**
- **1998 Jane Doe decision and payment and apology by the Toronto Police**
- **1999 and 2004 and 2010 Sexual Assault Audit of policing policies, practices, processes**

The Baeza False Report Index (The BAFRI): Red Flags to identify liars...

- women who ask to speak to a female police officer or to a female investigator
- females who cannot identify the suspect or provide details of the crime
- a victim who focuses on moving to a new home or apartment during the investigation
- a victim who cries at various stages during the interview to avoid answering questions and
- a woman who displays ‘TV behaviour’ when initiating a complaint—i.e. hysterical, demanding a female officer, catatonic etc.

And the list goes on...

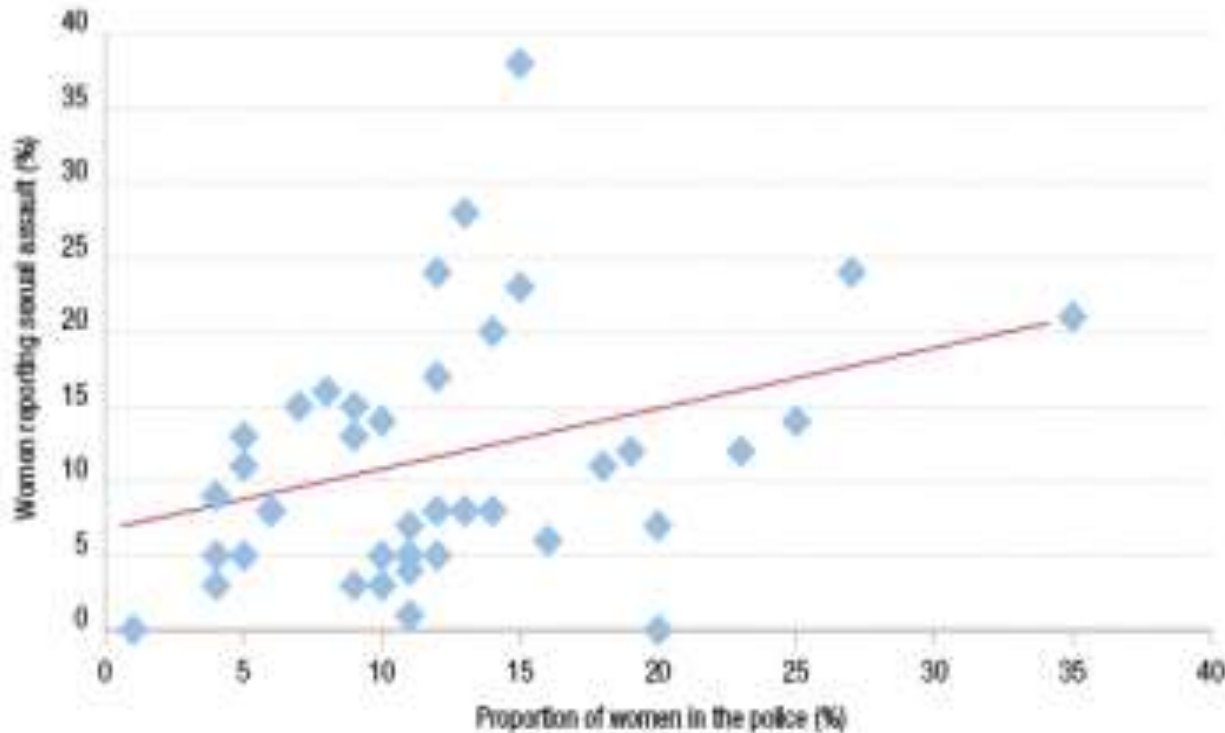
- See “False Reports in Cases of Sexual Assault: Literature Review and Investigative Suggestions” by Det. John J. Baeza (ret.) & Brent E. Turvey, MS, *Journal of Behavioral Profiling*, Volume 1, #3 December 2000. See also
- *Criminal Profiling* by Brent Turvey
http://books.google.ca/books?id=Oge7LFaN5xYC&pg=PA404&lpg=PA404&dq=baeza+false+report+index&source=bl&ots=h0ScLAR4J5&sig=UCVrfNbqugAsVPtdwpYhGn2hqqU&hl=en&ei=rbo0TiDyBYzogQeRsL33DA&sa=X&oi=book_result&ct=result&resnum=3&ved=0CCcQ6AEwAg#v=onepage&q=baeza%20false%20report%20index&f=false

Ten years after Jane Doe...

