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*Rape crisis services 'Standing Alone'<sup>1</sup>*

*Policy-making as problem  
representation: the response to sexual  
violence in New Zealand 1983-89*

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BY

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<sup>1</sup> See p. 41 quote (Corrigan, 2013, p. 7)

## Abstract

After more than 30 years of feminist activism in New Zealand the government policy response to sexual violence continues to be highly contested. This thesis draws on archival material (both official and community records) to trace the competing discourses and agendas within the early policy development process. This process involved the pākehā and Māori women's rights movements seeking to influence the ways in which the problem of rape was represented and responded to by government within the social policy context. Using Bacchi's "What's the problem represented to be?" methodology, the analysis of these discourses identifies the silences and assumptions, as well as the privileged government agenda that redefined, individualised and sought to professionalise the services for rape victims/survivors. I explore the perspectives of feminists involved in the movement and how tensions with the state may be seen to be reflected in the policy process, particularly through the emergence of neo-liberalism, the interplay between liberal and radical feminist views and in the highly contested area of rape education and prevention. Further, I consider how the problem of meeting cultural needs through social policy responses stalled, despite seeming state support for such responses through the 1980s and what it may be about the issue of rape itself and its connection to gender inequality that has contributed to a muted government response to the issue of sexual violence. In a postscript I briefly review current policy discourse and comment on how the focus on rehabilitation, the financial instability of services, lack of adequate provision of appropriate services for women and communities continue to be features of the sector today. I argue that a specific focus on rape education and prevention, critical for reducing the incidence of rape, continues to be severely under attended to, and that this in part reflects continued reluctance to address both the nature of rape and the need for wider structural change in addressing it.

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## *Glossary of Abbreviations*

ACC – Accident Compensation Corporation

DSW – Department of Social Welfare

DoJ – Department of Justice

FVPCC – Family Violence Prevention Co-ordinating Committee

MWA – Ministry of Women’s Affairs

NCRC – National Collective of Rape Crisis and Related Groups of Aotearoa

I wish to thank the National Collective of Rape Crisis and Related Groups Inc for access to the national office records for the purpose of conducting the research for this thesis.

## Chapter 1: INTRODUCTION

Sexual assault against women emerged as a social issue in the 1970s in New Zealand, along with the United States, Great Britain, Canada, Australia and a number of other western countries, following effective campaigns by feminists (Brownmiller, 1975; Dworkin, 1974; Summers, 1975; Dann, 1985). Today the issue of sexual violence against women continues to plague New Zealand. As Public Policy Professor Marilyn Waring noted in her International Women's Day speech in 2015:

*"Violence against women clearly demands sustained, resourced, dedicated, urgent and ongoing action from the government." And that in particular: "women are frustrated and exhausted by delays, prevarication, reports and other processes that are not implemented and lack of funding to address a systemic and continuing violation of [the] human rights of women" (Waring, 2015).*

Waring's comments come after more than three decades of government and non-government agencies' action to address sexual violence against women in New Zealand. This research seeks to investigate what happened, particularly in relation to the initial government funding of sexual violence social services for victims, and of rape prevention and education in the 1980s, and how this might have hindered today's policy.

Sexual violence impacts on a significant proportion of our population. Today, up to one in three girls in New Zealand will be subject to unwanted sexual experience by the age of 16 years, with many of those experiences involving genital contact (70%) and therefore of a serious nature (Fanslow, Robinson, Crengle & Perese, 2007). The latest New Zealand Crime and Safety Survey found 24% of women and 6% of men will experience one or more incidents of sexual violence during their lives (Ministry of Justice, 2014). For Māori girls and women, the likelihood of sexual violence is nearly twice as high as the general population (Ministry of Justice, 2014). At least 50% of girls and women who are sexually assaulted are likely to be sexually revictimised (Ministry of Women's Affairs [MWA], 2012). Internationally, New

Zealand rates of sexual violence are high, with the United Nations reporting in 2011 that we were worst ranked of all OECD countries and the British medical journal *The Lancet* placing New Zealand third highest alongside Australia for our poor sexual assault rate in 2014 (United Nations Women, 2011; Abrahams, Devries, Watts, Pallitto, Petzold, Shamu, & Garcia-Moreno, 2014).

This chapter starts by discussing the problem I seek to address. Following this is an outline of the social and political context of the early 1980s and an overview of my personal connection with the topic. Finally, this chapter concludes with an overview of the structure of the thesis.

### Statement of Problem

My broad area of research is the development of social policy in response to sexual violence in New Zealand in the 1980s. In particular, this thesis explores the proposition that the development of social policy surrounding the establishment and operation of rape crisis and sexual abuse services has been highly contested and that this continues to be a current policy feature.

These services were developed from the late 1970s to provide crisis and ongoing counselling and support for adult and child victims of rape and sexual abuse and their families, to advocate for victims, and to provide community rape education and prevention activities. The services were predominantly provided by community organisations that grew out of feminist and indigenous (Māori) women's rights movements in the late 1970s. This thesis traces the competing discourses and agendas within the policy development process as these movements sought to influence the ways in which the problem of rape was represented and responded to within a social policy context.

The aim of this examination is to shed light on how rape was represented within the first social policy responses in New Zealand and what lessons for today may be able to be drawn from that. As noted by Waring, above, the financial instability of

services and a lack of services, continue to be issues today. In addition, I argue a specific focus on rape education and prevention, undoubtedly critical for reducing the incidence of rape, has been severely under attended to and that in part this reflects continued reluctance to address the patriarchal origins of rape<sup>2</sup>.

### The Social and Political Context

The economic, political, social and cultural context for policy development in the late 1970s and early 1980s was highly charged. The Muldoon government of the late 1970s had done much to galvanise the Labour Party into drawing on a wider left movement to win a landslide victory in 1984. The neo-liberal orientation of much of the policy that Labour championed from 1984 was, however, at odds with efforts to address inequality and discrimination that many activists were bringing to Government and public attention at the time. The neo-liberal agenda was also in contrast to the growing feminist voices of the time, from the newly established Ministry of Women's Affairs (MWA) to feminist activists and writers<sup>3</sup>. These forces combined in an era of substantial change.

### New Zealand in the 1980s – the wider context of change

When the Labour Government was elected in 1984, New Zealand was well into a period of economic decline manifesting in declining terms of trade internationally, industrial strife, and high inflation. Britain's entry into the European Economic Community (EEC), global competition, and high unemployment (in 1978 unemployment in New Zealand was 2.5%, by January 1984 it had climbed to 6%) were also features having an impact in our economy (Franks, 2010, p. 23). In response, the Fourth Labour government began a period of radical neo-liberal reforms. The new-right economic agenda, with a strong focus on deregulation,

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<sup>2</sup> I refer to the term 'patriarchy' throughout this thesis. By this I mean the system of social structures and practices in which men dominate, oppress and exploit women. This term was used widely by feminists prior to the late 1980s. After this time these ideas of power and domination became framed more in terms of gender dynamics (Wilson, 2000).

<sup>3</sup> See for example Davis, A., (1983) *Women, Race and Class*; hooks, b., (1981) *Ain't I a woman; black women and feminism*; Brownmiller, S., (1975) *Against our will: men, women and rape*; Wilson, M., A feminist perspective, in Legal Research Foundation Inc (1982). *Papers presented at seminar: Sexual violence – a case for law reform*. Auckland: Legal Research Foundation.



privatisation and reducing the role of the state, curiously coincided with a period of developing social liberalism in New Zealand (Edwards, 2009).

The late 1970s and 1980s also marked the beginning of dramatic shifts in the employment of working age women (from around 45% in 1978 to 52% a decade later) and in the structure of New Zealand households. Divorce was on the increase, as was childbearing outside of marriage, increased rates of single parenthood and a decline in the extended family (Callister, 2005). Women's educational attainment was also rising and attention was being given to the barriers to women's employment, although there continued to be a general public, and state reticence about mothers' employment well into the 1980s (Callister, 2005; Nolan, 2000). These changes were important, however, in enhancing the opportunities for women to gain more independence than had been available to them before this time. Such changes also point to an ongoing dilemma for the state in how and what to address in respect of the changing role of women.

The period heralded a new milieu of socially concerned liberals, many of whom joined the Labour Party to oppose the previous National Government led by Robert Muldoon (Edwards, 2009). Many of these social liberals were campaigners from the feminist, gay rights and Māori nationalist movements. The feminist movement became established in the 1970s in New Zealand. This establishment was aided by opportunities provided by four women's conventions held through the decade and the United Nations International Women's year in 1975. These events, along with other activities, fuelled the women's movement as one of the dominant social movements of the 1970s (Waring, 1979).

Early areas of concern highlighted by feminists in this era included free childcare, equal pay and women's control of their own bodies (abortion on demand and free contraception) and an end to "*sexploitation which commercially exploits women and socialises children along sex lines*" (Dann, 1985, p. 10). The movement sought both equality with men and a deep scrutiny of all aspects of personal relationships between men and women (Coney, 1993). As the 1970s progressed, the feminist

movement emphasis shifted from consciousness-raising and protest to more practically-oriented single issue groups focused on issues of domestic violence, rape and women's health.

Most of the groups emerging from the feminist movement were dominated by pākehā, middle-class, heterosexual women, although the feminist media from the early 1970s was also reporting on the emerging debate around issues of racism within the movement, and the relevance of the movement to Māori and Pacific women (Alston, 1973). For Māori women the issues of racism and failure of the women's movement to address their specific interests frequently resulted in voices calling for separate development (Vanderpyl, 2004, p. 112).

Feminists, and other social activists brought a much stronger sense of 'identity politics' into political discussion. The government was influenced through its 'wings', and, as Edwards writes "*Within the Labour Party of the 1980s there was effectively a truce between the right of the party that was keen to implement neo-liberalism and the left of the party, which was now mostly socially liberal in its focus*" (Edwards, 2009). This resulted in Labour at least partially adopting agendas of the new social movements, particularly the feminist movement, as part of a socially liberal agenda. The establishment of MWA was a direct expression of the Government's adoption of social liberalism<sup>4</sup>. The MWA, an election promise by Labour, represented the apparent adoption of women's issues at the centre of the political stage (Else, 1993, p. 67). As mentioned above, few foresaw the subsequent upstaging of these issues by new right political philosophy and economic policies (Else, 1993). The early policy development in response to more specifically driven demands by the women's movement to address issues such as domestic and sexual violence are also expressions of government attention to social issues, although these issues attained national prominence before the establishment of MWA.

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<sup>4</sup> The legislation to establish the MWA was passed into law in March 1985. The Ministry changed its name in 2015 and is now known as the Ministry for Women.

Along with political momentum on matters close to the feminist movement, Edwards (2010) also identifies the period as one where a *“conscious and dramatic shift in government policy regarding Māori”* occurred. Biculturalism was seen to be embraced and actively promoted by the state. As with the bureaucratic adoption of a number of feminist concerns, this seems more driven from a desire not to continue the socially divisive experiences under the previous National government, given National’s failure to effectively respond to the new social movements. Labour’s strategies, while often lacking in real impact, at least responded superficially to protest movements and could be seen to meet some activists’ aspirations without *“threatening or curtailing the profit accumulation abilities of business in New Zealand”* (Edwards, 2010).

A significant number of left and liberal groups embraced the concept of tino rangatiratanga (self-determination), promoted within the Māori protest movement, as being necessary to reduce the social and economic disadvantage of Māori. This inquiry considers how the national sexual violence movements were one of the organisations to adopt the concept of tino rangitiratanga and seek to influence policy implementation to recognise self-determination for Māori.

### **The problem - Sexual violence against women in New Zealand<sup>5</sup>**

Sexual violence is recognised as a grave violation of individual and human rights, regarded by criminal justice agencies as second only in seriousness to murder (May, Minor, Ruddell & Mathews, 2007). Sexual offences, however, are identified as *“the most under-reported category of offence, reportedly because victims [see] these events as being private, shameful or embarrassing”* (Ministry of Justice, 2010, p. 43). In New Zealand the most recent estimates suggest just 9% of victims report sexual violence to the police and then only 13% of cases recorded by the police result in a conviction (Triggs, Mossman, Jordan & Kingi, 2009). In 1984, however, the Police

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<sup>5</sup> ‘Sexual violence against women’ is defined in this study as the rape and/or unlawful sexual connection against a female aged 16 years or older (as defined in Kingi & Jordan, 2009).

were more optimistically suggesting 20% of rape victims reported the rape<sup>6</sup>. The data shows that of the rapes reported to the police between 1971-74<sup>7</sup> around 31% were prosecuted, and 20% of these resulted in a conviction (Galloway, 1978, p. 29). Rates of reporting increased sharply after 1980 (from 316 in 1981 to 734 in 1989), with increases attributed in part to changes in legislation, and because it became easier to report (Newbold, 2015).

As discussed above, feminists in New Zealand were beginning to draw attention to the issue of sexual violence, with numerous articles appearing in the New Zealand feminist magazine, *Broadsheet*, in the late 1970s<sup>8</sup>. These challenged many of the myths of rape, reported on research with incest survivors and drew on the work of feminists in the USA to define rape from a feminist perspective (Vanderpyl, 2004, p. 133). The analysis of rape as 'a constant threat and reminder of the power of men over women' began to be increasingly common among activist organisations and became the basis for developing rape crisis services 'by and for women'. In 1979 Miriam Jackson (Saphira) undertook a survey on rape through the magazine, the *New Zealand Women's Weekly*. The responses helped to shatter some common myths about rape and showed rape to be more prevalent than was often assumed (Jordan, 2004, p. 75).

Rape crisis groups began to be established in New Zealand in the late 1970s and increased rapidly in the early 1980s. They grew out of increasing feminist awareness of the importance and validity of survivors supporting survivors and the need for supportive, safe places for women and children (Else, 1993, p. 147). The groups offered crisis support lines for women who had been raped and actively worked to

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<sup>6</sup> Data 1971-1975: Reported by Galloway, 1978 and sourced from NZ Police Annual Reports to Parliament. Data 1979-1983: Correspondence from Detective Superintendent Bruce Scott, NZ Police National Headquarters to Director General of Department of Social Welfare, 19 September 1984. Two readership surveys conducted by the *New Zealand Woman's Weekly* in 1976 and 1981 of women who had been raped, found Police reporting rates of 21% and 23% respectively amongst respondents (n=100, 223). Stone, Barrington & Bevan, 1983 site these studies, and other data which also supports this estimate of reporting at the time (in Department of Justice [DoJ], 1983)

<sup>7</sup> In 1971, 160 reports of rape were received by Police, 210 in 1972, 251 in 1973 and 278 in 1974.

<sup>8</sup> See for example: Issues 33 (October 1975), 55 (December 1977), 57 (March 1978), 69 (May 1979), 71 (July/August 1979) and 75 (December 1979) which all include articles or news items reporting on activities in New Zealand relating to sexual violence (Auckland Women's Liberation, 1974-)

raise public awareness about the issue of rape (Vanderpyl, 2004, p. 134). These groups were largely run by volunteers with operating costs supported by the women volunteers, community fundraising and support from organisations such as the Committee on Women, Mental Health Foundation, the Department of Labour and local City Councils. The Department of Labour employment schemes (which allowed community organisations to hire staff paid for by the government) operated from the late 1970s and provided the means for many groups to grow the services they were offering (*Ibid*, p. 137). The way that groups organised, as collectives with a campaigning and service orientation were seen by groups as part of their radical critique of rape (Mathews, 1994, p. 3).

By the early 1980s, the public visibility of the issue of rape (largely as a result of feminist activity) was contributing to a growing state concern about the prevalence of the crime and the adequacy of support for victims. In 1982, the Minister of Justice directed a study of the experience of the rape victim in relation to the law, official procedures and support services due to “*public disquiet of what was seen to be an increasing incidence of rape and concern for the consequences to victims*” (Department of Justice [DoJ], 1983, Preface). The consequent studies, released as three reports in 1983, sought to fill an almost total absence of information about rape in New Zealand.

The Victim Survey, which I draw on in this thesis, was completed in May 1983 (Stone, Barrington & Bevan, 1983). The survey involved interviews with 50 women who were contacted through sexual abuse support services (12), police referrals (10), through personal contacts (9), from court files (8), from newspaper publicity (5) and other means (6) including doctors, social workers, and visits to DoJ institutions. Most women were approached by an intermediary to invite their participation in the study and each was interviewed in a location comfortable to the victim. Three were interviewed by telephone. The interviews were largely unstructured with the researcher posing questions from a standardised guide when they fell naturally into the victims’ narration of her rape experience (Stone *et al.*, 1983).

This study, along with the additional research conducted for the Rape Study, was influential in shaping rape law reforms that culminated in 1985 amendments to the Crimes Act 1961. As well as clear omissions in the ability to prosecute husbands for raping their wives, these reforms were driven from feminist concern that the criminal justice process turned the victim into the accused and failed to adequately protect the rights of women (Wilson, 1983). This was particularly evident through the admission of evidence of past sexual activity of a complainant and through a judges' direction to a jury that delay in reporting the crime or lack of corroborating evidence may be a feature of the veracity of the claim. The subsequent 1985 amendment removed spousal immunity from prosecution, made it inadmissible for a lawyer to pursue the irrelevant sexual history of a victim, removed requirements for corroboration and changed the definition to 'sexual violation' in an effort to overcome the stereotype of the word rape (Shapcott, 1988, p. 19).

The 1980s also saw considerable development in the public awareness of the myths of rape, in willingness at a community level to consider appropriate responses to sexual violence and in the continued emergence of more complex issues associated with sexual violence<sup>9</sup>. The Rape Crisis Handbook prepared by Rape Crisis Wellington was also widely distributed and assisted services, as well as the general public, in understanding the myths about rape, and the trauma and needs of the victim. (Rape Crisis Centre (Wellington) Soc. Inc., 1982)

The public discussion and visibility of the rape of adult women also uncovered the extent to which many women had experienced sexual violence as children, thus raising awareness of the extent of child sexual abuse and incest in New Zealand (Saphira, 1981). These changes also put pressure on agencies, such as the police to examine their training and procedures (Jordan, 2004).

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<sup>9</sup> The Committee of Inquiry into Violence in reporting on its inquiry noted "*violence towards women is of particular importance; and agrees with the many submissions made to it that where women are not portrayed as equal partners in relationships, and persons in their own right, their subjugation and exploitation is likely to continue*" (Ministerial Committee of Inquiry into Violence, 1987, p. 39).

## Locating myself

I now seek to locate myself within this topic, as I am not an independent outsider within my area of inquiry. I was actively involved in establishing the community network of rape crisis services in New Zealand in the early 1980s. I had returned to New Zealand in 1982, having been a volunteer at Women Organised Against Rape in Philadelphia, to discover that feminists were beginning to discuss and establish services in New Zealand. I settled back in Nelson and quickly gained a government subsidised job to co-ordinate and set up rape crisis, within the support of the Nelson Women's Centre.

With others, we formed a collective, and began working with local feminist psychologists to develop a volunteer training programme. We started offering support to female victims and their families and delivering education and prevention workshops for local organisations. We were contacted by women throughout the Nelson-Marlborough district who wanted to offer support to women in their own areas (Motueka, Golden Bay, Murchison and Blenheim) and the Nelson group provided training for these women. Thus the Nelson Region Rape Crisis Network was established by late 1984. From the moment that Rape Crisis began to advertise its establishment in Nelson, women who had experienced rape or sexual abuse turned up at the offices or phoned in droves to seek support for coping with the impacts of their abuse. They had seen articles in newspapers and had their own experiences 'triggered' by hearing about rape. In most cases women were talking about sexual abuse that had occurred in their past, that they had frequently never disclosed. Every time we gave a talk or delivered training to other community support people, women came forward seeking help. From the moment volunteers completed training, they started seeing women, individually and as part of survivor support groups and listening to their stories. This, while occurring later, paralleled speak-outs that had been occurring in other parts of New Zealand, and internationally.

I was involved in a number of feminist activities in the Nelson region, including as an organiser for the Nelson Women's Forum. This was one of 20 Labour Women's Council organised forums held around New Zealand in 1984 to identify priorities for

a newly establishing MWA. I was also a founding member of RACE Collective in Nelson, a predominantly pākehā anti-racism group dedicated to educating and acting on issues of racism in our community. This group was like many established in New Zealand following the 1981 Springbok rugby tour and the exposure of New Zealanders to the reality of racism in our own country<sup>10</sup>.

The Minister for Women's Affairs announced late in 1984 that funding would be made available to support rape crisis centres. In Nelson, like many areas of a similar size, we had three staff employed on government subsidised schemes and were still on the back foot with developing systems, and keeping up with the demand from the community.

Our experience of the levels of support for the service were mixed; some people, including police officers frequently held sceptical views of whether rape happened at all and thought women made it up. There were also a number of lesbians (including myself) who were very visible within rape crisis and this was challenging, at times internally, and also within the community. The gay and lesbian as well as feminist movements at the time were actively engaged in 'coming out' and naming the impact of oppression in everyday lives. Increasingly, however, with the support of GPs, and other professional groups beginning to experience their own increase in disclosures of abuse, Nelson Rape Crisis through its actions began to gain some respect from the community.

I attended the first meetings called to discuss the government funding of rape crisis and most of the regional and national meetings during the development of the National Collective of Rape Crisis and Related Groups of Aotearoa (NCRC) between 1985-86. These meetings involved many heated and exhaustive debates about the philosophy and rules of the NCRC, the relationship between the NCRC, its sister Māori and Pacific organisations and the Government. Like me, many of those

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<sup>10</sup> In 1981 a tour by the South African rugby team, the Springboks, drew nationwide protests as the country was divided over support for the tour and abhorrence for the racist policies of South Africa. The team had been selected under South Africa's apartheid regime and was made up of all white players.



involved held predominantly radical feminist and anti-racism perspectives, and many were lesbian.

I was appointed the first national co-ordinator for the NCRC in 1986 and worked within the collective to develop policy positions and then, with the Māori and Pacific women's organisations, negotiated with government officials over the allocation of funding and priorities. In 1988 I took up a policy advisory role with MWA, which later that year was asked by Ministers to lead a review of funding in the sector. I was the administrator for that work through 1989. While I continued to work in the Ministry until 1999, I ceased working in the area of sexual violence in 1989.

Since that time I have not had any direct role in the sector but ongoing interest in the area. My reconnection with community groups providing sexual abuse support services in 2014 for a professional purpose prompted this thesis. The apparent lack of progress in ensuring adequate support services for victims, and in rape prevention interventions, led me to ask what could be learnt from the early policy development. There was so much promise and a sense that change would occur from that time that does not appear reflected in current policy. Was it the way in which government, and the sector defined the problem, the implementation of policy or some other factors that might illuminate future approaches. Had the vision for improving the protection of women from rape and in ensuring specialist services were there to assist recovery actually made it into policy? By examining the initial phase of policy development, I aim to uncover some answers to these questions.

### Structure of the thesis

The thesis includes this introduction, five chapters plus a postscript. The literature review (Chapter 2) reviews social policy and sexual violence literature. It explores the factors identified as contributing to effective policy responses to address violence against women and the ways in which feminists have interacted with the state to advance policy reforms.

The methodological framework of the thesis follows (Chapter 3). This draws on the extent and limits of existing research and discusses the methodological challenges in researching the policy development of the 1980s. It outlines the discourse analysis approach used and the ways in which the analysis of this discourse is informed by Bacchi's "What's the Problem Represented to be?" framework (Bacchi, 2009).

The next two chapters (4 and 5) provide the key discussion on the social policy debates concerning the funding for community services and on the place of rape education and prevention activities. Appendix A supports these chapters with a summary of the key funding and related policies during the period.

Chapter 4 outlines how the overall social policy problem and funding of rape and sexual abuse services was represented and responded to through the period. It describes three main phases: problem identification, implementation, and review. It is by exploring these phases that the government and feminist/sector discourses can be seen to diverge. While feminists brought the issues to the fore, their engagement with the state was fraught with evident silences and assumptions impacting on the problem actually addressed by policy.

In Chapter 5 I explore the evolution and discourse on rape education and prevention through the 1980s and identify the key themes that emerge from the development of policy to address this evolution. The focus on rape education and prevention responds directly to efforts to reduce the incidence of rape in New Zealand society. This reduction was recognised by feminists and the state as a priority for the policy response, but a number of challenges meant there was little progress in this area.

Chapter 6 draws together the major findings and conclusions from this study. It discusses the analysis explored in previous chapters and concludes with the lessons and the legacy that might be drawn from this critical analysis of the early phase of policy development on rape and sexual violence in New Zealand. The postscript considers the findings in relation to the key matters of social policy concern in the sexual violence sector in 2016 and suggests future priorities for further research.

## Chapter 2: LITERATURE REVIEW

The nature of this study requires consideration of literature from a number of disciplines and areas. This chapter provides an overview of social policy theory and explores literature about feminist analysis of sexual violence, the effectiveness of social policy responses to sexual violence against women and the ways in which feminists have engaged in social policy processes. It is argued that the area of sexual violence against women is under-theorised and that there is a sparse literature on the effectiveness of social policy responses to the issue. Further, the limited nature of the social policy literature that considers feminist challenges to dominant paradigms impacts on its capacity to explain the highly contested process of social policy development in response to rape.

The literature considered in this review is primarily focused on feminist theoretical perspectives on rape (with neo-liberal criticisms) and on policy to address rape and sexual violence against women. It includes research and articles that could be sourced electronically or through the Victoria University of Wellington library. It focuses on material from New Zealand, Australia, Canada, the USA and the United Kingdom that has been published since 1975. Most material is sourced from the 1980s and the 2000s.

Three major areas of interest from the literature inform this study:

1. Theoretical perspectives on social policy and rape.
2. What is effective policy and what are factors seen to have contributed to the adoption of effective policy to address violence against women?
3. How have feminists interacted with the state to advance policy reform?

## Theoretical perspectives

### a. Social policy

The reform programme of the fourth Labour government (1984-1990) transformed the basis of state policies in New Zealand from Keynesian welfarism to neo-liberalism. During this era the maximisation of welfare within a national society was replaced by a shift towards the promotion of enterprise, innovation and profitability (Larner, 1997). While this shift may have initially been seen by Labour as a means to achieve social democracy through greater efficiency for the taxpayer, the state of the international economy and the dominant political-economic identity of the consumer soon took hold (Larner, 1997). This had a significant impact on both what matters of policy received attention and on a slashing of expenditure on welfare policies (Castles, 1996).

Belgrave, in writing on the history of social policy in New Zealand, notes that changing perceptions of need and state responsibility are important in understanding what is seen as affordable, necessary, an entitlement, a human right, a social and public health risk, or a need (Belgrave, 2012). These concepts are defined and understood differently over time, along with changes in demography, economic conditions, and scientific and social attitudes to the role of individuals and communities. The demands of Māori in particular for a devolution of state resources and responsibility to hapu and iwi (subtribe and tribe) as a means to address the states' underdevelopment and marginalisation of Māori may be seen as relatively consistent with the neo-liberal push for a smaller state machinery (Belgrave, 2012, p. 11). However, the era of emerging empowerment for communities to address their own issues coincided with a significant shrinking of resources from the state and an increasing emphasis on the delivery of individual and community support from within communities, rather than by the state (Belgrave, 2012, p. 13).

The New Zealand welfare state had long augmented statutory bodies through funding of vast networks of social care and support provided by voluntary organisations and self-help groups. These organisations and their services primarily

fell to women to provide. Deeply embedded in traditional approaches to social policy are assumptions about the role of women, and particularly their primary role both as the carers in the family but also in the community (Carmody, 1995).

Thus the neo-liberal reduction in welfarism particularly affected women and the status of women during this period (Lewis, 2001). Modern welfare systems are constructed around the relationship between entitlement to social provision and participation in paid work. There is, however, a second key relationship at the heart of the welfare state; that between men and women. Both of these relationships involve a trade-off between security and dependence. In effect the dominant male breadwinner model enshrined female dependence. Here, at the basis of welfarism, dependence on male partners was built into state policy. The rapid change in female labour market participation and in family structure in the 1980s saw the model begin to be eroded, but little changed in the policy context (Lewis, 2001). The issue here being that women's access to primary social welfare protections were mediated by their relationships with men.

A further trend identified in the literature as emerging from the rise of neo-liberalism was the ascendancy of how public issues became individualised and pathologised. This was noted by McDonald in an examination of domestic violence support services in Australia, as managerial ideology depoliticised and clinicalised domestic violence. *"This has effectively silenced structural analyses of domestic violence and displaced feminist service models"*, he writes (McDonald, 2005, p. 275). This has been a feature in the literature on neo-liberalism in the United Kingdom too, where funding cuts and policy trends have raised concern at the sustainability of the women's sector as a whole, and the opportunity for feminist input into policy (Vacchelli, Kathrecha, & Gyte, 2015; Jones, 2004). Jones (2004), urged caution around becoming too closely involved with the state where exhaustion of movement resources and assimilation by the state had resulted in diminished power for the rape crisis movement to influence state practices.

Writing in New Zealand, Grey and Sedgwick (2015) point to the ways in which neo-liberalism has silenced the voices of the community and voluntary sector. The sector, widely acknowledged as contributing to policy debates, has, through a range of processes, been marginalised and constrained in its political advocacy role. The sector, Grey & Sedgwick note, is increasingly seen to prioritise their funder's needs rather than the needs of the users of their services.

A factor identified with some optimism in the United Kingdom however was the extent to which diverse networks and organisations were providing resistance to dominant policy paradigms (Jones, 2004). Jones cites the challenges to male violence from groups such as Amnesty International and to wider feminist movement initiatives, such as the "Commission on Women and the Criminal Justice System" established by the Fawcett Society. These broader efforts of continued resistance assist in ensuring that the issues of sexual violence remain on the policy and public agenda (Jones, 2004).

#### **b. Theoretical perspectives on rape**

According to Mardorossian (2002, p. 743), rape and sexual violence has not been subject to extensive theoretical scholarly analysis. She, and others (e.g. Corrigan, 2013; Weldon, 2002; Pease, 2014) assert that rape has become academia's undertheorised and apparently untheorisable issue.

Until the 1970s the public discourse on rape was characterised by an individualistic deviancy model (Carmody, 1995, p. 43). That is, that rape was seen as isolated, affecting a small group of women, carried out by men who were drunk, misled or outside the normal environment in some way (e.g. in war time). In this way society in effect disavowed responsibility for the presence of rapists (Shapcott, 1988). In the rare instances where 'actual rape' occurred, such men were portrayed as mentally or sexually disordered. The extent to which, for example, rape by fathers or authority figures was characterised by psychoanalytic explanation as pure fantasy on the part

of a complainant, provided a layer of protection to rapists who were not the stereotypical violent stranger rapists (Gavey, 2005, p. 18).

The notion of victim precipitation was also strongly apparent in early discourse (Jordan, 2004, p 24) and as such the underlying view was that *“women were actually responsible for rape by crossing some invisible boundary of sexual chastity to turn on men’s (naturally) rampant sexuality”* (Gavey, 2005, p 19). Concern was largely voiced about men’s vulnerability to unfounded charges of rape, rather than women’s vulnerability to being raped. Early rape laws were passed to protect virginity, with the concerns focused on the man whose daughter/property may be sullied by rape, rather than protection for her as a person (Jordan, 2004).

The history of rape and the history of heterosexual marriage are also inextricably entwined. Rape, or as it was more frequently viewed in earlier times – sexual assertion and domination by a male, was an accepted part of the social process by which men acquired a spouse (Jordan, 2004). While such practices are now rejected for their violent origins, their legacy lived on in the rape laws for many centuries (including in New Zealand until 1986). The law, through denial of the ability of a wife to complain about rape by her husband, enshrined a woman’s acceptance of marriage as her consent to sex on demand for the rest of her life (Jordan, 2004). The portrayal of female sexuality is also an important component of the way that rape was constructed in early literature (Gavey, 2005). Scientific and medical ‘experts’, in the absence of any voice of women, portrayed forced sex as natural and normal with a view of heterosexuality marked by male ‘aggressiveness’ and female ‘coyness’. This was explained in the work of Havelock Ellis, an influential sexologist of the early twentieth century. He described the foundation of virility and the modesty of women as part of testing of the man’s ‘most important quality, that of force’. In this way a man was seen as ‘awakening’ women’s sexuality. Within this model of heterosexuality there was, however, little distinction between female reluctance that is a normal part of ‘courtship’ and that which is revulsion or disinterest. *“The problem with [Ellis’s] sexology is that it allows no room for women’s voice or agency*

*in heterosexual sex*" (Gavey, 2005, p. 20). Such a portrayal also allows what might be described today as a sexually forceful rapist, to be seen as a romantic hero.

In the late 1970s writer Susan Brownmiller published the book "Against our will: men, women and rape" (1975). She famously argued that "*rape is nothing more or less than a conscious process of intimidation by which all men keep all women in a state of fear*" (1975, p. 15). While widely credited with changing public views about rape, and influencing rape law reform and court procedures, the book was also widely criticised by anthropologists for its biological determinist analysis of the origins of rape, and by Angela Davis, and others, for its limited discussion and understanding of how racism and rape interacted. For example, Berger (1977) noted that before the second wave feminists raised the issue of rape into more popular discourse, the connections between rape and racism had already been well established, at least in the south of America where the rape of black women slaves by white men was common and without recourse to justice. Myths also abounded to uphold the fear that white women were hugely at risk of rape from black men. While evidence overwhelmingly demonstrates rape to be an intra-racial crime, the paranoia amongst white communities persisted and can be seen in significantly higher conviction rates for black men accused of raping white women (Berger, 1977).

From these early groundbreaking, but fundamentally unsatisfying feminist theories, feminist perspectives turned to viewing rape as originating from socialised patriarchal patterns of behaviour (McNickle-Rose, 1977; Quenneville, 1979; Wilson, 1982; Shapcott, 1988; Jordan, 2004). These behaviours both served to reinforce and maintain patriarchy's power base through the association of a dominant sex role for males and a submissive sex role for females. This socialisation process prepares women to be 'legitimate' victims (viewed as responsible for sexually satisfying men and as deserving, needing and/or wanting to be raped) and for men to expect women to behave a certain way, be responsive to their desires and that any refusal justifies their use of power to coerce or force. In effect, the societal expectation is that women will behave like a 'colonised people': be polite, look nice for men, be under the protection of a man; yet it also leaves women vulnerable to attack



because of these behaviours (Coxshedge, 1980). The subordination and degradation of women as sexual objects is both accepted and condoned through the media, in literature and in the very definition of 'femininity' (Quenneville, 1979).

Early feminist discourse thus sought to explain and contextualise the place of rape in modern society, drawing on traditional social patterns of male and female behaviour. Patriarchy, or the "*system of social structures and practices in which men dominate, oppress and exploit women*" became a popular term for describing gender relations in the 1970s and 1980s (Wilson, 2000, p. 1493). Such a definition also aided in moving analysis from Brownmiller's biological basis and from seeing individual men as the problem. Moreover feminists (such as Gerda Lerner), described the historical process by which social and cultural relationships became defined and dominated by men. In so doing, feminists began to see that patriarchal practices could therefore be changed, that women, with access to rights, the opportunity to influence, and resources, could change systems and social structures (Wilson, 2000).

Early analysis of the movement captured the enthusiastic and optimistic view that such a perspective held a vision for change. It heralded overt community support that reflected a changing attitude toward the discussion of a once-taboo subject and that the movement was accomplishing advances in the acceptance and recognition of rape as a serious social problem (McNickle-Rose, 1977).

The traditional views of the role of women were being questioned more widely as the role women had occupied in the domestic sphere became less necessary from the 1950s in western nations. This era saw the development of time-saving devices in the home, but more importantly the economy began to require women to move beyond domesticity (Shapcott, 1988). As women became less isolated and better educated, the prejudices and barriers created by patriarchy also became more visible. As the feminist movement gained momentum, these began to be questioned and challenged.

## Rape myths

One area of feminist focus was on what became known as the 'myths about rape'. These myths, many based in religious concepts about female sexuality began from a perception that women were to blame for rape: she shouldn't have been out alone or at night, women are safest at home, her clothes were provocative, she asked for it. Such myths imply women should never be alone, that they can't be raped in their own homes, that a certain type of clothing or behaviour will prevent rape. Other widely held beliefs at the time were that a woman can't be raped against her will, that only those women assumed to be 'pure' (e.g. those over 60 or under 4 years old, nuns, undisputedly faithful wives) are actually raped as those that engage in sexual relationships must have consented, that a wife can't be raped by her husband, and that women are vindictive and will lie about rape. As Coxhedge says "*Rape is the ultimate punishment for being female*" (in Scutt, 1980, p 147).

These myths of course dovetail to legitimise the patriarchal views of men, sex, and gender roles discussed above. They were evident in, for example, the summing up of a judge in a 1996 New Zealand rape case, where he said "*if every man stopped the first time a woman said 'No,' the world would be a much less exciting place to live,*". In this case the jury took 45 minutes to acquit the accused (Gavey, 2005, p. 23).