- Radical changes are required in order to stop the wrongful “unfounding” of sexual assault reports and ensure that women who are sexually assaulted are not re-victimized when they report to police. Police forces will not be held accountable until the problem of wrongful “unfounding” is given more attention.

Teresa DuBois Police Investigation of Sexual Assault Complaints: How far have we come since *Jane Doe*? [http://www.ruor.uottawa.ca/en/bitstream/handle/10393/19876/08-DuBois--Police Investigation of Sexual Assault Complaints.pdf?sequence=19](http://www.ruor.uottawa.ca/en/bitstream/handle/10393/19876/08-DuBois--Police%20Investigation%20of%20Sexual%20Assault%20Complaints.pdf?sequence=19).

Proportion of Women in Policing compared to Women reporting Sexual Assault



Source: UN Women analysis based on police representation data from UNODC 2009 and reporting of sexual assault calculated from ICVS (latest available).

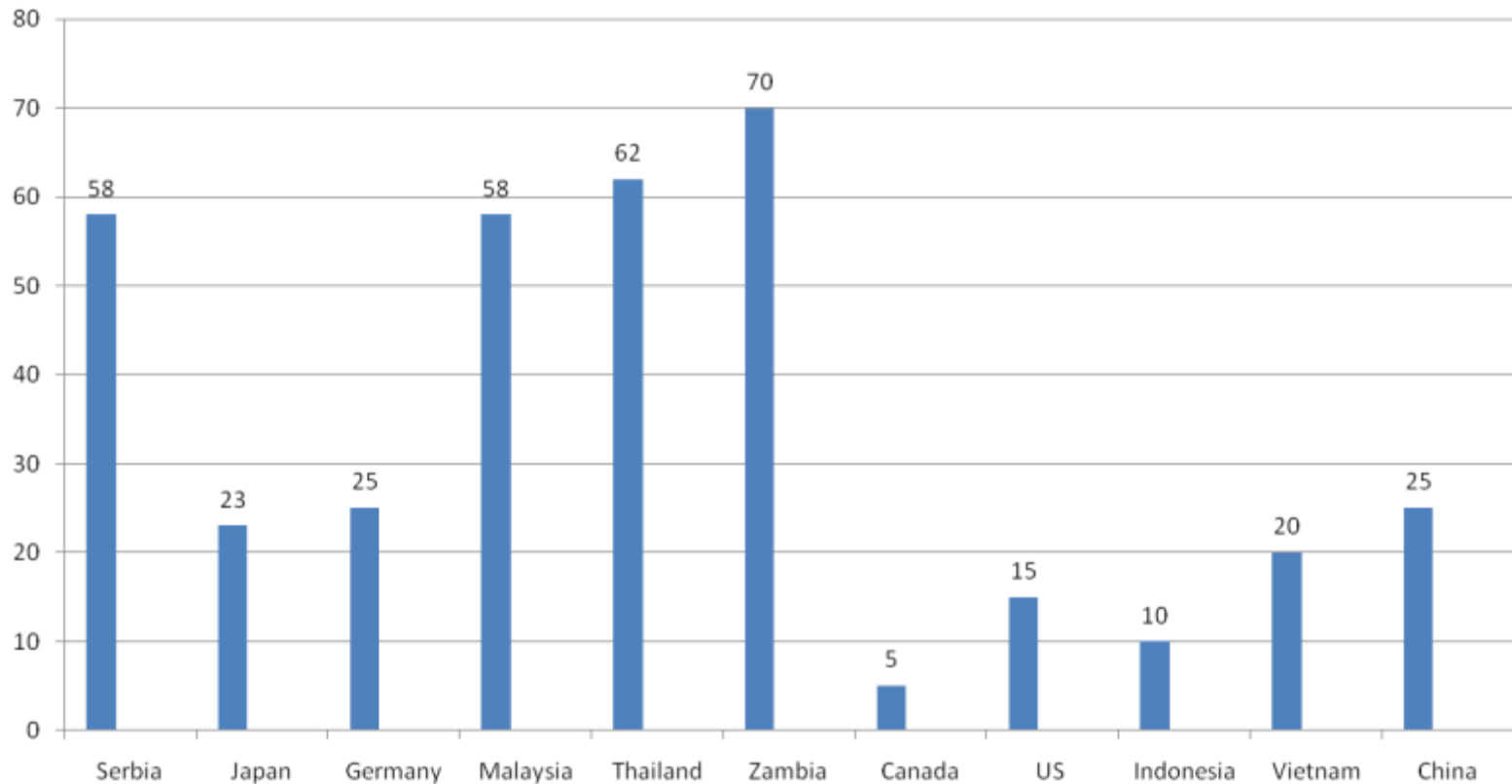
<http://www.undispatch.com/un-women-the-pursuit-of-justice/screen-shot-2011-07-06-at-9-48-06-am>