The dismantling of these myths and development of more appropriate attitudes towards rape and rape victims was widely seen as one of the primary goals of the feminist anti-rape movement (McNickle-Rose, 1977; Coxshedge, in Scutt 1980). The judge referred to above did receive a barrage of criticisms for his comments at the time (1996), including from the Chief Justice of New Zealand (Gavey, 2005).

Such reactions herald the emergence of a view of rape as a serious social problem. Improved public awareness has been critically identified as the key to the elimination of rape. "*The public will decide how much longer it will condone or tolerate the rape phenomenon*" stated Shapcott (1988). Along with public education, rape laws in the USA, Australia and New Zealand were targeted by feminists, in part

as they enshrined outdated beliefs about the position and status of women (Berger, 1977; Quenneville, 1979; McNickle-Rose, 1977; Young, 1983).

### Victim orientation

During the 1990s, feminist theorising of sexual violence engaged with existing analyses of the family and the state, and in particular analyses of gender, race and sexuality. These interconnected realms of reproduction, sexuality, sexual and domestic violence re-conceptualised men's violence as political patriarchal tactics that regulated and punished women and that effectively kept women subordinate in the home and uncomfortable in the public sphere (Wilson, 2000).

The translation of these feminist discoveries into gender-neutral policies about "spousal abuse" and "family violence" however erased these radical origins (Wilson, 2000). The prevalence of various forms of sexual violence began to be acknowledged outside feminism in the 1990s, and it became popular to de-emphasise the gendered distribution of both victimisation and abusing (Hester, *et al.*, 1996; Pease, 2014). This trend took a number of forms including focusing on the less common sexual assault experienced by males and collapsing all forms of abuse into the ungendered overarching category of 'violence'. Hester *et al.* (1996) argue, however, that while other forms of violence may be undertheorised (such as violence between men and boys) *"the way the violence is used and acted out in relationships, encounters and institutions is specifically gendered and constructed by, as well as a reflection of, the power relations which constitute hetero-patriarchy"* (1996, p. 4). These authors also stated that increasingly through the 1990s, sexual violence had become an arena of increasingly *"individualised frameworks and practices"* (1996, p. 11). This was observed in the naming of a multitude of syndromes and disorders, all of which required treatment and the view of 'recovery' being seen as a personal 'journey' rather than becoming part of the collective resistance to sexual oppression. In this way sexual violence became increasingly dislocated from its social, powered, context.

By the early 2000s representations and discussions of rape had almost exclusively concentrated on the suffering of victims, with very few studies focused on perpetrators (Pease, 2014). This, as Mardossian cites, has maintained a view that the responsibility for rape sits with the victim and that popular discourse is *“invested in transforming this social problem into a personal transaction, while psychologists, psychiatrists and sociologists continue to study the issue of male violence – by studying women”* (Mardossian, 2002, p. 753). Rape, Mardossian argues, is subjected to a metaleptic reversal where it is constantly subjected to a view that *“retrospectively constitutes the effects of rape as the origins and causes”* (*Ibid*, p. 756). Rape prevention thus becomes located in women’s psyches and women become responsible for their own subordination. Mardossian goes on to examine the association between feminism and the extent to which such a victim perspective had risen to overtake any sense of women having agency in relation to rape. Here she discusses how victims, associated with activism and anger in the 1970s, have become represented as ‘fake’ relative to the ‘real’ victims who are silent, passive and often infantilised. This, she says, has then shaped both mainstream and academic configurations of feminism (*Ibid*, p. 767).

The gulf has grown since second wave feminism between the rape victim and those who speak for her, as theory has neglected to question the emphasis on female interiority in approaches to sexual violence (*Ibid*, p. 772). Mardossian, through this analysis, provides a strong explanation for the focus of social policy on victim treatment and education primarily geared toward meeting victim needs, rather than a focus on any gendered explanation of the patriarchal nature of rape as a violent act that maintains male power and control. Alongside this, the 1990s saw substantial moves toward defining victims of crime more as consumers (of criminal justice services) (Williams, 1999). Through such a focus, states encouraged individualised and bureaucratic responses to victims and summarily undermined the promotion of collective action and more radical alternative discourses around victims (Williams, 1999). Bacchi (1999) also adds to this analysis, noting that the issue should be reframed from ‘violence against women’ to ‘violence by men’ and include interrogation of how the state legitimates men’s violence.

### The influence on practice

American feminist lawyer and scholar Corrigan discusses this dilemma in her 2013 book. She concurs with Mardossian in noting the lack of political and socio-legal studies has meant there is little theoretical work that might inform policy debates. She suggests rape occupies a:-

*“strange place - ideologically, legally and politically. It is the subject of intense scrutiny but also silence and aversion. It is highly exposed and distorted in mass media, subject to prurient and sensationalised news coverage yet serious discussion is greeted with discomfit and distaste. The relationship of rape to sex and sexuality makes it complex also. Sexual violence remains stigmatised and those who work on the issues treated with embarrassment and worse” (2013, p. 14).*

Such attitudes affect the work of rape crisis centres and continue to translate into the willingness of victims today to identify themselves.

*“Ultimately the story that feminists tell about the success of the anti-rape movement bolsters the claims of critics from all sides; conservatives who reject feminist analysis of male power and privilege; left-progressives who see anti-rape groups as endorsing the repressive machinery of the states coercive power, undermining the procedural due process rights of criminal defendants and democratic principles such as free speech; community members who simply want to ignore the issues of sexual violence” (Corrigan, 2013, p. 16).*

Drawing on her interviews with more than 150 advocates from 100 rape crisis centres across the USA in 2005-8, Corrigan found the majority of respondents did not think of themselves or their work as feminist. The largest proportion of these respondents, she suggests, did not see any relationship between sexual violence and struggles for gender equality and they in fact reject feminism as a way to describe themselves or the work they do. Rarely, however, have rape crisis centres been written about in a scholarly sense as anything other than feminist organisations. This

has arisen, Corrigan states, because centres arose out of the second wave of feminism and because they work with and for women.

Considering the complicated ways that feminism impacts the work of rape crisis provides an opportunity to reflect on the *“achievements, obstacles and ongoing challenges that face women’s movements”* (Corrigan, 2013, p. 280). Here Corrigan suggests the lack of a feminist perspective may not be problematic in the movement as such, but that it is cause for reflection on what feminism has to offer grassroots individuals and organisations working to prevent sexual violence.

The reality of rape care advocates working with individuals to provide care within financially constrained and often hostile environments means there is little opportunity for considering what and how policy interventions might be both a source of inequality as well as a venue for redress in reducing gendered violence. *“Shunning feminism may be a viable strategy to function effectively in a hostile local climate but it saps the intellectual and political vitality of the movement”* (Ibid, p. 283). In this way, it may be argued that veering away from feminism is a strategy to counter the relegation of the voices of rape crisis centres to those of a ‘special interest’ group and therefore able to be discounted within the wider neo-liberally defined policy discourse.

The entanglement of rape crisis centres with criminal justice institutions has produced a climate in which advocates are sanctioned for calling themselves feminists and rewarded for distancing themselves from confrontational or public tactics that law enforcement actors associate with feminist activism (Corrigan, 2013). The very success of feminist groups in transforming rape law has also transformed these groups – maintaining a feminist orientation is not just the result of movement institutionalisation but reflects the considerable power exerted by state actors over rape crisis centres – power that flows from choices feminist anti-rape reformers made in the 1970s.

Embracing the power of the state isn't always a solution. In fact, the state and its agents, Corrigan concludes, *"have not to date fulfilled their responsibility to protect and defend the lives, dignity, autonomy and equality of individuals and communities threatened and harmed by sexual violence"* (Corrigan, 2013, p. 262). These are similar views to those expressed by McDonald in her article on 35 years of rape law reform in New Zealand (2014). McDonald cites that in order to effect real justice *"what is needed is a change of attitude, a change in understanding, a change to mindsets and beliefs, not just of lawyers and judges and police officers, but of potential jurors"* (2014, p. 507). In doing so she suggests that more law reform is not the answer, but that social attitudes and rape myths continue to influence the application of the law.

Finally, a topical and theoretical argument is mounted by Phillips in Australia about the extent to which women's domestic security is traded off against national security. She provides an example of how women's domestic security was denied through a systematic process involving the expunging of public debate on gender issues in direct opposition to the public debate focused on national security and the 'war on terror' during the Howard years in Australia (1996-2007). She argues that while violence against women increased through this period, women's organisations lost financial support, women's policy infrastructure was decimated, and in fact women's place in Australian society was reaffirmed as insecure and dangerous. She noted that after *"30 years of struggle to maintain domestic violence and sexual assault as serious social policy problems, provide services, support and advocacy for women who are victims of violence and assault, women's organisations are coming to terms with a society where there is a blindness to the role of gender in violence against women"* (Phillips, 2008, p. 55).

As in New Zealand, Phillips points to the feminist practice found in Australian sexual assault services, including self-determined sexual assault services for indigenous women and women from diverse cultural backgrounds. She states, however, that this practice has largely been silenced by an anti-feminist sentiment prevalent in government, political and wider public discourses. She also cites the neglect by the

state of violence against women could be seen under human rights law as the state's failure to uphold due diligence in regard to security, and in fact, that the state is complicit in allowing such violations to go unpunished.

Phillips also explores the importance of not just state interventions to support services for victims, but also the *"partnership with women's organisations that take on the role of protection, support and education about violence against women in the wider community"* (Phillips, 2008, p. 66). She cites the New South Wales Rape Crisis Centres established in the early 1970s, funded by the Department of Health, and staffed by professionally qualified counsellors, but with no link to national policy structures and therefore with no voice at the policy level on women's security matters. This, she says, has allowed the state to reinforce women's personal insecurity and the subordination of women as citizens through failing in its role as protector. Here we see the 'partnership' between rape crisis centres and the state as a further factor in the trivialising of the voices of feminists.

### How effective have social policy responses been?

It is surprising to find that after more than 30 years of policy intervention in the area of rape how few studies there are internationally on the extent to which national policies and their implementation have been considered effective, particularly from a feminist perspective. A number of authors acknowledge this fact and express surprise that this is the case (e.g. Corrigan, 2013; Carmody, 2015; Weldon, 2002). The lack of studies is surprising for a number of reasons. Weldon notes that unlike many other areas of social policy where Sweden tends to stand out as having the 'most-developed' policy responses, responses to violence against women have had a quite different pattern of development and hence one might expect more studies, particularly of a cross-national nature, to examine why this area of policy has developed differently.



Secondly, from the perspective that effectiveness is a very standard area of review for many areas of social policy, responses to rape appears to be 'under-evaluated', and so little is known about effectiveness or the extent to which policies are implemented as intended, given it is in the implementation of policy where "*policy is realised or resisted*" (Carmody, 2015). One of the few specific studies highlights a key aspect for social policy: the importance of valuing and responding to the diverse experiences of those who are implementing policy. Carmody (1997) undertook a small study where she examined workers' experiences in sexual assault services in New South Wales, Australia. She argued that these women (all co-ordinators of sexual assault services) acted as agents of resistance to dominant power relations with regard to rape. Further, she noted that policy research often ignored women's views and experiences even where they are directly affected. Her study therefore challenged the invisibility of women, particularly those women who deliver social programmes which implement government policies.

Carmody's study also demonstrated both the importance of valuing differences in women's experiences and the importance of developing policies that are less uniform and fragmented, and more responsive to the various needs of all women who are victims of sexual assault. This is a theme also addressed in Weldon's study below.

Weldon (2002) undertook a comprehensive study into cross-national policy responses to violence against women. She looked particularly at the dynamic relationships between social movements, political institutions and public policy across 30 countries, in order to explain the variation in responses to address violence against women. While it didn't analyse the effectiveness of individual policy responses, the study is useful in both its articulation of the core policy components in addressing violence against women and what has led to more comprehensive policy responses in some countries. Weldon identifies seven key areas of policy that address violence against women<sup>11</sup>.

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<sup>11</sup> (1) Has there been legal reform dealing with wife battering? (2) Has there been legal reform

She analysed a range of factors including cultural attitudes to women, the level of economic development of a nation and whether dominant political parties were influential in the development of effective policy responses. In terms of culture, she questioned which attitudes matter the most and what mechanisms exert their effect, and concluded that there is so much variation in norms and attitudes (regional, class, ethnicity etc.), that it was more relevant to look at the actors (e.g. policy makers, feminists, voters) and their influence, and the arenas (media, legislature, movement organisations) where debate occurs. Further, Weldon suggested that while economic development was a weak enabling factor for policy development in this area, there was little evidence to suggest that left/democratic political parties had made any more inroads than conservatives in addressing violence against women. She did note that labour movements have been important conduits for women into government, but that main policy development periods have equally been under left/right governments.

Weldon considered the extent to which policy had been effective in addressing the needs of native/black/more disadvantaged women as much as white women. She concluded that government had given focus on such issues where the broader women's movement had increased or given focus to those issues. Also important in achieving outcomes for more disadvantaged women had been their independent voice. In New Zealand, the extent to which Māori, as Tangata Whenua, and ethnic-identified women, have access to the services that meet their and their communities' needs has been a feminist concern since very early in policy development.

The key conclusion Weldon comes to is that it is the interaction between effective women's policy machineries and strong independent women's movements that

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dealing with sexual assault? (3) Are there shelters or other forms of emergency housing provision for victims of wife battering? Are they government-funded? (4) Are there crisis centers for victims of sexual assault? Are they government-funded? (5) Are there government-sponsored programs to train service providers and other professionals who deal with violence against women, such as police, judges, and social workers? (6) Are there government-sponsored initiatives to educate the public about violence against women? (7) Is there a central agency for coordinating national policies on violence against women?

results in the strongest policy outcomes. Each magnifies the effect of the other such that *“independent women’s movement partner with feminist insiders to achieve policy change”* (Weldon, 2002, p. 142). Women’s policy machineries, she says, make this difference in policy making as they correct for an institutional gender bias (given institutions tendency to be organised around the priorities and perspectives of historically powerful groups of men).

Finally ,Weldon argues that the dominant models of the policy process are inadequate for conceptualising the interaction between political institutions and social movements, and for understanding their joint impact on violence against women policies. She contends a structural approach, where political institutions are components of social structures, both reflecting and shaping social norms, while social movements seek to change social structures. This is also relevant in a New Zealand context where writers such as Margaret Wilson comment sceptically about the extent to which political institutions can and will address concerns raised by feminists:

*“It is gratifying to see political and administrative institutions recognise the presence of sexual violence and that efforts should be made to prevent it. Women have however learnt from history to be wary of patriarchal institutions’ solutions to the problems of women... many of the problems are attributable to the oppression of patriarchy... women also know that we are dependent upon the political, legal and administrative institutions to effect positive change in the position of women”* (Wilson, 1982, p. 18).

The literature on policies and approaches to the *prevention* of sexual violence is, like other areas of sexual violence policy also not highly developed, yet it is showing a shift in the focus of these efforts, and some indications of being effective. The MWA recently undertook a review of this international literature (2013). Interestingly, they report on how understandings about violence prevention had changed from a view that such violence is inevitable to a view that it is predictable and preventable; from a focus on mitigating impacts to a greater interest in which primary prevention strategies work; and from a focus on women’s self-protective behaviour to a focus on engaging men and boys and preventing perpetuation (MWA, 2013, p. 4). The

primary strategies focus on the structures and norms that support violence against women and include, for example, promotion of safety, respect, and gender equality. More targeted approaches internationally have seen the rise of bystander interventions, support for parents to develop relationship skills and a focus on high-risk social settings. The World Health Organisation agrees, noting:

*“Internationally there is a wide agreement across the research, policy and community sectors that essential components of violence prevention involve promoting gender equality, and addressing the multiple and intersecting forms of discrimination and disadvantage that place women at risk of violence”* (World Health Organization, 2010, p. 81).

Primary prevention strategies to address sexual violence, it is argued in the MWA report (2013, p. 8), need to be integrated with wider strategies addressing violence against women as there are common causes and co-occurrence of different forms of violence. Alongside similarities, there are also distinct differences between sexual and other forms of violence against women which policies and programmes also need to address These include, for example:

- the active negotiation of consent to sexual activity is at the heart of preventing all forms of sexual violence against adults
- consent is also a vital component of mutual pleasure and healthy sexuality
- in the broader social context, and particularly in popular culture and the media, violence has been sexualised: male sexual aggression (e.g. pressure or ‘persuasion’) is seen as a normal part of sexual activity, and sexual violence against women is often accepted as an inevitable fact of life
- sexualised images of women in the media contrast with a lack of discussion about and education on negotiated consensual sex
- sexual violence, which is typically understood as a form of oppression with strong linkages to sexism, overlaps with other dynamics of power that

result in oppression on the basis of ability/disability, sexuality, race (Guy, 2008, p. 10).

There have been encouraging results from interventions aimed at building men's skills as active bystanders and as role models to intervene or prevent violence against women, with programme evaluations showing significant uptake and maintenance of positive bystander intervention behaviours by both women and men (Banyard, Plante & Moynihan, 2007). While skill development-based programmes around self-protection, disclosure, intervention and building healthy relationships are important elements of education and prevention efforts, these are best used in tandem with programmes that more directly target environmental change in attitudes towards women (Gidycz, Orchowski & Edwards, 2011). Those programmes aimed at preventing first time perpetration, and aimed at men, are, however, very rare. Gidycz *et al.* (2011) suggest they make up just 8% of prevention programmes.

At least two current sexual abuse prevention programmes have been evaluated in New Zealand: 'BodySafe' which is funded through the Ministry of Health, and 'Mates & dates' funded by ACC. Both programmes aim to support delivery of the secondary school health syllabus. The ACC website states 'Mates & dates' was independently evaluated in 2014. The evaluation findings report on factors important for the effective implementation of the programme, particularly in relation to education facilitators and engagement with schools and providers. It also found positive impacts on the knowledge and attitudes of participants<sup>12</sup>. The evaluation of the 'BodySafe' programme found that the programme design, content and implementation was of a high quality. Further, the short-term outcomes of the programme (to increase knowledge and consider how one might behave in risky situations) were achieved with most students (Dickinson, Carroll, Kaiwai & Gregory, 2010). Both of these programmes are run in schools at the request of schools. They are not compulsory.