Policing Domestic Violence

- Quoting the 2011 UN Report:
“In 17 out of 41 countries, a quarter or more people think it is justified for a man to beat his wife”.

UN 2011. <http://progress.unwomen.org/pdfs/EN-Report-Progress.pdf> Page 3

Percentage of people who felt abuse of women was 'sometimes justified'

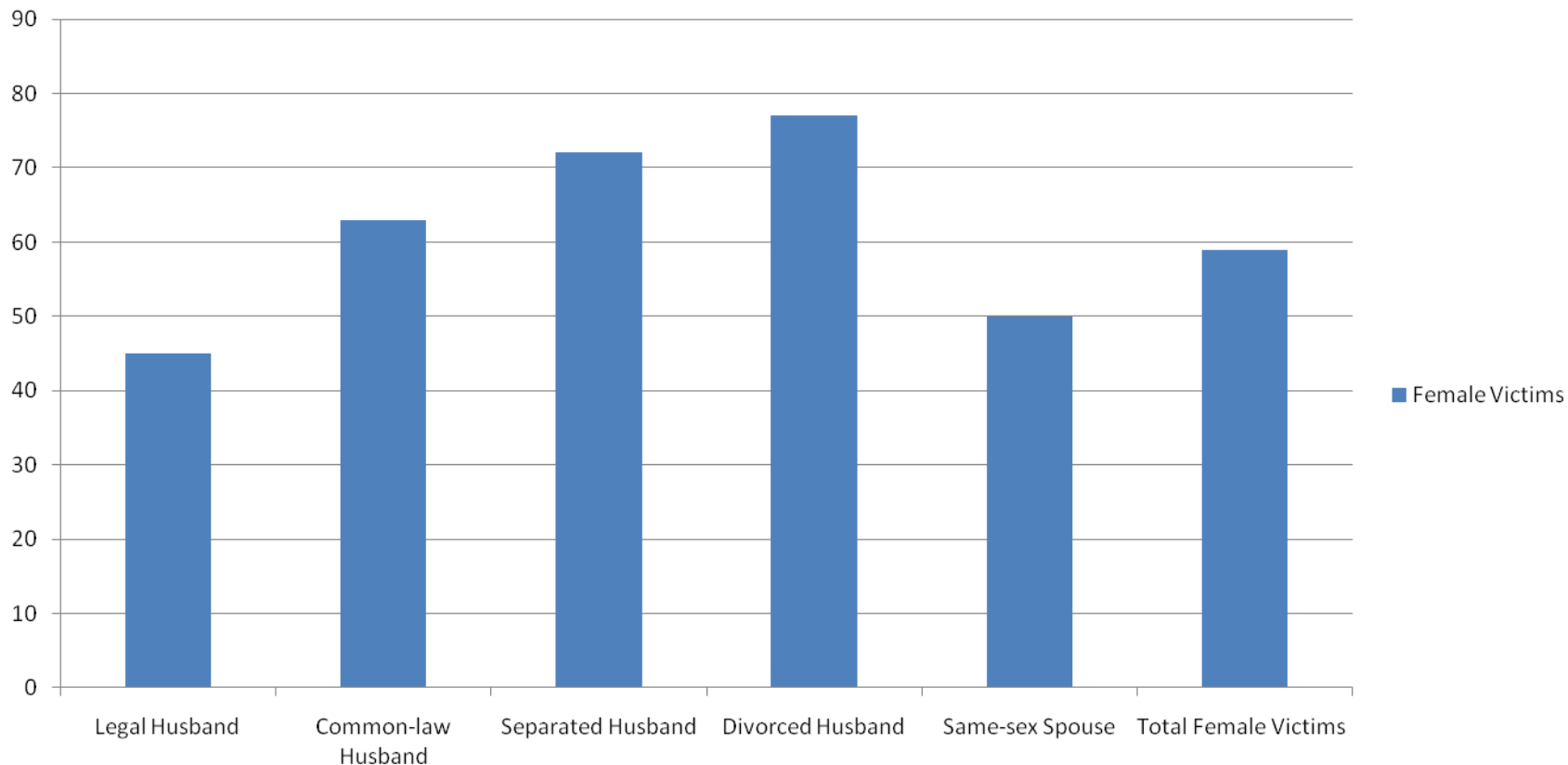


UN 2011.

<http://progress.unwomen.org/pdfs/EN-Report-Progress.pdf> Page 3

Percentage of Spousal Homicides with a History of Domestic Violence Between Victim and offender

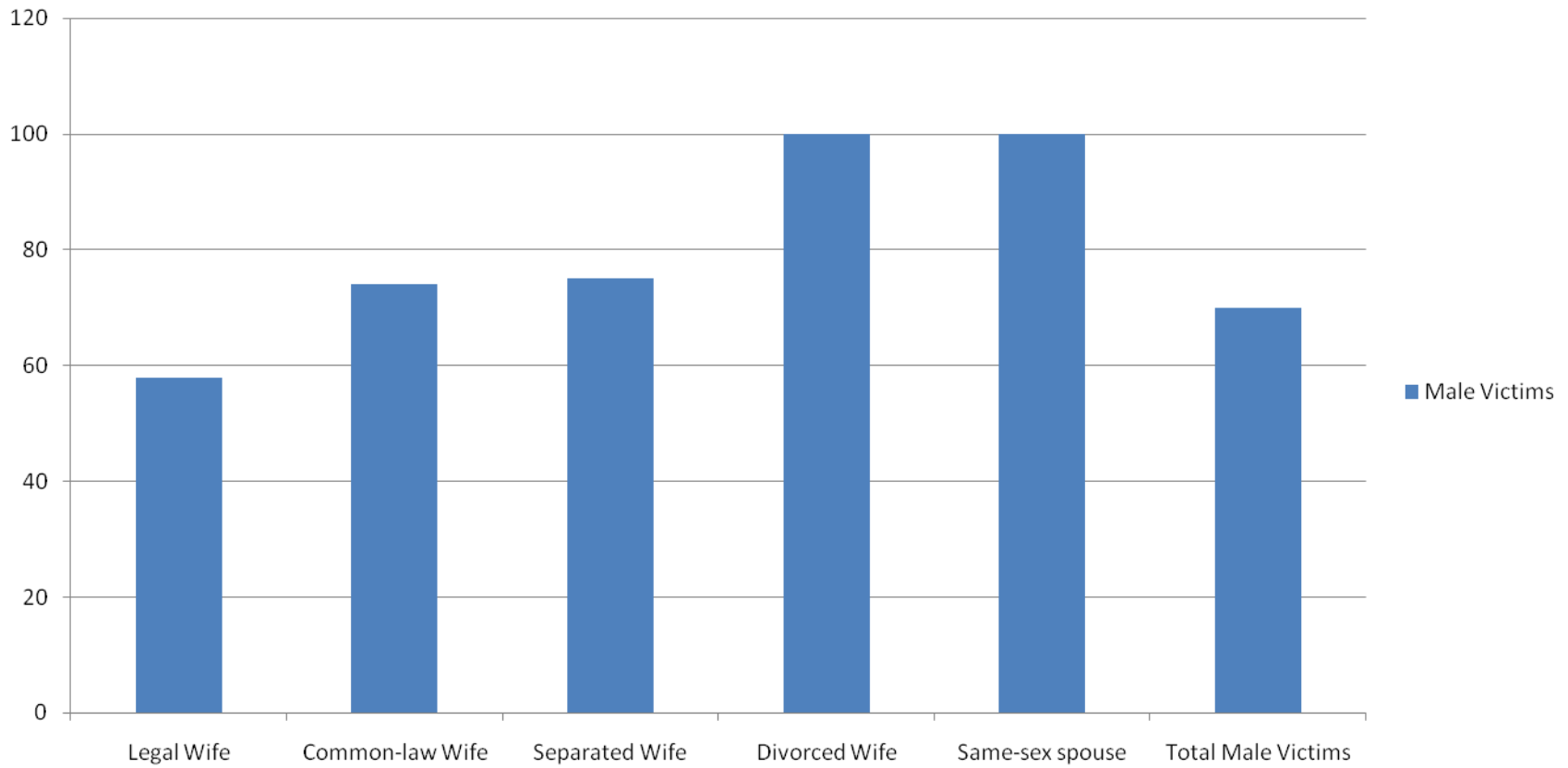
Female Victims



<http://www.statcan.gc.ca/pub/85-570-x/85-570-x2006001-eng.pdf>

Percentage of Spousal Homicides with a History of Domestic Violence Between Victim and offender

Male Victims



Domestic Assault by Police

- Factors making abuse by police unique:
 - training to show power and control,
 - training to intimidate,
 - training in the use of weapons and techniques to inflict violence,
 - training in ‘empty hand’ and ‘pressure point’ techniques that may terrorize but leave no marks, and
 - police will have knowledge of the law of evidence, and contacts within the justice system.
 - If the victim is also a police officer, there is concern that reporting the violence will jeopardize both of their careers and spouses may fear the reaction of police officers colleagues

Policing Youth

“Gangs n’Guns”

- Policing strategy of choice—and funding