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<sup>12</sup> [www.acc.co.nz/preventing-injuries/at-school/mates-dates/index.htm](http://www.acc.co.nz/preventing-injuries/at-school/mates-dates/index.htm)

### The interaction between feminist advocates & policy makers

A related, but further strand of literature concerns the strategic decisions of feminist and policy advocates in effecting policy change. Dialogue surrounding the role of the state became increasingly important as feminists pushed for social policy reform. There were of course different perspectives on this type of engagement. Radical feminists were concerned at the co-option of feminist goals given the essentially patriarchal nature of the state, while liberal feminists more willingly engaged with the state to secure the democratic rights of women (Carmody, 1995, p. 46).

It is worth noting also that the concept of social policy largely adopted by feminists in examining policy responses in this area is based on notions about power as a constantly shifting process in which there are numerous sites of struggle (Carmody, 1995, p. 6). This is in contrast to seeing policy as a rational model where struggles around power are invisible. Drawing on concepts inspired by Michel Foucault, power is seen as a dynamic interplay where there is always room for resistance, such that individuals and groups can influence the development and implementation of policy. Using these constructs, the current study draws on the discourses from the rape crisis sector, government departments, government itself and the individuals engaged in each.

During the 1970s, women's policy machineries were promoted by the women's movement as a means for government to more effectively respond to the needs of women, and many gender-sensitive policies were achieved within an environment of social justice, both in Australia and subsequently in New Zealand (see Else, 1993; Sawyer, 2007; Hyman, 2010). Carmody (1995, p.47), for example, cites significant evidence that the social policy reforms concerning sexual and physical violence were greatly assisted by the existence of a feminist presence within government in New South Wales in the 1970s and 1980s.

By the mid-2000s, however, the neo-liberal framing of non-government organisations relegated women's groups as having a 'special interest' rather than as legitimate community representatives (Sawyer, 2007, p. 20). In New Zealand, the

MWA faced the criticism that their policy advice was in fact subordinated to community activist and advocacy roles (a criticism made by the State Service Commission in 2003). Hyman (2010, p. 38) argues that not only did such an assertion lack evidence, but that *“the line between advocacy and policy advice is thin and the Ministry rightly developed links with a broad range of community women’s groups.”*

Hyman (2010) noted how the growing acceptance of the need to increase gender equality, following strong pressure from feminist groups, clashed with the advancement of the neo-liberal consensus in the mid-1980s, making effective policy hard to carry through. The Ministry’s ability to leverage policy, given its lack of legislative levers, also restricted its opportunity to take the initiative on a range of issues. Their role in rape law reform and funding for rape crisis centres was however seen as areas where progress was achieved in Hyman’s view (2010, p. 35), through having had a highly ranked and well respected Minister of Women’s Affairs in government.

There is also inevitable tension between the femocrats working in the system and those applying pressure from outside. As Sawyer (2007, p. 39) comments *“feminists who have worked in such machinery readily acknowledge the constraints and compromises, and the need for strong pressure from outside to be effective”*. And most concede, Sawyer says, that the degree of change is usually less than women involved in the issue or women in the community may have wished for.

Sawyer points to the advances made through a visible women’s movement, receptive political parties and effective women’s agencies within government and the extent to which these were dismantled (in Australia) as dominant neo-liberal discourse shifted to one of choice that prioritised market freedom. Through this *“collective identities were replaced with the construct of the individual as the author of their own choices, unconstrained by inequalities of power or expectations”* (Sawyer, 2007, p. 39).

While the demise of women's policy machineries in Australia was more extensive than New Zealand, their effective voices became more muted through the influence of the neo-liberal and rational model of policy in both countries.

That said, the interaction between feminist advocates and the state has occurred in a number of arenas related to sexual violence policy. The literature has explored a number of features of this that are relevant to this study. These concern:

- a. The role of rape law reform in social change
- b. Funding of sexual violence and community services
- c. The use of gender and gender-neutral policy frameworks.

#### **a. Law reform in social change**

This study does not consider legal or criminal justice matters in any depth, but there are a few points worth making from this literature as part of the context for social policy and social reform. As mentioned above, Corrigan (2013) completed a critique of the extent to which legal reforms in particular has resulted in improved outcomes for women affected by rape. Her analysis challenges a view expressed by many feminist writers in America who have described the anti-rape movement as being *"one of the most successful projects of second wave feminism"* (Corrigan, 2013, p. 1).

Rape law reform was a key area of focus for the movement in the United States, as it was in many western nations in the 1970-80s, as a means to achieve social change. The transformation of the law (to deliver wider definitions, strengthened due process protections etc.), along with improved public perceptions of the nature of rape and its victims, and funding for rape crisis centres, were together seen as great successes for the movement.

Corrigan describes how a number of others, however, view rape care advocates as complicit in the unforeseen growth of a criminalised society, a phenomenon with negative consequences not only for minority and immigrant groups of men, but also for those women who are subject to scrutiny within the welfare state (Bumiller, 2008). In this way Bumiller, and other writers on the left, have criticised the anti-



rape movement for expanding the power of the state in ways that reinforce racist and classist practices. It has also allowed government and law enforcement responses to adopt and stimulate public fears of crime, used claims about victim's rights to advance the neo-liberal governing strategies and promoted increased use of incarceration.

Corrigan continues that despite law reform, victims today are still likely to face overwhelming resistance, reluctance and even contempt from the legal (and medical) systems that feminists targeted in the 1970s. She cites Seidman and Vickers' view on why the significant rape law reforms have failed to produce equally significant changes in key criminal justice outcomes, especially decreasing the number of sexual assaults committed, or increasing rates of prosecution and conviction:

*"[S]ocietal attitudes, including those of any key decision-makers in the criminal justice system, have not kept pace with statutory reform. While laws about rape have changed, attitudes about sexual autonomy and gender roles in sexual relations have not. The vast majority of people—including law enforcement personnel, judges, and potential jurors—remain conflicted about what constitutes "consensual" sex. They are ambivalent about placing criminal sanctions on "non-violent" sexual assault or, for that matter, anything short of violent penetration that results in physical injuries. Jurors, prosecutors and police are confused about the boundary line between sex and rape" (Seidman and Vickers, 2005, p. 468).*

Further, Corrigan says legal consciousness and mobilisation have become separated from political change and thus limited the ability of the law to contribute to social change around rape. She writes:

*"putting the anti-rape movement into legal and political context shows how conflicts between feminist visions for change and the legal tools they employed have helped to produce the current generation of anti-feminist reforms and left rape crisis centres standing alone when trying to confront*

*and manage implementation of well-intentioned policies” (Corrigan, 2013, p. 7).*

Delivering a feminist perspective on the law in New Zealand in 1982, Wilson cautioned that rape law reform would have little impact on the incidence of sexual violence or lead to substantial changes in the lives of women. This, she said, was because reform would reflect what was acceptable to the patriarchal decision-makers – parliament, judges, lawyers and police:

*“If they do not recognise their sexism and attempt to introduce and enforce a new value system, little will substantially change for women as a whole. Most of the proposals for law reform have been concerned with the forms or expressions of sexual violence, nor with the cause and nature of sexual violence itself” (Wilson, 1982, p. 17-18).*

While there are areas of social concern where law reform has effected a change in attitudes over time (smoking cessation and the end of forced child labour in many countries come to mind), the literature suggests an ongoing ambivalence towards rape as a crime remains. Perhaps law reform has contributed to improved attitudes to victims of sexual violence, but the evidence from the USA and New Zealand at least suggests such expectations were ill conceived (Corrigan, 2013; McDonald, 2014).

As identified in the introduction, rape laws were reformed in New Zealand in 1985. Interestingly, an earlier amendment to the Evidence Act in 1976 had already brought what are commonly called ‘rape shield’ provisions into force in New Zealand. This provided that previous sexual experience of a victim with third parties, other than the accused, could not be entered into evidence (McDonald, 2014). The main issues that feminists focused on during the 1980s reform process concerned removal of spousal immunity for husbands, removal of the admittance of information of irrelevant previous sexual activity of the victim, removal of the judge’s direction to juries about the veracity of a claim of rape where a victim delays reporting the crime to police and in their consideration of whether there is corroborating evidence to

that given by the victim (Wilson, 1982; Shapcott, 1988). Other changes broadened the definition of rape to include other sexual violation offences, including violation by the use of penetration by digits and objects (i.e., not only the penis), and violation of the anus. Allowing the court to be closed to the public while a complainant gave oral evidence and moves to take a more gender neutral view of rape (i.e. that a woman could rape a man) were also recognised in the new law (Jordan, 2005).

As might be expected, feminists argued that existing laws allowed the credibility of the victim to be on trial, maintained sexist attitudes and the perpetuation of the myths of rape in our community.

*“Each reform proposal [of the law] must be measured against an awareness of the true nature of sexual violence to assess whether it will represent a step upon the path to change or merely tinkering with the rules of the system that will reinforce sexism in our community”* (Wilson, 1982, p. 18).

Typically lawyers defending rapists at the time focused on three main elements: the issue of whether a woman struggled, whether she was of ‘good character’ and whether consent was given (Scutt, 1980; Berger, 1977; Wilson, 1982; Quenneville, 1979). There was little likelihood of a conviction for the woman who, fearing for her life, did not struggle, whereas those who exhibited cuts, bruises and eventually escaped, had a greater likelihood of seeing their rapist brought to justice. Similarly, any evidence of any sort that brought question into the minds of jurors about a victim’s character, behaviour or judgement, typically sunk her case (Wilson, 1982). Most frequently, however, the defence of a rapist rested on what was purported to be the issue of consent, but was actually about whether there was evidence of the use of force (Wilson, 1982). Writing in 2014, feminist academic Elisabeth McDonald laments the fact that after 35 years of law reform, there is a lack of real change in the law and that much remains to be done to effect real justice for victims of sexual offending (McDonald, 2014).

The general and specific lack of sympathy for many victims shown by the criminal justice sector has also led to a phenomenon known as the “second rape” (Madigan &

Gamble, 1991; Jordan, 2005). This is the *“act of violation, alienation and disparagement a victim receives when she turns to others for help. Keeping the first rape quiet prevents the second rape”* (Madigan & Gamble, 1991, p. 5). This experience was identified by many complainants as a repeat violation, similar in its effects to the original rape incident. The effects of the second rape left women feeling that they had been lied to, ignored and treated inhumanely. This in turn set a vicious cycle of further victimisation, depression and masochism in motion for the victim (Madigan & Gamble, 1991). Rapists, of course, can all too frequently count on victims to feel humiliated and thus remain silent about their abuse (Madigan & Gamble, 1991, p. 22). This is similarly reported by McDonald (2014) where she provides testimony from victims citing that had they been killed during the rape they would have been spared having to recount the embarrassing, disgusting and degrading experience of being raped, to a room full of strangers. Further, McDonald cites that it is the process rather than the outcome from the criminal justice system that is more important to many victims: *“being listened to, having their experiences validated and to be treated well by professionals has a great effect on satisfaction with the criminal justice system, and most likely their long-term recovery”* (McDonald, 2014, p. 489).

Feminists in many countries campaigned and engaged with the state to reform rape laws, demanding services and refinement of criminal justice procedures. In effect these efforts sought state acceptance that sexual violence was no longer purely a private matter, but should be addressed as part of the public social policy agenda. The Rape Study, published in New Zealand in 1983 is discussed in the substantive chapters that follow (Young, 1983; DoJ, 1983). Other changes instituted in the mid-1980s improved police training and the conduct of post-rape medical examinations. A follow-up study conducted in 1998 sought to evaluate how rape and sexual assault victims' complaints to the Police were responded to, and the extent to which these may have changed following rape law reform and police training. This found a considerable lack of consistency in the response of police to a rape complainant, leading Jordan to say *“the extent to which a woman could expect to be believed [by Police] depended on ‘the luck of the draw on the day’”* (Jordan, 1996, p. 34). Issues of

women being believed and being seen as credible by Police were found across both the 1992 and 1998 studies. These findings prompted the development of a national Police policy on adult sexual assault investigations in 1998.

#### **b. Funding for rape crisis community services**

Writing in the mid-1980s, Gornick, Burt & Pittman (1985) provide an account of the development of rape crisis centres in the USA and the impact of growing policy interest. They tracked the development of rape crisis centres from the early 1970s as small, unaffiliated, limited, crisis-oriented services that combined an education and action front, that raised consciousness and challenged power structures. Rape crisis organisations were similarly described in England (Foley, 1996) and were no doubt similar to those developing, if a little later, in New Zealand. Foley (1996, p. 167) outlined how campaigning was a fundamental aspect of the work of rape crisis centres in England, and the way in which *“women pooled their skills and experiences to provide a service which responded to women’s needs, rather than defining for them what those experiences and responses should be”*. In this way services created their own political analysis of rape and maintained a fundamental connection between practice and theory, translating that practice into collective campaigning for social change.

*“Campaigning for change brought rape crisis centres into conflict with established organisations and explains their historical distrust of the police and professionals and the hostility that the police and professionals have displayed to rape crisis centres”* (Foley, 1996, p. 167). Here Foley describes the way in which rape was being understood by feminists in a political and social context, where women’s distress became the focus for their collective action. The fact this was taking place within the context of a society which encouraged, condoned and excused male violence did engender hostility toward rape crisis services who were subsequently marginalised and criticised for being ‘amateur’ or ‘unprofessional’ (Foley, 1996, p. 170).

From the mid-1970s Gornick *et al.* (1985) say the most critical aspect to the changes in groups in the USA was the influx of federal and state funding. Centres were forced to comply with funding requirements (e.g. become incorporated societies or appoint boards of directors) and they focused on establishing a new public image and relationship with communities. Gornick *et al.* also noted a new area of focus adopted by groups in terms of 'cleaning-up' and monitoring the activities and practices of professional agencies (police, medical and mental health services). There is evidence of this having also been a feature in New Zealand. For example, I was involved in running a training programme for Police in Nelson to improve understanding of victim needs during the 1980s, and maintained regular contact with the local regional commander to discuss rape crisis volunteers' experience of working with police officers.

By the late 1970s over a 1000 groups were in existence in the US and there was a huge variation in structure and orientation. Many had become incorporated into existing professional agencies to 'change behaviour from within'. Stand-alone rape crisis centres were becoming overloaded and funding failed to keep up with the growth in demand they were experiencing. Mental health professionals also began to have a huge influence in the sector as they became interested in rape as a clinical issue and much of the efforts of groups shifted to a greater focus on therapeutic responses (Gornick *et al.*, 1985).

Writing in 2011 in the US, Maier reports that despite widespread acceptance of the social problem of rape, and nearly 30 years of advocacy and policy responsiveness, rape crisis centres faced continual financial insecurity. She plots the impact of the 1994 federal Violence Against Women Act (VAWA) on funding rape crisis centres, women's refuges and training for officers and prosecutors. Further, she outlines the extent to which these interventions had reduced other costs associated with rape (e.g. in medical and mental health care) and cited evidence of it having reduced the occurrence of rape (through deterrent effects and increased reporting due to improvements in services). Despite a reaffirmation of the VAWA in 2005, funding of rape crisis services had decreased significantly since 2008. Maier reports that

funding reductions to domestic violence services had been less significant and that activities in this area were prioritised over sexual violence by violence against women services. In efforts to secure funding, she reports many centres abandoned their social change mission. The loss of funding resulted in reduced services to rape victims and in reduced community education and prevention programmes.

The social policy responses have differed internationally and it is worth noting a few of these variations in terms of their impact on how services have developed. The New South Wales model, established in 1979, differed from those in other Australian states in that it has tended to be hospital-based and under the responsibility of the state Department of Health (Carmody, 1995). In other states, while some services were hospital-based, they developed within a non-government model of funding. Similarly, in California where some services were hospital-based, they were only partially state-funded and were required to fundraise significant proportions of their funds. In Britain services were similarly under-resourced, and predominantly community-located (McMillan, 2007). Hospital or medical-based services did begin to be developed in Britain in the late 1980s, with these often developed in conjunction with the police.

These medically-based services were strongly criticised in Britain and Australia as providing evidence of the medicalisation and professionalisation of rape (Foley, 1994). The anxiety to remain autonomous and outside government hierarchies has resulted, critics say, in the co-option of feminist critiques and the exclusion of feminist rape crisis centres from having a substantive role in influencing policy development from within (Carmody, 1995; McMillan, 2007; Foley, 1996). Interestingly in New Zealand, the development of the HELP centres, while often originating as community and police initiatives and adopting a more medical approach, have not been significantly criticised and in fact HELP services were involved in efforts to establish the NCRC and tended to maintain their relationship with the wider movement.

### c. Policy framing

There are two key constructions of the policy response to sexual violence in the literature. There are those constructions that focus on a differentiated or gender-aware framework and then there are a range of frameworks that fundamentally adopt a gender-neutral perspective. Over time it would appear that more gender neutral frameworks have been adopted internationally, but what might the consequences of this be? The gender-aware framings focus on an examination of the differences in men's and women's lives, including those that lead to social and economic inequity for women. These frameworks are concerned with the underlying causes of these inequities (MWA, 1996).

Collier (2012) identifies that feminist advocates of anti-violence policies have come under pressure to make policy issues gender-neutral. This pressure, coming from the broader global influences of neo-liberalism and post-neo-liberalism, have amplified trends for less state involvement and reduced public spending on the welfare state since the 1980s and has, she contends, had detrimental impacts on women's policy. There is a tension in identifying sex-differentiated advice for ensuring appropriate state policy responses and the argument for identical treatment in terms of "rights, status and opportunities". Canadian activists she says:

*"have increasingly adopted state-friendly gender-neutral frames that de-emphasize feminist arguments of the gendered nature of women's policy arenas, such as child care and anti-violence against women (and thus the differences between men and women) they help facilitate government ignorance of the greater goals of ending women's systematic discrimination"* (Collier, 2012, p. 284-5).

Using evidence from the policy debates in British Columbia and Ontario since the 1970s to illustrate, Collier argues that *"women's equality goals can remain stubbornly elusive when movements approach anti-violence policy advocacy from a gendered perspective alongside a more gender neutral one"* (2012, p. 301). Feminist messages have overtime become muted and confused alongside the more gender-neutral frame, as has a feminist analysis of the causes of violence against women.



Further, she states that it has at least *contributed* to women's lack of power inside policy debates to define problems and solutions.

Combined with the rise of neo-liberalism, where non-threatening and shorter term policy gains may be all that is on offer to advocates, Collier suggests that "*when those policy gains make scant or no mention of women's equality, we should question whether or not they are "gains" at all*" (2012, p. 301). A shift in focus that obscures the centrality of women inside anti-violence policy debates, and thus their difference from men, may take us further away from long-term structural solutions to these problems.

Gender-neutral frames have not all been a response to gendered frames or neo-liberal trends. Other constructions place sexual violence as an individualised crime (Phipps, 2010), one where individual pathological behaviour is to blame or just another form of violence in society that may be perpetrated by men and women. There are also those that frame rape or sexual violence in a context where victims are to blame, where the focus of change is on their behaviour which it is argued has resulted in rape. The framing of the policy debate, and construction of the policy problem is important. As Bacchi says "What we propose to do (the policy) suggests what we believe needs to change (the problem)." (2001, P207)

### Conclusions from literature

In New Zealand, like similar western nations (Canada, Australia, the UK and USA), the 1970s and 80s heralded a shift in dominant social policy approaches away from welfare, interventionist models built off a normative white male experience, and based on views of women as unpaid workers who dominated in the domestic sphere. Economic and property rights ascended social rights and a suggested 'more rational' approach to policy sought to both improve efficiency, reduce the size of the state, and to primarily promote innovation and profitability. The impacts on women of these shifts were significant, as the state continued to largely see women in terms of their economic dependence on men. The prevailing neo-liberal orthodoxy also saw

increased pressure on community organisations to conform to required standards, including muting campaign and advocacy activities and adopting more mainstream individualised models of service delivery. The impact of these trends were also felt strongly amongst Māori, who typically took more wholistic approaches in delivering social services within whānau and communities.

Theoretical discourse on rape has also undergone change over time, from individual deviant models and notions of victim precipitation to a more biologically deterministic view. Growing understandings about how socialisation processes around courtship, marriage and expression of sexuality operated also contributed to developing a feminist perspective of rape as originating from socialised patriarchal patterns of behaviour. Feminist writers sought to examine and debunk the myths that legitimised patriarchal views, aiming to legitimise the experiences of women and develop more appropriate attitudes to rape, and to women more broadly.

Through the 1990s it became popular to de-emphasise the gendered distribution of both sexual violence and victimisation and to privilege individualised frameworks that focused on victim pathology (Hester *et al.*, 1996; Mardossian, 2002). This saw sexual violence frequently considered outside its social or power-related context, and has undermined collective action and more radical alternative discourse about victims (Williams, 1999). The results of this has been observed by Corrigan in her study in the US during the mid-2000s with rape crisis centres. She found the reality of rape care advocates working with individuals to provide care within financially constrained and often hostile environments meant there was little opportunity for considering what and how policy interventions might be both a source of inequality as well as a venue for redress in reducing gendered violence (Corrigan, 2013). As such advocates rarely saw themselves or their work as feminist, reflecting the considerable power exerted by states over rape crisis centres – power (she says) that flows from choices feminist anti-rape reformers made in the 1970s. The dominant attitudes, mindsets, beliefs and understandings of those implementing application of law and policy continue to be identified as problematic (Corrigan, 2013; McDonald,

2014). Similarly problematic is the lack of any policy voice for women and women's services on matters relating to sexual violence (Phillips, 2008).

Unlike other areas of social policy, few studies have evaluated the effectiveness of policy interventions to address sexual violence. The primary findings of studies undertaken point to the importance of including the experiences of women in implementing policy and the important interaction between women's policy machineries and the women's movement, including the voices of diverse groups of women within the movement. There are also some positive findings from evaluations of bystander interventions as a prevention strategy and of New Zealand initiatives to support the development of healthy relationships. There are, however, few programmes that take either a broad view about gender inequality, or are aimed at perpetrators of sexual violence.

The MWA was established in New Zealand in 1985. This, like similar developments internationally was a deliberate effort promoted by the women's movement to achieve more effective responses by government to the needs of women. By the 2000s, despite a number of policy achievements, the clash with neo-liberalism saw such a gendered approach to many issues of concern to women relegated to matters of 'special interest' and there has been a waning internationally to the use of gender-aware policy frameworks. The influence of women's policy machineries have, as a result, been more limited than was probably expected by the movement.

The law has been one of the areas of focus for feminists seeking social reform. This saw changes to law in the mid-1980s in New Zealand where spousal immunity from a charge of rape was removed from the statutes and more victim sympathetic court processes were introduced. As described above, such changes did not bring about significant change for victims, and a phenomenon known as the 'second rape' began to be identified by feminists. This reflected the disparagement, disbelief and humiliation often experienced by victims when they sought help or participated in the criminal justice system.

Some have argued that law reform too has been less successful than hoped given the lack of improved outcomes for victims, and the contribution to other wider unintended consequences including the increased criminalising of society, expanding the powers of the state and in stimulating fear of crime (Corrigan, 2013; Bumiller, 2008). At the least, law reform required a shift in public attitudes to rape by those engaged in responding to victims to enable victims consistent access to the justice promised through law reform efforts.

Finally, feminist scholars have tracked the fraught area of funding of community services. Most writers have observed a shift in the types of services that were originally provided by rape crisis centres. This has seen a reduction in the feminist described empowerment/self-help/campaigning and victim driven services, to services which have sought to influence outcomes for victims through monitoring, supporting and engaging more with many of the government services. While this has had some limited results, services have also moved to largely individual victim therapy and counselling services. Internationally, rape crisis services regularised their structures and sought to professionalise their services in efforts to also establish a basis for working with the state and to be funded by the state. Despite this, the underfunding of services continued to be a feature observed in New Zealand and in other nations (Foley, 1996; Corrigan, 2013; McDonald, 2005; Social Services Select Committee, 2015).

The themes identified through the literature underpin the analysis of data examined in chapters four and five. First however, chapter three considers the methodology for the study.

## Chapter 3: METHODOLOGY

### Methodological assumptions

Below I outline the assumptions applied within this research. First I consider the broad approach to the research and then examine factors that impact on the methodology. Following this I describe the methods used in this study.

#### a. “What’s the problem represented to be?”

Conventionally policy is seen as good thing, it’s a way to ‘fix things up’ through a particular course of action or programme. By their nature policies make changes, implying that something needs to change, i.e. that it is a problem and that government has a role in fixing it. The study of public policy, of how institutions of the state develop and implement ‘rules’ that govern us typically focuses in on the state as the primary site for study. Bacchi, in comparison, conceives the state as only *one* player in the general administration of societal relations, and thus disrupts the conventional distinctions between the state and civil society (Bacchi, 2009, p. 26). She sees the *knowledges* through which rule takes place as distinct from the role of participants in the political process. That is, the influence of experts and professionals is seen through their knowledges, rather than their role as, for example lobbyists. From this point of view, the knowledges of feminists and indigenous peoples can be brought to light and examined.

In this study I use an analytical framework developed by Carol Bacchi called ‘What’s the problem represented to be?’ (WPR) (Bacchi, 2009). Bacchi challenges the commonplace view that policy is the means by which governments attempt to deal with ‘problems’. She argues that in this conventional understanding of public policy, *“governments are seen to be reacting to fixed and identifiable ‘problems’ that are exogenous (outside) the policy process. Hence the focus of analysis is limited to competing ways of ‘solving’ policy problems”* (Bacchi, 2009, p. 1).

A WPR approach starts from the premise that what one proposes to do about something reveals what one thinks is problematic, or needs to change. It seeks to make the problem explicit, and suggests that if you look at a specific policy, you can see that it understands the 'problem' to be a particular sort of problem. In this way government policy is not so much reacting to problems but is active in the shaping, creating, and production of problems. Critical scrutiny of this 'problem representation' will enable examination of the assumptions, conceptual logic and the forms of power behind the policies. That scrutiny will also help highlight areas for policy challenge and change (Bacchi, 2012). While the WPR approach uses six distinct questions, in this study I have examined the questions in relation to the historical data as a means to understand whether, and if so how, this representation of the problem has informed governing practices. I have not reported separately on the questions, but instead use the questions to guide the overall analysis of the data.

Bacchi draws attention to understanding policy as discourse. This is meant to capture the way in which language limits what can be said because existing language reflects commonly accepted ways of seeing, or frameworks for organising, social existence. An example she provides is the use of the term 'family violence' – a term coined in the twentieth century to refer to what had previously been referred to as 'wife battering'. At times, she says, while feminists have sought to intervene to alter the language used to frame such an issue as a social problem, the problem is not just one of how it is described, but of how the term is deployed within a specific policy proposal to produce a problem representation. That is, the ways in which a particular phrase functions as part of a problem representation needs to be examined within that context. For example, is the problem represented as a legal, social work or other problem?

Once the state's analytical categories come into play a problem becomes framed 'to fit' administrative arrangements and the feminist analysis of violence against women that encompasses a broader view of the power dynamics operating between men and women in a sexist society is diminished. The political analysis of power becomes transformed, through engagement with the state, into discrete social problems

which are then handed over to different branches of the government administration (Bacchi, 1999, p.164-5).

This process, aided by professionals, including feminist professionals in the 'social problem apparatus' can then create an impression that the problem is being addressed. This is a key issue when considering the impact of policy on sexual violence against women, both in terms of how a multi-faceted issue of inequality is constructed as a single issue social problem and what effects the problem representation has had over at least three decades. One of the aspects of this has been the propensity for women as the focus of analysis to become the problem, while male behaviour goes under analysed and under-problematised (Bacchi, 1999, p. 168).

My research seeks to examine the development of policy to support the delivery of rape crisis services, including a range of victim-focused support services and the provision of rape education and prevention activities, during the 1980s. In particular I examine the framing of the problem, the evident silences and the assumptions that the policy appears predicated on. Based on the literature reviewed, this early phase of development required the examination of factors relating to:

- the political and policy context – particularly the rise of neo-liberalism and its implications for the social services sector
- the early feminist discourse on the social context of rape, and the extent to which this discourse, and women's voices as service providers, advocates and campaigners have been incorporated (or not) by the state
- the types of services able to be provided given the very limited findings from evaluation of policy responses to sexual violence; the focus on rape recovery as primarily an individual matter; and the extent of attention to changing attitudes to rape and the prevention of rape.

Finally, as a postscript to this research, in examining the past policy problematisations, I seek to shed light on how future development might learn from and improve policy support for addressing sexual violence today.

## **b. Insider research**

As noted earlier, I have a direct, albeit distant, past connection with the research setting. As such I cannot claim to be a 'detached observer' but rather I locate myself as a 'passionate participant' in the subject of this thesis: the process and outcome of social policy to address rape and sexual violence against women (Lincoln & Guba, 2007). This provides an opportunity for applying my own authentic knowledge and experience to enhance the richness of the data gathered. In this way, as with feminist research carried out by feminists, this also means I am partisan to the subject of study. At the same time, particularly the elapsed time period, contributes to some boundaries in the nature of my roles as researcher and participant (Hayfield & Huxley, 2015).

The validity of insider research is, however, seen as threatened because of this involvement, as results may be seen as less objective or that such tacit knowledge can lead to misinterpreting data or missing important information (Greene, 2014). That said, anti-positivist qualitative researchers claim that arguments against insider research are applicable to all research, given research is always coloured by our subjectivities and objectivity is thus impossible (Greene, 2014). In a similar way inquiry is also value-bound by the inquirer, by the choice of inquiry paradigm and by theoretical underpinnings (Lincoln & Guba, 2007). It will, however, be important to minimise the impact of bias in the research process, to carry out research in consciousness of its socially situated character and to make the researchers' position transparent in the process. Here I will do this by making it transparent where I contribute knowledge to the study and what that knowledge is based on.

## **c. Limits of thesis**

There are a number of methodological issues that arise due to the time period of focus for the study – the 1980s. This presents a challenge both in terms of locating and accessing the data for examination and in the interpretation of that data.



The primary period of study is 1983-1989. This precedes digitisation of material and available data would primarily only be found within New Zealand public records such as Archives New Zealand, the National and other libraries, released under Official Information Act requests and through accessing information privately through organisational files.

I did consider interviewing people who had been active in the policy process during the period of study. This could have added useful reflection on the events, any gaps in documentary evidence and aided in analysis. I chose not to proceed with this due to the fact that the area was relatively specialised and few people were engaged directly in it, that a number of the key people have since died, or are uncontactable and that the recall of policy detail after a 30 year period would be problematic. This was confirmed when, due to my own insider status, I discovered that my memory was at times inconsistent with the archival data discovered during the research process. In addition, during the process of locating data I had contact with a senior policy advisor active in the policy development who was unable to recall anything from the period. Having completed this record of the era, however, future research could enhance results from such interviews.

The third limit for the inquiry concerns the interpretation of the data. This issue arises both because records may be incomplete or unavailable. Given the data is primarily documentary, I am cognisant that the reality of documentary analysis means that while we might take the view that documents can tell us something about what goes on in an organisation, it is important to retain an awareness that documents should also be examined in terms of the context in which they were produced and their implied readership (Bryman, 2012, p. 554). As appropriate I provide contextual information on the nature of documents to enable the reader to also assess the merit of my interpretation. The issue of missing materials is also mitigated to a degree, given my familiarity with the material and participation in the process of policy development at the time, the quantity of documents from two primary sources (official and community archives) and through describing the context for the era.

## Method

This study is based on a qualitative research design involving the application of social policy methodology. In undertaking research within the discipline of social policy, I seek to ensure that the investigation has demonstrable implications for practice (Bryman, 2012, p. 7) and hence this forms the rationale for discussing the implications of this study for current social policy practice.

### a. Documents analysed

The data collected in this study is textual in nature, although multiple sources have been used to triangulate the findings and thus support their reliability and validity. In brief, the data collected for use in this study included:

1. archival research for official and Parliamentary papers from 1980-91;
2. material obtained under the Official Information Act from the Ministry for Women from 1989-90<sup>13</sup>;
3. organisational files (personal & public collections); and
4. current publicly available policy papers.

Initially I searched Archive New Zealand records for organisational policy files relating to sexual violence from the Police, the Advisory Committee on Women's Affairs (ACWA), ACC, DSW, DoJ, Departments of Education and Health and MWA and Manatu Māori. Only DSW, ACWA and Manatu Māori had relevant policy records located at the Archives relating to the broad period of inquiry (1980-91). The DSW was responsible for policy development in response to sexual violence and files of material were located for 1979-1986. ACWA files for 1979-1984 also contained relevant material, as did Manatu Māori for 1989-90.

I successfully sought two specific papers that reported on the funding review undertaken by MWA in 1989, and asked for any subsequent reports, correspondence, Cabinet papers, and minutes pertaining to those reports. I made a similar request to ACC seeking any sexual abuse counselling and education and

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<sup>13</sup> The Ministry of Women's Affairs changed its name to the Ministry for Women in 2015.

prevention policy development advice and papers developed during 1984-90. ACC was unable to locate any files that fell within my request for that period.

All of the files accessed were reviewed, and relevant papers photographed. This included ministerial and departmental correspondence, internal memorandum, file notes, Ministerial briefings, Cabinet papers and background papers. In addition I was provided access to the national office organisational files of the NCRC 1985 – 1991. These records are not publicly available. The documents included core group (national governance group) meeting minutes, newsletters, correspondence and annual reports. The focus of this study was in part determined by what records were available.

## **b. Analysis**

I read and analysed the texts for core consistencies and meanings in the discourse. (Patton, 2002, p. 453). This then enabled me to develop a set of categories that I sought to apply in a systematic, objective and replicable manner (Bryman, 2012, p. 289). The documents were reviewed using a critical assessment of the discourses under the following categories:

- the *representation* of the social policy problems
- the apparent *aims or objectives* of policies
- *rape education and prevention*
- *administration* of funding arrangements
- the types of *services* and how *providers* are described.

These categories were chosen as they enabled me to disaggregate the data in the key areas of this inquiry; the description of the policy problems and the implementation of policy. They also enabled a systematic approach to the analysis of the available data.

The application of these categories to the text was important as I was aware that the text available for analysis did not necessarily represent a complete 'picture' of the

discourse of the era. It also enabled papers to be removed from analysis where they had no content relating to the categories used. By applying a consistent set of categories I was able to reflect not just the language, but how it was constitutive of the social world that was the focus of interest (Bryman, 2012, p. 528).

I drew also on the work of Braun and Clarke (2006) in taking a more constructionist method to the examination or unpicking of events, realities and meanings *as the effects of* a range of social policy and feminist discourses operating in society. Further, I have opted for a more detailed account on particular themes arising from the data rather than analysing the data as a whole as this allowed the exploration of areas of particular interest in more depth and complexity (*Ibid*, p.11). This more 'analyst-driven' approach allows more detailed analysis of some aspects of the data with these aspects having been identified inductively from coding the data.

The level at which I have identified themes in the data tends toward a latent or interpretative level, rather than meaning being derived at a surface or semantic level. This means I have been able to identify underlying ideas and assumptions that inform the semantic content of the data and take account of the ways that the various authors of documents 'translate' or interpret meaning for the intended audience.

The following two chapters describe and analyse the data in relation to the two key areas of policy interest of this study – the funding of rape crisis services in chapter four, and policy consideration of rape education and prevention in chapter five.

## Chapter 4: THE RAPE STUDY AND FUNDING OF RAPE CRISIS

This chapter focuses on the social policy problem of rape in the 1980s in New Zealand, particularly in regard to the support services for victims and families. That is, how was the social problem described, how was it addressed and what were the various perspectives on what the policy problem was, and what assumptions and silences can be seen in such a representation? This study seeks to understand what can be learnt about the problem, through the policy representation.

I firstly outline the findings of the DoJ 1983 Rape Study as this provides the framework for the subsequent policy discussions and debates. Following this I describe two distinct phases of policy development (1985-1988 and 1989)<sup>14</sup>. In the first of these, the initial policy phase, the problem began to be contested through the engagement of DSW officials, rape crisis and other groups in the sector. Secondly, at the end of the 1980s the MWA became a leading player in the government review of policy. This research explores the albeit failed development of a new policy response at the end of the 1980s. I review both the rape crisis sector and state discourses during these phases to understand what factors may have impacted on the changing representation, and the assumptions and silences that are evident in the policy. Figure one below, provides an overview of the policy phases and the key perspectives of government and the sector through those phases.

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<sup>14</sup> Appendix A provides an overview of key policies 1983-89.