Chief Blair... “208 cards”...

- “...nine out of 10 youths stopped and documented on a street corner may be perfectly good kids, and the encounter might leave them “pissed at us”...Those relationships are the toughest things,” says Blair. He expects his officers to be sensitive to how the youth feel and explain themselves. Even then, he acknowledges, “the encounters may not go well .”
(Rankin 2010)

- 13 ‘priority’ areas within Toronto that are targeted with special policing strategies.
 - Toronto Anti-Violence Intervention Strategy (TAVIS) presents the ‘on-the-ground’ presence— with surveillance cameras, and three rapid response teams—received over \$37Million
 - The Province of Ontario allotted over \$30Million to (PAVIS) extend their ‘guns and gangs’ approach to community safety.

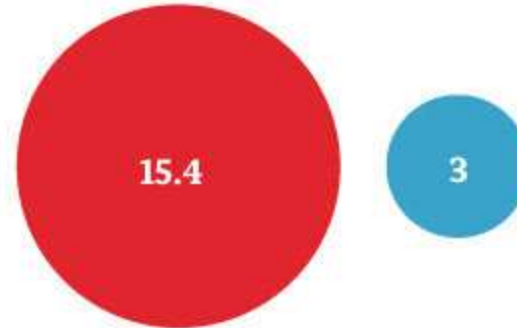
CUSTODIAL SENTENCES FOR YOUTH

Canada England/Wales (as of 2009)