1982	1984	State & sector engagement 1984-89	1989
Increased reports of rape Myths about rape & women Needs of victims	New Government Permanent funds for rape crisis Sector to advise on distribution	Issues for government:  Radical feminist/advocacy Sector demands for: -higher funding for development of Māori & Pacific responses -increased funds Scope of government role Service standards	Ministry of Women’s Affairs led review of funding for sexual abuse services
Began to be informed by women’s experience & feminism:	Issues for Government:	Issues for sector:  Low funding levels & limited access to funding Rapidly growing new sector Autonomy Engaging with the state was time consuming with little gain Inadequate response to Māori & Pacific women High volunteer turnover High community & victim expectations	Findings:
Rape trauma syndrome Rape as a symbol of patriarchy	Instability of funds for centres Increased public expectations Fragmented policy Need for service standards		Government role to address injustice & take long-term view Ad hoc reforms have left sector vulnerable, volunteer turnover high, inadequate service coverage especially for Māori and Pacific Counselling essential for recovery
The only services providing adequate support recognised as being:	Issues for sector:		Proposed response:
Women staffed Community (volunteer) based Providing: -Crisis & ongoing victim support -Counselling -Community education & advocacy -Rape prevention activities	Instability of funds for centres Needs of Māori and Pacific community responses Access for victims Education & prevention National structure/s Autonomy		Funding specific to: -education & prevention role -provide fee for counselling on basis of demand -Improved fund access & administration -policy fragmentation unresolved

Figure one: Overview of policy issues for Government and the rape & sexual abuse sector

## The Rape Study

The funding of rape and sexual abuse services in New Zealand began to become a matter for government concern in the late 1970s. Official evidence of this is in 1979 when the National government was petitioned for funds by the newly established Wellington Rape Crisis Centre. The Centre had been operating since May 1977. Hon George Gair, Minister of Social Welfare at the time responded to a query from a Labour MP:

*"It is acknowledged that specialised counselling, provided by trained counsellors should be available to all rape victims. The question appears to be whether this counselling is best obtained through established Voluntary agencies, Rape Crisis Centres or through some combination of the two. My Department is at present carrying out investigations to see how best the services can be delivered to those in need of them and the extent of*

*Government financial involvement, given the limited funds available at the present time” (Gair, 1979).*

From this reference the ‘policy problem’ is represented as the unmet needs of victims. This was to be addressed through [some] Government financial provision to make specialised counselling available to all rape victims, through established voluntary agencies and/or rape crisis centres.

Following this, in 1982 the Minister of Justice directed that a study be carried out on the problem of rape to address the *“almost total absence of information about the New Zealand situation”*. The study was to give particular regard to the experiences of rape victims and include consideration of legal, procedural and practice aspects in the Police, criminal justice, and available support services. The study started from the perspective of the problem as: *“Following considerable public disquiet of what was seen to be an increasing incidence of rape and concern for consequences to victims”* (Young, 1983, Preface).

The Victim Survey completed as part of the DoJ and Institute of Criminology Rape Study, made a significant contribution to extending the general understanding of the lived experiences of adult women rape victims. The study reports on interviews with victims, and with individuals working with victim support groups (Help and rape crisis centres). The study, conducted using in-depth interviews with 50 women who had been raped, was described by the authors (Stone *et al.*, 1983) as identifying *“a number of recurring themes which indicate how women feel about and respond to the experience of being raped. These reactions are perhaps not widely recognised nor understood”*. Further, the study acknowledged:

*“the extent of our knowledge of the incidence of rape itself is hidden. ...It has been women who have identified rape as a crisis problem and who have provided the basis for a wider movement of support for rape victims. The initial impetus for the growth of the movement arose from feminist reaction in America to a 62% rise in the rate of rape between 1967 to 1972. Following the ‘speak-outs’ on rape, rape crisis centres were established in 1972 in Los*

*Angeles, Washington DC and Australia. These were regarded as models for the development of rape assistance and prevention programmes in other communities” (DoJ, 1983, p. 159).*

The wider Rape Study (involving the additional studies on police processing of rape complaints and of High Court files), provided a government response to the emerging voices of second wave feminists (DoJ, 1983). Further, its consultative approach involved a wide range of people in the gathering, discussion and presentation of evidence on which policy development might be based. The problems that necessitated social policy consideration in the early 1980s were identified through the study, and by others, as primarily concerning:

- The increasing incidence of rape and public awareness of the problem
- Public misperceptions about rape
- Recognition of the needs of those affected by rape
- Community and voluntary organisation role in providing services.

The developing evidence for how the problem was seen, and represented in the Rape Study is summarised below.

#### **a. Increasing incidence of rape and feminist framing of the problem**

The study problematised the feminist success in framing increased public awareness of rape. This increased awareness was partly due to an increase in both the volume of reported rapes and attempted rapes, from 268 in 1975 to 396 in 1981, and in the increased public attention to such information. Public awareness, suggested the Rape Study’s main author, was particularly being driven by feminist representation of *“rape as a symbol of sexism in society and of unhealthy social attitudes towards women in general”* (Young, 1983, p. 1). Young also notes in his review of international responses to this problem that *“most of these [international] reforms seem to have been derived more from an ideological commitment to an improvement in the status of women than from an adequate appraisal of deficiencies in current law and practice”* (Ibid, p. 2). While he may be accurate in this portrayal of



research evidence, there is also an implied criticism of the feminist representation of the issue as a symbol of sexism, in his comment.

The Rape Study was explicitly framed as providing both a firm research base to inform reform in New Zealand and also to limit some of the *“hasty and ill-considered efforts internationally”* that were seen as having failed to deliver on expected results for victims (*Ibid*, p. 2-3). Again, the problem is in part portrayed as a problem with the feminist analysis, rather than the actuality of rape. Thus, early policy concerns about rape rejected feminist theory on rape as an effect of gender inequality.

#### **b. Rape myths as a problem**

The Victim Survey began to inform a different view of women’s experience by describing the particular vulnerability of the rape victim, both in terms of the widely held perceptions about women and rape and the impact of rape on their lives. Commonly held beliefs at the time were identified as including:

*“Rape is impossible; women want to be raped or secretly fantasise about being raped; that women provoke or ‘ask for it’; that women lie about rape and make false complaints; that a woman who really was being raped will resist and try to get away and so will have physical injuries”* (Young, 1983, p. 7-8).

Overseas and New Zealand research (Stone *et al.*, 1983; Scutt, 1980; Quenneville, 1978-79) clearly established these beliefs as false and that their perpetuation was not only damaging for the *“already painful ordeal of the rape victim but also reduced the chances that offenders will be prosecuted and convicted”* (Young, 1983, p. 8). The study noted concern that such beliefs persisted.

The Victim Survey highlighted how different the actual experience of rape is for victims, compared to the widely held beliefs of the time. Victims, they said, commonly recounted feeling *“degraded, humiliated, disgusted and dirty. In addition,*

*many women experienced difficulty in relating to people after the rape and were fearful for their personal safety for a long period of time” (Ibid, p. 28).* Further, the study confirmed the existence of “rape trauma syndrome”; a syndrome manifested by behavioural, somatic and psychological reactions. These reactions were identified in three phases: an acute phase, an adjustment phase and a long-term integrations phase (*Ibid, p. 28*). It was recognised that victim reactions to rape varied, but that all victims experienced these three stages, and that the process of recovery could take months or even years. The difficulties for the victim, the Study notes *“are caused both by the nature and effect of the rape itself, and also by the negative social attitudes which often stigmatise the rape victim and add to her problems of adjustment” (Ibid, p. 60).*

The emergence and description of both the phases of recovery and the social context in which rape occurs publicised and explained the experiences of victims and the impact of wider community responses on victims. Through the description and exploration of this information, the representation of the problem emerges as a need for victim support and recovery assistance. The Study did not significantly problematise rape myths other than as components that limit the support available to victims. That is they weren’t identified as a problem in the existence, and potential prevention of rape.

### **c. The need for improved services and agency responses**

The third area of policy concern was the types of services required to effectively assist victims, and others affected by rape. As above, the exploration of the phases of rape trauma syndrome framed how the study represented the types of services that victims might require at different stages of their recovery process.

The study noted that for many victims, the pervasiveness of myths about rape impacted the extent to which they were able to find support from family and friends and on the quality of that support. Victims told researchers that they *“did not receive support from husbands and immediate family members simply because those*

*persons also needed support and counselling in order to gain a proper perspective on, and understanding of the offence and its effects on the victim” (Ibid, p. 61). These factors led the authors to conclude that “the present levels of support for the rape victim and those associated with her are sometimes woefully inadequate” ... “not merely because of the absence of support services” ..., but that “some victims may lack the confidence to approach such services or simply be unaware of the services which are available. It is in our opinion, imperative that adequate support services be offered to all those who are in need of them” (Ibid).*

The wider Rape Study also considered the experiences of victims with medical, police and court processes and found a lack of adequate understanding of the acute and psychological needs of rape victims. Where a woman may report a rape to the Police, the study noted problems with Police surgeons and health services. It was found surgeons were “*apparently not usually motivated to help with the victim’s psychological trauma or to offer either advice or treatment about possible pregnancy or venereal disease*” and that other health services are “*patchy and frequently inadequate*” (Ibid, p. 61-2). The Study authors concluded that many changes were desirable in these fields to lessen the trauma and improve outcomes for victims.

#### **d. The value of services provided by community and voluntary organisations**

*“The main support services provided specifically for the victim of rape and sexual assault are those offered by Rape Crisis Centres, by the HELP Centre in Auckland and to a lesser extent by Women’s Refuges” (Ibid, p. 61).*

The Victim Survey found that “*the vital services being provided in the community, were frequently in default of the official agencies*” (Ibid, p. 63). There is little doubt the Victim Survey confirmed that primary services being delivered to assist, support and provide counselling to rape victims and those affected by rape were community-based organisations. Further, the problem is presented by the study’s authors as a lack of adequate services to assist those affected by rape, a lack of coherent social policy agency responses to the issue, and that public misperceptions about rape

hampered adequate responses being developed. This affected not only the responses to rape victims from the services that victims might turn to (e.g. Police, health and psychology professionals) but also the victims' families and friends.

#### e. Silences

Two areas of silence contribute to a lack of attention to the underlying causes of rape. This is important because the Study set the policy agenda for the future. Firstly, the Rape Study treads a tentative path around any suggestion that gender inequality has a role to play in the 'problem of rape'. In fact, as referenced earlier, the feminist representation of rape as a symbol of sexism in society is given only scant recognition as a contributing factor. This is a silence in the discourse. There is recognition that the perception of women in society may play some role but to a large extent the victim is talked about as if 'ungendered'. The extent to which the vulnerability of the victim is described, while an important step in the public acceptance of the crime of rape, also largely paints the victim as dependent, without agency and in need of protection i.e. it paints the victim in a similar way to how women were traditionally seen in society. This flipside of this 'silence' is also a factor in the problem's representation. Secondly, the Rape Study does not consider the perpetrators of rape and their role in contributing to the problem representation. The study deliberately takes a victim-oriented approach, recognising that the existing law and policy frameworks serve the needs of offenders, more than the needs of victims. A focus on victims is appropriate in order to improve understanding of the victim experience, to in effect bring some 'balance' to the issue, and to inform how policy should change as a consequence. The policy problems the study points to and describes, however, result in the policy issue of rape being framed as a "woman's problem".

The Rape Study, its associated conference, and submissions process provide evidence of how the New Zealand government first discussed rape as a policy issue. Taken together, these documents suggest the Study findings were widely recognised and accepted by a range of stakeholders. This widespread acceptance of its findings

suggests the Rape Study set the agenda for matters of public concern and set the scene for future policy development. Relative to the discussions that emerged after the study was published, the Rape Study is neutral as to whether the existing largely community services can or are adequately performing the roles they have adopted, but does identify them as the *only* organisations undertaking delivery of these necessary services for victims. The next section explores the development of the social policy response designed specifically to address the needs of victims for support and recovery.

### Funding services – new policy problems emerge

The new Labour government was elected in 1984 following a snap election. The election, prompted by the National government's inability to retain the support of its caucus after facing major economic issues, saw an unprecedented landslide victory for the Labour government. The Government had, through the Labour Women's Council, sought to engage women across New Zealand in identifying policy priorities to address issues concerning the status of women. These were to guide priorities for a newly established MWA. Over 20,000 women attended forums up and down the country and the *"funding of women-staffed rape crisis centres was the second highest priority"* amongst the final recommendations to government (NCRC, 1987 December, p. 2). No doubt as a consequence of this:

*"In December 1984, the Minister of Women's Affairs announced that Rape Crisis Centres and other organisations involved in sexual abuse counselling were to receive permanent government funding. The sum of \$150,000 was made available in the 1984/85 Budget with an indication that this would be a minimum allocation. It was announced that the question of how the money would be fairly distributed would be decided in consultation with the groups concerned."*  
([Workshop Report], 1985).

#### a. What are the problems government seeks to address through policy?

In advice to the Minister on funding for sexual abuse services, the DSW notes (as was identified in the Rape Study) the lack of specific funding programmes for rape crisis

centres and that a number of groups had accessed funds from the Department's Contingency Fund to assist in financial difficulties they were experiencing. Centres were also being observed as recently moving into the field of counselling victims of incest, and were hence moving into a broader area of activity than immediate rape crisis work, and that this was putting pressure on services. The DSW advice also indicated that, as with Women's Refuges a few years earlier, that rape crisis centres were perhaps reaching the stage where, having established a national identity, they may present a collective case for funding and therefore require a special funding programme. This departmental advice was also similarly reflected in the Minister's response to a Parliamentary question at the time (Grant, 1984; Hercus, 1984).

The problems that government was specifically identifying at this time were concern for the financial instability of rape crisis centres and expanding public expectations (for counselling and public education) that were placing pressure on the centres. The conclusion drawn was that a national policy to address funding of these services was required. Officials across relevant agencies (including the Police, DoJ, Departments of Education and Health, and ACC) began to work with DSW to progress the development of policy and discussions turned to issues of implementation.

Some of the early implementation matters for discussion were those of national standards for training to ensure the quality of service provision, how such standards should be developed and the achievement of a balance in requirements to preserve the community orientation of services. The role of the sector was observed as important in this process, both because it would assist with imposing standards through peer group pressure, (Grant, 1984) but also to ensure the organisations were effective in delivering appropriate services.

The DoJ observed that *"government should not undermine their [rape crisis] autonomy"* and should not lose sight of the needs of the victim. The DoJ argued that based on the Women's Refuge experience, the effectiveness of services is largely due to *"their independence, confidentiality and personal, caring and supportive atmosphere"* and as such any *"inclusion in a bureaucracy would greatly undermine*

*those qualities and may frighten potential users. This may be a concern of rape crisis centres also*” (Oxley, 1984). The Minister of Justice also warned of the impact of any *“move to a more professional service for the victim of sexual assault”* with a caution that the community must have a role in service provision, and that *“we must be realistic about the resources that are available and that we can afford, and be aware of the wishes of victims, not all of whom find professional services the most congenial”* (Palmer, 1984).

The views of Justice, which were informed by the Rape Study (with a caution about funding expectations), run somewhat counter to those views in DSW at the time in regard to the importance of professionalising, and perhaps setting standards, for services. While obviously not proceeded with, the Minister of Social Welfare did consider a role for the police in determining whether a centre was “acceptable” to receive government funding. Such a requirement was being used at the time by ACC to determine allocation of funding for appropriate counselling services. The relationship between police and rape crisis varied considerably across the country<sup>15</sup> (Palmer, 1984).

DSW was also cautious due to what it described as *“problems in respect of grant provision in relation to the informal structure of many of the organisations and the ‘fringe’ nature of some services”* (Baird, 1984). It is not clear what was meant by ‘fringe’, but based on my own knowledge, this may refer to centres’ limited service offering, and/or that service founders were frequently upfront about being lesbians and taking a strongly feminist orientation in services. Many rape crisis centres were known to have *“a heavy reliance on Department of Labour job creation and training schemes”* available at the time and that most centres operated on a *“hand to mouth basis”*. There is no evidence to suggest that DSW had any concerns about or considered the independence and autonomy of the groups as important aspects of the sector’s provision [a silence].

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<sup>15</sup> ACC was (at least from 1984), funding eligible centres for the counselling of victims of sexual abuse. Very few rape crisis centres were accessing these counselling fees as they tended not to meet criteria including being accepted by Police as an appropriate centre for referral. ([Sexual Assault Units], 1984)

By this time, officials were finding what the Minister of Social Welfare described as *“considerable support among”* the government agencies considering policy, particularly for *“a professionally based counselling service for victims of sexual abuse”*. The Minister noted that *“existing rape crisis centres were seen as having the potential to provide these services”* but that *“resources to achieve them in the short term”* would be necessary. This was to ensure adequacy of training, and also to meet the *“demands for services being made on centres”* (Hercus, 1985).

Here we see the state’s emphasis on professional services, which suggest an assumption the services are not professional, and a mixed representation about resourcing – on one hand there is a warning that services cannot expect to receive too much, and on the other that resources are needed for professionalisation.

As 1985 begins, a draft new policy budget bid brings together the official view of the policy problems the new funding programme sought to address:

- A lack of a coherent government policy to provide financial assistance for the 26 known sexual abuse/rape crisis centres (voluntary organisations) offering rape crisis counselling for women, sexual abuse counselling for adult or child victims of either sex
- The immediate need to provide financial support for counsellors, to develop a more professional service and provide training for these counsellors and consider the establishment of a national structure ([Rape Crisis/Sexual Abuse Counselling Services], 1985).

#### **b. Government and sector problem definition diverges**

The earliest identified discussion amongst rape crisis/sexual abuse services about their priorities can be found in a ‘pre-funding hui’ held by rape crisis, HELP and Māori women’s organisations ahead of the government Workshop to discuss funding in



March 1985<sup>16</sup>. Each of the representatives from the 22 organisations present outlined their priority for any government funding. These priorities were identified as being for wages for permanent staff, to secure suitable rooms, to deliver education programmes, to provide training for volunteers, meet travel expenses and to support more specialist training and access to referral agencies to deal with some of the more complex problems women were approaching services with (e.g. drugs, prostitution, young women requiring accommodation). There was also a high degree of support for a call from Māori women to be able to develop their own services to meet the needs of Māori women ([National Rape Crisis Pre-funding Hui], 1985).

Despite some disquiet about accepting government funds (see below under implementation) the hui agreed on the reality of existing low levels of funding, the uneven distribution of those funds, particularly in ensuring adequate services that meet the needs of Māori women, and the extent to which groups were struggling to maintain and develop their services. Thus the hui developed a proposal to put to the Minister and officials ([National Rape Crisis Pre-funding Hui], 1985). This proposal, presented verbally, was described in a DSW report to their Minister as:

*“indicating their strong demand for the \$150,000 funding available to be distributed on the basis of \$10,000 for a national structure steering committee, with the remainder divided on a 50/50 basis between existing non-Māori rape/sexual abuse groups and Māori women’s groups, some existing, some establishing, which carry out rape/sexual abuse support as part of a wider Māori Women’s health service”* (Grant, 1985).

The rape crisis/sexual abuse services were representing the policy problem as:

- The requirement for government funding for wages, premises, the development of systems and processes that would support volunteers, education activities and victim access to services

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<sup>16</sup> Dann (1985, p. 25) identifies an earlier meeting of rape crisis groups in 1982 ahead of the government sponsored rape symposium but provides no detail on the discussions at that time.

- Acceptance of the Government view that a national structure for the sector was worthwhile, and government assistance was required to achieve this
- The duty of government to facilitate Māori development and delivery of services within a Māori cultural context to address the disproportionate incidence and impact of rape and sexual abuse within the Māori community.

The Workshop (i.e. the state representatives) did not agree to the 50/50 split of funds sought by the sector. Instead, the DSW papers say, agreement was reached to divide the 1984/85 funding as follows and on the basis that this was not to be seen as setting a precedent for the future:

- \$10,000 – Steering Committee to work towards national structure
- \$112,500 – grants of \$4,500 for incorporated centres (25 centres including 3 Māori)
- \$23,500 – Te Kākano Project (seeding project to assist Māori and Pacific women to establish groups and become eligible for funds in 1985/86).

This first funding allocation was not going to be able to fully address the sector identified problems, in part due to the level of expenditure. Officials did partially accept the sector problem representation. The DSW advised the Minister of Social Welfare of the outcomes of the Workshop, reporting there were a *“number of problems relating to the orientation of rape/sexual abuse support groups that had future policy implications”*. These, they advised the Minister, were related to:

1. Radical feminists engaging in advocacy: *“the fact that rape/sexual abuse services are very much concentrated in groups with a radical feminist orientation, who see the occurrence of rape/sexual abuse as further indication of a patriarchal society and the oppression of women”*. This, it was observed meant that some of the groups engaged in *“advocacy activities”* whereas future funding needed to be carefully allocated according to *“appropriate duties in working with rape/sexual abuse victims”* (as identified through the collection of statistical data) and *“suitable preventative and*

*educational programmes in the community or local schools*". The prevention and education aspects are addressed in the next chapter. The issue of advocacy itself, what groups may have been advocating, and what the discomfort was with that are never clarified.

2. The suggestion by representatives that the incidence of rape/sexual abuse amongst Māori/Polynesian women may be higher than for other women is also identified as problematic. This is seen in terms of the impact this perspective may have on service funding to meet this need given the greater propensity for Māori women to have developed more holistic health services. DSW warned that only the cost of sexual abuse services should be met through the funding programme where centres offering a wider range of health services were in receipt of funds.

3. The unanimous demand from representatives for a 50% split of funds to Māori and non-Māori groups (even from "*middle-class liberal pākehā women*") was noted as an indicator that the national structure, once formed, would be unlikely to drop that demand, and so be outspoken in its demands for women and particularly Māori women (Grant, 1985).

Combined, these matters suggest a degree of discomfort within DSW about both the impact that radical feminism and a strong pro-Māori view may have on the ongoing development of policy. The issue of advocacy is an interesting one. On one hand was the government concern that resourcing would be used to publicly advocate a radical feminist perspective on rape within the delivery of their services, was it disagreement with the radical feminist perspective per se, or was this more a concern about this advocacy being aimed at government? There is little in the discourse either to clarify this or in fact on any other factors that might describe or discuss causes of rape or critique of a feminist analysis. It is merely dismissed as seemingly irrelevant. While this is speculation, the government of the time had established a policy ministry for women and will have been aware that its supporters would be looking for advances for women as a result.

The development of the Te Kākano Project did signal a way forward for enabling Māori and Pacific Island women's groups to formalise their structures and so become eligible for funding for their services, although the level of resourcing, and eventual timeframe for this project meant few services made the grade by the next funding round. Given Māori women's desire to address rape and sexual abuse within a wider health framework, the limitations suggested in the state's discourse may have also posed a barrier to greater development of adequate services for Māori. Indirectly, it was the nature of services provided by Māori women that were questioned, in particular the holistic health and whānau nature of the approach. Here the DSW concerns related to whether 'distinct' services were visible and could be traced back to the funding delivered for them. The extent to which such distinct services might be more, or less, effective appears irrelevant.

Interestingly, this report to the Minister made scant reference to the actual services that rape crisis/sexual abuse services did provide, or their suitability for funding from government expenditure. Neither was the issue of the sector's request for funding to be allocated along Māori/ non-Māori lines overtly addressed. There was agreement reached between officials and the sector in regards to both the need for the collection of statistical data and that these should form part of groups' ongoing accountability for funding.

The report did comment at length, however, on the way that representatives behaved and represented themselves at the Workshop, with comments including reference to the *"unsophisticated nature of many of the groups"*, the *"colourful exchange of opinions"*, that *"the centre representatives as a group were rather naïve in their understanding of the purpose of the workshop"*, and that *"there is a high level of anger and bitterness amongst workers about the social climate which led to the rape/sexual abuse, and a disappointment at the low level of help available after the incident. Although this level of anger is understandable, care needs to be taken to ensure that it is channelled positively into the development of sound rape/sexual*

*abuse services and preventative programmes*" (Grant, 1985). Clearly there was an assumption that this wasn't the case.

Overall these references provide some sense of the difficulty of the discussions at the Workshop and both a degree of the patronising of the sector by officials, and perhaps a sense that the sector was disappointed at the officials' response to their views and proposal for addressing sexual abuse in their communities. The discourse suggests a DSW view of an unyielding, perhaps ungrateful and determined sector.

Most importantly the discourse of concern by DSW appears to be the substantive reason behind DSW recommending (and the Minister of Social Welfare agreeing) that the budget bid in preparation in the Department for additional resources for the funding programme in 1985/86, did not proceed. In particular, in recommending the DSW *"retain the financial assistance available to Rape Crisis/Sexual Abuse Centres at the 1984/85 level"*, the DSW refers to *"the limitations as well as the strengths of the organisations involved in the provision of suitable services"* (Grant, 1985). The latter comment is particularly interesting given the lack of apparent information on services and their suitability anywhere in the Department documents.

Thus, it would appear that the groups themselves had become identified as a problem for policy makers. This problematisation appears focused on a perception or assumptions about the representatives themselves (some of which may have been informed by homophobia) and their advocacy of radical feminist and pro-Māori independence views. It is difficult from the available documentation to know the extent to which the Minister may have been influenced in her decision by her Cabinet colleagues in terms of further resourcing of the sector, or whether funding priorities in other areas won out on the day. The sense of discomfort and disagreement with the sector is however clearly visible in the archive.

### c. Policy implementation – practice and principles

The rape and sexual abuse sector's own discourse shows the rape crisis/sexual abuse sector as having adopted an active and possibly sceptical approach to engaging with government about funding. The Hui discussions preceding the Workshop give a hint of this in disquiet voiced about accepting government funding including about:

- the low level of funding on offer and that it could leave groups divided in a fight for crumbs
- what strings might be attached to taking government funding
- whether existing funding such as that from ACC for counselling might disappear (although few groups were accessing this funding, some were)
- what impact government funding might have on the autonomy of groups
- a desire for accountability within the rape crisis movement, rather than only externally to government
- the extent to which funding criteria were already set by government.

([National Rape Crisis Pre-funding Hui], 1985)

Nevertheless, substantial work was undertaken over the following years between DSW and the sector (with national organisations for Māori, Pacific and pākehā groups forming in 1986). This included establishing agreed statistical data requirements from centres and determining the distribution of funding to centres.

The NCRC (the pākehā-based organisation) continued to pursue efforts alongside their sister Māori and Pacific women's organisations to advocate for between 33-50% of funding to be allocated to themselves and to Māori women's groups, and to support Pacific Island groups with 20-30% of funding allocations. This was articulated in relation to a commitment to the Treaty of Waitangi, to the emerging recommendations of Puao te ata tu<sup>17</sup> and to the strongly held view about "*the*

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<sup>17</sup> Puao te ata tu was the title of The Report of the Ministerial Advisory Committee on a Māori perspective for the Department of Social Welfare (September 1988). The report included social policy principles to guide the development of policy and the allocation of equitable resources to address matters of deprivation and alienation of Māori.

*development of communities to enable self-healing and determination*"; an underlying philosophy held by the NCRC and articulated in its constitution (McDonald & Pipi, 1987).

There were extensive reported discussions with DSW officials around funding allocation in this regard and while these often indicated expressions of support for the aspirations of NCRC and other representatives, officials also put their need to convince Treasury and others of the "fairness and equitable" nature of such an approach. In all such recorded discussions the NCRC representatives indicated to their national governance body (Core Group) that they felt their efforts were unrewarded and frustrated. While DSW officials were willing to talk about specific funding allocations to Māori and Pacific women's groups, they appeared unable to either deliver the allocations sought or explain what groups needed to do to achieve this outcome (NCRC, 1988 May 13-15; NCRC, 1988 October).

A (supposed) boost to the funding programme did occur in 1986 when Cabinet agreed to re-allocate funding from a Labour Department scheme into the Rape and Sexual Abuse Funding Programme<sup>18</sup> (DSW, 1986). This directly recognised that Government had a role in funding staffing costs. When Cabinet decided to cease the Voluntary Organisation Training Programme (VOTP) (the employment subsidy scheme used extensively by social service organisations including rape crisis centres), it also considered that the [detrimental] social consequences of this decision necessitated *"replacement funding of social services in the 1986/87 expenditure round; and that Women's Refuges and Rape Crisis/Sexual abuse support services should be two organisations to receive replacement funding via a central mechanism through the relevant vote"* (DSW, 1986).

In the report to the Social Equity Cabinet Committee, the DSW notes that, while 50 rape/sexual abuse support services are likely to have been established by the end of

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<sup>18</sup> It should be noted that this increased the funding programme, but was not an increase in funding to the sector as groups had been previously accessing these funds through the Department of Labour at a substantially higher level than was re-allocated.

1985/86, around 33 of these had received support through the VOTP scheme. The scheme was noted as having brought about the development of many of these groups, with services having had between 1-3 VOTP workers at any one time. The Cabinet papers, however, report that the reallocation would result in just 8 centres having access to one full-time equivalent salary, with 15 accessing 20 hours and 27 to receive just 10 hours paid per week. While the transfer of VOTP funding was recognition of the significant impact the withdrawal of the programme would have on rape crisis centres, the proposed quantum and distribution of this fund would both severely curtail the operations in a considerable number of centres, while also providing some smaller centres with new funding (DSW, 1986).

DSW, in reporting to Parliament on the year to 31 March 1988, noted that *“in recent years there has been a heightening awareness of the incidence and destructive nature of family violence. Sexual abuse in particular has leapt to public attention”* and that *“all agencies working in this field have experienced a dramatic increase in demand for services, often to a point of overload”* (DSW, 1988, p. 49-50). At this time, 79 groups were being funded through the programme (DSW, 1988). It was the following year, however, before the first allocation of substantive new funds in the sexual abuse services funding programme was made (from \$816,000 to \$1,306,000). The Department’s annual report notes that *“preventative educative work, as well as supportive counselling has expanded accordingly”* (DSW, 1989, p. 39).

On the surface of it, government had stepped in to respond to the problem of rape and sexual abuse in New Zealand. It had responded to the growing public awareness of the problem, and to an expanding sense within the sector/movement that services could make a difference. Access to government financial support had increased funding from 22 groups to 79 groups in three years. While this enabled broader coverage of services in New Zealand, the rapid growth was also problematic from a resourcing perspective. The allocation of funding to new groups came at a cost for the larger and more established groups as the funding pool failed to grow commensurate with new services.



The picture that emerges within just a few short years of the programme being established is one where there is no less concern being expressed from those groups about the pressure they are experiencing from expanding service demand (and in fact the DSW recognised this also) and a view that the level of resourcing they received suggested to them that their expertise, the issue of sexual abuse and the high costs to victims of not having adequate services was not being taken seriously (NCRC, 1988 December). The NCRC engagement with DSW officials in support of funding allocations for appropriate cultural responses, as well as their own growing coverage, was time intensive, and also from their perspective thwarted at every turn.

It appears the entire focus for the three national sector organisations in engaging with government is on the DSW block grants to services. This suggests the groups are in fact in the position some feared of 'fighting over the crumbs' in a programme where funding growth had not kept pace with need. A small number of services in the sector were beginning to access some fees for counselling of sexual abuse survivors through ACC, although this was not always available to them due to the criteria in regard to both who could receive subsidised counselling, and the criteria for approved services that might deliver the counselling.

The external push (and internal sector concurrence) for more professionalised and standardised services is not the subject of extensive discourse in the state or in available sector documents. Services through this time were seeking to support victims, their friends and families/whānau through a range of approaches. These included individual counselling and peer support sessions, survivor groups, engaging in activities such as learning self-defence with victims, and in direct support for family members and others in communities to better enable them to care for those affected by sexual violence. The services were diverse, but over time the individual counselling approaches came to dominate, at least in the pākehā-dominated services, in part because this service type received funding and was seen as legitimate, given services were under some pressure to be more standardised and 'professional'. It had the unfortunate consequence, however, of bringing the focus of

community rape crisis services to the individual victim needs, and away from the wider agenda of preventing and ending rape.

### Redefining the policy problem? – Ministry of Women's Affairs Review

The MWA was tasked in late 1988 by the Ministers of Social Welfare and Women's Affairs to consider the "*appropriate role of Government in supporting services for victims of sexual abuse*" and on the range of services undertaken by providers and the viability of the sector (Interdepartmental Working Party on the Funding of Sexual Abuse Services, 1989a, p. 6). It is interesting that this task is allocated by Ministers to the Ministry and not the larger and more centrally involved DSW. Perhaps it was the independence from delivering any of the resourcing into the sector which made it the Ministers' choice, or perhaps some recognition of the importance of bringing a gender lens to the problem.

The impetus for the review arose from the Board of ACC deciding in December 1988 that a decision in the Court of Appeal meant they could no longer pay the cost of counselling for victims of sexual abuse. These were primary funding sources for HELP services which had now established in Auckland, Wellington, Tauranga and South Auckland, and STOP in Christchurch. These services focused specifically on providing professional counselling services.

As a result of the Board decision, an interim arrangement was made to continue payments from Vote: Social Welfare (under the Disabled Persons Community Welfare Act). The Director General of Social Welfare delegated his responsibilities in this matter to ACC so that administrative structures managed by ACC could continue to operate while the review considered a long term solution (Interdepartmental Working Party on the Funding of Sexual Abuse Services, 1989a, p. 6). The Working Party was chaired by the Deputy Secretary of MWA and made up of senior officials

from DSW, ACC, DoJ, Department of Health, Manatu Māori, and the Ministry of Pacific Island Affairs<sup>19</sup>.

The Working Party prepared an interim report in July 1989. The terms of reference for this first phase of the review focused on the adequacy of funding arrangements for counselling, preliminary consultation with organisations providing counselling as to their funding needs, funding administration and identifying ways in which funding could be appropriately provided to Māori and Pacific Island organisations. Whether it was the sector organisations' involvement in advising on these terms of reference, and/or the influence of Te Ohu Whakatupu, the Māori advisory unit within the Ministry, but here for the first time the particular position of Māori (and Pacific) women's services are represented within the policy parameters by state agencies.

By mid-year the Working Party recommended (and Ministers agreed) an even broader scope for its work. This included consideration of:

- The role of government in supporting services for victims of sexual abuse
- The adequacy of the legislation relevant to services for victims of sexual abuse (primarily relating to the ACC and DSW legislative authority)
- To report whether there was duplication and/or gaps in services and how services might be better co-ordinated
- To recommend suitable criteria for the allocation of government funds to services
- The appropriate funding mechanisms for service provision for Māori within the context of devolution to iwi authorities
- The appropriate funding mechanisms for service provision for Pacific Island people

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<sup>19</sup> An official from The Treasury attended meetings of the Working Party but Treasury was not a member of the Working Party and was to report separately to their Minister on the Working Party's report (Interdepartmental Working Party on the Funding of Sexual Abuse Services, 1989b).

- To consult with relevant organisations as appropriate on the terms of reference (Interdepartmental Working Party on the Funding of Sexual Abuse Services, 1989a).

These expanded terms of reference appear to reflect some of the areas of disquiet raised through consultation with the sector groups. For example, the role of government in supporting services may be seen in part to respond to comments from the three national sector groups that *“the current funding situation for their groups was placing an unacceptable cost on victims, due to the inadequate levels of funding for service provision to meet victim needs, and that increased funding was a minimal requirement”* (NCRC *et al.*, 1989, June, p. 26). Further, the terms of reference mean the Working Party was also considering outputs of services beyond counselling outputs.

The Phase one report details the policy problems it found. Consistent with its initial terms of reference, these largely focussed on counselling and victim services. In summary, they identified the following problems:

1. The lack of taking or having an appropriate long-term policy view for the funding of services had a number of consequences; inadequate assessment of geographical and culturally appropriate coverage of services and the *“apparent and exponential increase in the number of sexual abuse victims seeking help is placing increasing pressure on paid and unpaid counsellors”* (increased demand attributed to heightened public awareness and willingness to acknowledge such abuse exists);
2. The stress of counselling, low funding of organisations and high voluntary effort required is straining services;
3. Declining tolerance for placing heavy demands on women volunteer workers and declining numbers of volunteers/high turnover due to women’s increasing need for paid employment and morale difficulties within services. This also had consequences in terms of the number of staff with skills and experience available in centres and viability for some services;

4. Counselling is recognised as essential to enable many sexual abuse survivors to heal and avoid long term consequences of their abuse.

Counselling is often also required for family members of victims, in order that they can better support and understand the victim's needs.

In short, the Phase one report identifies a sector under considerable strain, that there is no lead or overview held about the sector by government and hence the agencies recommended widening of the terms of reference (Interdepartmental Working Party on the Funding of Sexual Abuse Services, 1989a).

The Phase two report, six months later, concludes that the Interdepartmental Working Party:

*“was very strongly of the opinion that government does have an essential role to play in providing adequate and appropriate services for survivors of sexual abuse. As a significant and growing section of the population who have suffered an injustice and who are in need of rehabilitation the survivors of sexual abuse have a right to adequate services. For the sector to be effective, government provision must cover a wide range of needs – from crisis work to on-going counselling, training, education and prevention work...”*

(Interdepartmental Working Party on the Funding of Sexual Abuse Services, 1989b).