Total

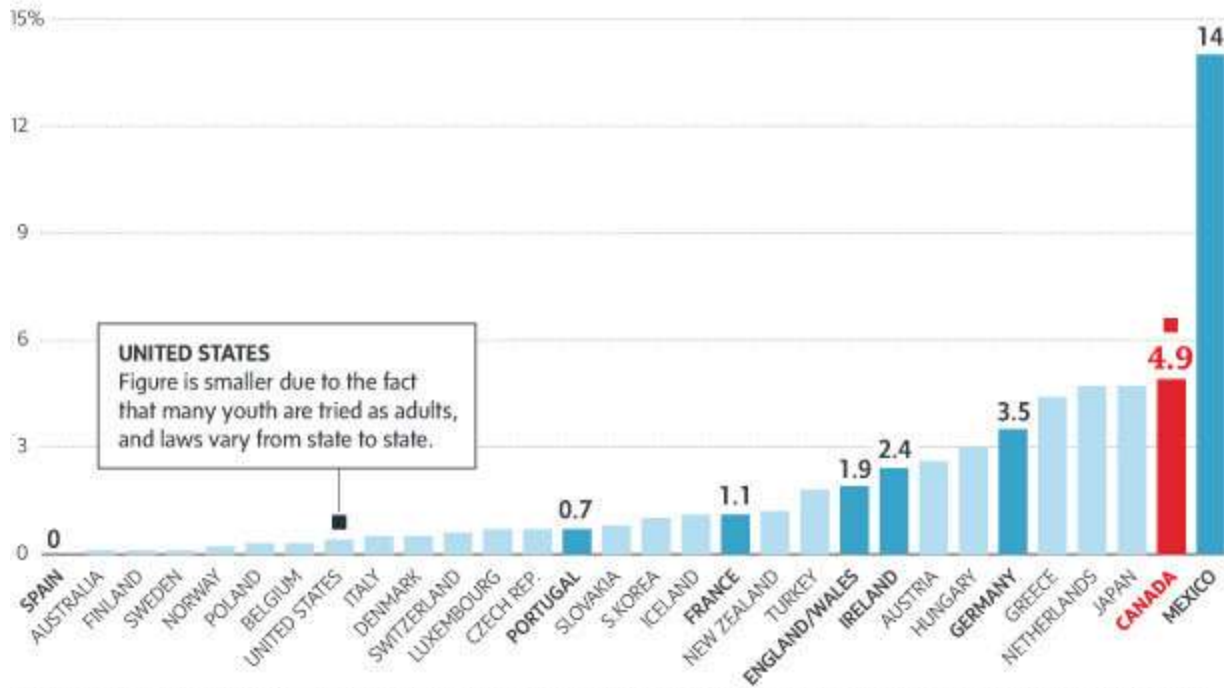


As a % of all sentences



YOUTHS AS A PERCENTAGE OF TOTAL PRISON POPULATION

Amongst OECD members, based on most recent data available



ANNA MEHLER PAPERNY AND MATTHEW BAMBACH/THE GLOBE AND MAIL | SOURCES: STATISTICS CANADA, YOUTH JUSTICE BOARD FOR ENGLAND AND WALES, OECD AND INTERNATIONAL CENTRE FOR PRISON STUDIES

'Get Tough' political agenda...

- New proposed Bill C-4
 - Expands the 'violent offence' definition to include reckless behaviour endangering the public
 - Expands pre-trial detention to include people accused of serious property crimes
 - Requires police to keep a record of the extrajudicial measures imposed upon a youth
 - Requires the court to consider seeking an adult sentence for 14-17 year olds convicted of murder, manslaughter, aggravated sexual assault.
 - Establishes deterrence and denunciation as sentencing principles.
 - Authorize courts to punish youth who previously received extrajudicial measures.

Why critics oppose this proposed legislation...

- Politicization of the ‘fear of youth’
- Research disputes the ‘punishment for deterrence’ ...and it has been a long time since any government has talked about ‘denunciation’
- Youth are seen to be malleable---and can be rehabilitated *if* they are not stigmatized by having been sent to prison.
- Concern over the impact of societal biases— social class, racial/ethnicities, even geographical areas of the city...

Result...

- Large scale 'swoops'---mass arrests that the courts and the legal aid system can not handle.
- Violence between rival gangs while held in detention centres
- Some gang members eventually get sent to jail
- Agreement that jail is the perfect arena for the recruitment of new gang members—sense that if you go to jail as a non-gang member, you had better become a gang member for your own protection.

Example---of Winnipeg and Saskatchewan...

- Aboriginal gang violence spreading across Canada *because* of the police and correctional actions.

Conclusion

Better policing for women—what can we conclude?

- Slutwalks may not be everyone's answer for better policing for sexual assault victims but years of 'training talk', and hand wringing has not had a major impact on some of our police forces and even less of an impact on the behavior of men in our societies.
- The 'change catalyst' may need to be female police officers—female lawyers, judges, legislators.

- Domestic assaults have been brought out of the home and into the criminal courts—with uneven results in terms of the gains felt by the female victims.
- The most vulnerable women in our societies are still the most victimized by domestic assaults—aboriginal communities, the disabled, the poor, and otherwise marginalized groups must be heard.

- Working with youth in a committed community policing manner with well-funded initiatives may be less macho than the 'gangs and guns' approach, but may make a greater contribution to the safety and sense of security of the communities and serve to empower the mothers trying to cope within those neighbourhoods.

One does not have to be a female police officer to operate with ‘professionalism, warmth and sensitivity’—but it improves the likelihood!

The End...

Thank you
mbeare@osgoode.yorku.ca...