Further, the report notes *“the evidence gathered by the Working Party points to serious inadequacies in the current provision. If this already vulnerable, under-resourced sector is to survive there is a need for a determined effort by government to provide the necessary financial and administrative support”* (Interdepartmental Working Party on the Funding of Sexual Abuse Services, 1989b, p. 2).

The report detailed six areas of inadequacy: lack of co-ordination, gaps and inequities in funding distribution, cultural inadequacies, inadequate levels of funding, legislation and regulations and the unmet need and demand for services. In

designing a response, the Working Party drew on the principles guiding reforms of social services being used at the time and as determined by Cabinet (*Ibid*, p. 10).

Consultation with Māori, Pacific and all providers in the sector was carried out by the Working Party to ascertain priorities for groups in regard to funding mechanisms for the sector. Māori consulted were predominantly concerned that Māori delivery systems, particularly in the context of iwi development, required greater attention. Pacific Island groups also called for the chance to develop more culturally appropriate delivery, the recognition of cultural skills as a key aspect of working with Pacific peoples, including in regard to community education. While Pacific communities might be reluctant to discuss sexual abuse, in part due to “*the regular occurrence of incest*”, groups felt the demand for education was urgent. The wider sexual abuse service providers who met, largely focused their discussion on locus and distribution aspects of funding. They did, however, call for contributions of funding from Education and Justice Departments in recognition of the outputs related to these portfolios (Interdepartmental Working Party on the Funding of Sexual Abuse Services, 1989b, Appendices 1a, b & c).

When it came to recommendations about government funding, the Working Party noted that in 1988/89 the DSW funding (totalling \$1,346,000) provided 56% of NCRC member groups with between 76-100% of their total funding (*Ibid*, p. 23). The implication being that they were struggling to attract funding from other sources, and that their reliance on government funds was substantial.

The final report of the Working Party detailed analysis of the various future policy options it considered and concluded with 14 recommendations. These included:

- That payments for counselling services be made available to fund a wider range of services to ensure equity of access was improved (this included addressing how access to the funding was regulated and the importance of appropriate mechanisms for ensuring access to counselling fees for Māori and Pacific [and community] services)
- That the rate of payment for counselling should be increased

- That further work should consider whether a group and family counselling payment should be introduced (the counselling fee payments were only made for victims seen individually by counsellors)
- That 30% of the total funding available to services should be allocated for block grants, with the total being determined against the costing for the demand-driven counselling fees
- That the block grant provided through DSW be for the funding of education, prevention and training services and that at least the current level of 35% of the DSW funding programme be to Māori services and 20% to Pacific services to support development of these services
- That if possible (with appropriate legislative authority) the DSW be responsible for administration of both block grant and counselling funding to services.

In this policy formation the Working Party has represented the problem as one that substantially sits with government. The problem of funding has shifted from one where government has a role to be 'financially involved' (as per the evidence from 1979 at the beginning of this chapter) to one where government has a significant financial role to address the injustice experienced by victims and their need for rehabilitation. The use of terms such as 'injustice' also introduced reference to an offender or perpetrator, 'someone' that has behaved unjustly toward the victim. This is in contrast to earlier texts where there is an underlying sense of government responding (benevolently) to 'victim need' rather than shouldering a responsibility for addressing injustice in society. While this discourse can also be seen to render the perpetrator/offender as invisible, it certainly represents a shift in representation of the social policy problem.

Without being explicit about the policy addressing a fundamental issue of human rights for women, the Working Party constructed the case for changes in policy within the accepted policy framework of the time (Cabinet agreed principles for social service reform, consistency with ACC rehabilitation approaches and the

identification and analysis of potential policy responses). In doing so the Working Party, made up of senior government agency representatives, managed the various interests and assumptions of agencies about their respective roles and responsibilities and incorporated its own evidence. It had sought and reflected the views and experiences of the sector organisations and was explicit in addressing their expressed issues.

Most specifically the proposals provide a clear representation of the policy problem:

- that victims, their families and communities require and are entitled to support and counselling
- that the provision of education and prevention activities are critical and distinct services
- that Māori and Pacific communities have a right to expect to have access to resources and determine the nature of their services.

The problems of inadequate service coverage (including for Māori and Pacific services), existing funding levels and issues with its administration are also represented in the solutions recommended. Costings prepared by the Working Party would have seen substantial increases in funding to the sector for the block grants (depending on estimates for increased fees and demand projections) of between \$500,000 to \$3,700,000 on 1990 financial year estimates. The demand-driven ACC counselling fees would also have increased depending on take up and what fee increase might be adopted (Interdepartmental Working Party on the Funding of Sexual Abuse Services, 1989b, Appendix 2).

An area less represented in the recommendations is the role of policy oversight and responsibility for taking a long-term perspective. DSW is recommended as the agency with responsibility for administering funding, but the Working Party was silent in terms of a more explicit policy oversight and co-ordination function. This is likely to mean that there would be a continued gap in the provision of this function.



Fundamentally however, the Working Party recommendations were to the Minister with existing responsibilities for funding to the sexual abuse services sector – the Minister of Social Welfare, not the Minister for ACC. The Minister of Women’s Affairs and her Ministry were responsible for leading the policy review programme but given the lack of any actual responsibilities in the sector, the Minister of Women’s Affairs (Hon Margaret Shields) could only seek to influence outcomes from the review with her ministerial colleagues.

It’s here that this research finds a dead end and was unable to locate any evidence about whether and how any of the recommendations were addressed. It would appear the recommendations of the Working Party were never acted on. The final word is seen in the Minister of Women’s Affairs short note to the Minister of Social Welfare in June 1990 where she writes:

*“I would be pleased if you could advise me on the progress you and your department have made concerning the recommendations of the Interdepartmental Working Party on the Funding of Sexual Abuse Services. If funding arrangements are to continue for a further year, does this mean that funding changes will not be announced this year?”* (Shields, 1990)

No response to this letter was found in MWA files.

What does this tell us about the representation of the policy problem and the consequent solutions this Working Party recommended? That they were not widely agreed or supported by agencies? This seems unlikely given the senior representatives involved in their development. Perhaps the implications of the recommendations may have unintended, or unacceptable impacts for other policies, e.g. this might result in an argument being made to substantially increase funding in other areas of social services. Again, this would reasonably be expected to have been a factor that the Working Party members would give consideration to. Perhaps there was a lack of imperative for Ministers, or they were distracted by more pressing policy problems.

What we do know is that an election in October 1990 saw a National led government win a landslide victory and go on to retain the Treasury benches through the next two terms of Parliament until 1999. It is also unusual when a change of government occurs, for new governments to receive and consider recommendations made to previous governments. It must be concluded that the Interdepartmental Working Party on the Funding of Sexual Abuse Services failed to ignite a champion who might have pursued the recommendations in the lead up to the election, or subsequent to it.

Next, Chapter five looks at the specific issue of rape education and prevention and it's reflection in policy through the same era.

## Chapter 5: RAPE EDUCATION AND PREVENTION

This chapter provides an overview of the rape education and prevention discourse in the official and rape crisis documents as part of policy development (see figure two for an illustration of the overview). Three main phases can be seen in the policy discourse: early policy development (1984-85); the Family Violence Prevention Coordinating Committee (1986-89) and the review of rape crisis/sexual abuse funding (1989). Much of the discourse in the official and rape crisis papers during the 1980s suggests an ambivalence around whether education and prevention work is part of the rape crisis centres' work and how to proceed with an effective education and prevention strategy.

First however, is an overview of the context for how rape education and prevention was described and discussed in New Zealand in the early 1980s, along with an outline of the views expressed by victims, officials, academics and the public as part of the Rape Study completed in 1983.

1984-5		1986-9		State & sector efforts 1984-89		1989	
Education and prevention are key to reducing rape & improving understanding for victims		Early government interest in issue drops away Primary focus is on 'family' violence		Government: FVPCC campaign on family violence funded by ACC (no focus on sexual violence or gender) Police schools education programme – no mention of sex-role stereotyping & partially community funded		Ministry of Women's Affairs led review results in no change	
Early efforts by rape crisis: Programmes in schools Public speaking Training others in helping professions Volunteer training in RC		Issues for Government: RC seen as advocates of radical feminism  Discomfit with direct focus on sexual violence		Sector efforts:  -RC Volunteer Training resources developed  1987 – 35 RC groups have 26,500 attend education & prevention programmes 1988 – 22,300 attend RC programmes (demand for individual/family needs for support competing for resources) 1989 – 18,000 attend RC programmes		Findings: Education & prevention activities <b>key</b> to reducing the incidence of sexual violence & in breaking the cycle of violence which maintains perpetrator & victim roles	
Purposes included: -Changing attitudes to violence & to women -Dispelling myths about rape -Raising awareness of sex-role stereotyping -Raising awareness about the reality of rape -Promotion of support for victims		Issues for sector: -Low level of resources means RC focus on local activities to manage demand for services -Lack influence/silenced in 'family' violence context -Promised ACC funds divert to 'family' violence -Lack of action on education & prevention				Proposed response: -Block grant funding should be entirely applied to education and prevention activities  -30% of total funding to services should be allocated to enable a stable relationship between education and counselling outputs	

Figure two: Overview of rape education and prevention policy discourse

## Feminist context and the Rape Study

The provision of public education and rape prevention activities to address the issue of rape was at the heart of efforts by early feminist sexual violence activists internationally (Stanko, 1985; Mathews, 1994; Foley 1996; McMillan, 2007). These activities were key in the efforts of feminists to achieve a reduction in the incidence of rape in New Zealand also. Along with a reduction in the incidence of rape, education efforts aimed to improve the support and understanding available to women who had been raped. Better understanding was sought both from within the women's families and in the various institutions where they sought help. Further, it is in the discourse around rape education and prevention that the more contested area of the motivations and causes of rape are found.

Throughout the rape education/prevention discourse there is inclusion of up to four types of education/prevention activities that were undertaken in the New Zealand sector during the 1980s. These concern:

- Internal rape crisis staff/volunteer training
- The conduct of training programmes/talks for external agency staff who are likely to come into contact with sexual abuse victims/survivors
- The provision of education/prevention programmes for school children
- More general, and usually one-off public education/prevention speaking engagements, discussions, hui, fono on marae and other facilities in the community.

These activities obviously have different purposes but can be seen as part of what the NCRC and government agencies identified as education and prevention activities in the sector. From the very early development of rape crisis centres there had been a focus on prevention activities, alongside the victim support functions. At the time of the rape study, there were nine rape crisis centres and community education was seen as a core part of the functions of the centres (Young, 1983, p. 64). Examples of

these included a programme on rape and sexual assault for secondary schools undertaken in the Wellington area and public speaking engagements as a means of changing attitudes towards sexual violence. Auckland Rape Crisis noted they averaged three speaking engagements per week as *“this is an essential part of our work, because a change in attitudes is one of the things necessary to stop rape”* (DoJ, 1983, p. 162).

Rape education and prevention in the early 1980s largely focussed on countering misconceptions or myths about rape as a means to educate and inform the general public about the realities of rape. These efforts sought to build greater community awareness of the social context of rape, of rape crisis centres and their services and to improve sensitivity towards victims. Community organisation programmes typically discussed sex-role stereotyping and attitudes to women as elements that contributed to rape in society. To this extent, the problem addressed through rape education and prevention programmes by feminist community groups was fundamentally sexism in society.

The Rape Study identifies rape crisis centres as the only organisations conducting education activities<sup>20</sup>, undertaken as a result of rape crisis approaching organisations in their communities, and in response to being asked to speak. The types of organisations who sought education activities were from across the education sector and included service clubs, Social Welfare, Police and health services. The added purpose for rape crisis in responding to the welfare and health services requests for education/training was that personnel in these sectors came into contact with and provided associated services for victims. The Police were also an institution where rape crisis centres focused their education activities. These activities were focused on improving police procedures in the responses to rape victims, involving rape crisis volunteers in offering support to victims through the investigation process and in reducing trauma for those women reporting rape.

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<sup>20</sup> Health, education, police and social work agencies were asked about any rape education and prevention activities they undertook.

The Rape Study found, however, that *“the development of an awareness of the needs of the victim of rape or other sexual assault among professionals and institutional personnel seems to be slow”* (DoJ, 1983, p. 160). Rape crisis centres were providing some education services to professional and institutional groups as part of their educative functions and the study notes they *“have made special efforts to increase public awareness of the problems of rape and related violence”* but that such efforts were severely hampered by lack of funding (DoJ, 1983, p. 160-161).

Finally, victims interviewed in the Victim Survey were asked for their suggestions for what should change to better assist victims. Unsurprisingly, addressing general attitudes were high on the list for such suggestions:

- “-That there is a commitment to a thorough-going educational and socialising process designed to change attitudes to rape and violence especially violence against women.*
- That attitudes should get away from emphasis on malicious and false complaints, fabrications and rape fantasies.*
- That girls should be taught to be independent and not trust men and that men be taught to respect women.*
- That a wider discussion of the issues surrounding rape be encouraged.*
- That more attention be given to preventing rape.*
- That the community becomes more involved in the problem of rape and preventative aspects”* (DoJ, 1983, p 176).

Following the publication of the Rape Study in early 1983, the Minister of Justice made a call for public submissions on the study. Of the 111 made (many by large organisations and acknowledged as representing a wide spectrum of New Zealand society), there was a clear majority viewpoint, if not consensus, on most issues (Pettersen, 1983). This would also appear to be the case in regards to education about rape.

Included in the Rape Study recommendations was a call for funding of rape crisis centres and that this *“should extend to educative programmes run by such centres”*

(Pettersen, 1983, p. 9). A *“substantial number of submissions”* also spoke of the need for educational programmes for the public and in schools aimed at changing attitudes to rape, dispelling the myths about the offence and that this should be addressed in the *“broader context of attitudes to women”*, *“that stereotyped sex roles be not perpetuated”* and *“sex education in schools are also advocated”* (Pettersen, 1983, p. 34). While the content for programmes appears to be widely supported, some submitters suggested rape crisis groups should conduct these programmes *“with the aid of government funding, although others see this more as a function for government agencies”* (Ibid, p. 34).

Overall, the Rape Study findings provide widely-held views of where issues related to rape education and prevention were in New Zealand in 1983. By including the responses of victims, of rape crisis services, the wider public and of officials across education, welfare, health, justice and police sectors, the study identifies the extent to which rape crisis centres are playing a unique, and even valued role in relation to rape education and awareness activities at the time.

The study represented the education problem as inclusive of the need to address ‘sex-role stereotyping’ and ‘attitudes to women’, indicating some analysis of the gendered nature of rape, was also an accepted component in education approaches. There was, however, no overt support of the broader structural issues such as gender equality in recommendations, despite this being a feature of community organisation programmes.

### Early policy development discussions – the Workshop

In 1984 the proposal for a new funding programme for rape crisis centres identified the monies sought were *“to provide a fund for making grants to Rape Crisis Centres and for rape awareness programmes”* (Ashton, 1984). This proposal referred directly to text from the Rape Study about the *“commitment to a thorough-going educational and socialising process designed to change attitudes to rape and violence especially violence against women”* (Pettersen, 1983, p. 64) and in relation to

the functions of rape crisis centres to provide community education in schools and undertake public speaking engagements as a means to change attitudes towards sexual violence.

Once officials from government departments began to meet to discuss the implementation of the new funding programme, the DoJ representative raised concerns in writing about the importance of giving *“more prominence to sexual abuse awareness programmes”* in the policy (Oxley, 1984). Oxley notes *“[i]t may be necessary to have funding for sexual abuse awareness programmes separate from funds for counselling”* so that *“funds for this purpose are not diverted to other areas of operation”* and to enable *“co-ordination of funds that would be necessary to produce such things as teaching resource kits, brochures etc”* (Ibid). This sentiment was further echoed by the Minister of Justice (Palmer, 1984) concerned that groups such as the Rape Education Group at Carrington Hospital, working purely on rape education, were not excluded from the new funding programme.

In a proposal from the Minister of Women’s Affairs to run a workshop with rape crisis representatives and government officials in early 1985, rape education and prevention is again referenced. This may be in part due to a contribution of \$20,000 from the ACC to hold the workshop. The contribution was provided on the basis that one of the goals of the workshop was *“to discuss and help develop a policy in respect of the victims of sexual abuse, [including] covering prevention and education”* ([Workshop Report], 1985).

Again, as with the Rape Study, rape crisis centres at the Ministers’ Workshop on funding discussion of education activities were reported as follows: *“the overall impression given was of the great amount of work already being done in the community, particularly by Centres operating on very slim resources of time, money and staff”* (Ibid). It was interesting to note the papers tabled at the Workshop from the Departments of Education, Health and Police suggest a range of views on the role of their respective agencies in the area of rape education and prevention. Both the Education and Health Department papers suggest these agencies saw



themselves as contributing to the promotion of discussion and engagement in rape education and prevention.

The Department of Education outlined their work on the revised Health Syllabus that aimed to *“promote a positive approach to relationships, with an emphasis on assisting young people to learn how they can avoid violence or abusive encounters”* (Department of Education, 1985). The syllabus, still to be trialled, aimed to emphasise attitudes and behaviours and to build knowledge, develop skills and the application of those skills in every-day life.

It represented a significant shift in the health syllabus from an approach based on specific health problems and body systems to one that *“increased awareness of students own health needs, a concern for the needs of others and a growing sense of responsibility for health within the community”* (Ibid). Further, the Department noted more schools were including examination of sex-role stereotyping and the development of healthy sexual identity and of affirmative action programmes *“to ensure that issues relating to sexism are properly considered”*. Rape crisis centres were reported as responding positively to these developments, noting: *“[it was] valuable information which centres received with keen interest”* (Grant, 1985).

The Health Department paper stated: *“The Department of Health believes that health services have an important role in the prevention of rape (sexual assault) and sexual abuse of women and children”* (while noting *“these services are only one contribution in this wide area of need”*) and that *“Staff (through staff training) are being prepared to facilitate and participate more effectively in [amongst other things] preventative education in schools and community”* (Department of Health, 1985). The Department also recognised the *“need for training of medical and nursing staff in rape trauma syndrome...”* and that *“this will involve the need for attitudinal changes towards rape survivors”* (Department of Health, 1985)<sup>21</sup>.

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<sup>21</sup> By 1988 Doctors for Sexual Abuse Care (DSAC) was established and has gone on to become an important advocacy and training organisation to improve the standards of medical care for those affected by sexual abuse that continues to operate. While funded through the years under Vote

The Police noted their current efforts around adult rape prevention as being focused on the establishment of Neighbourhood Support Groups (NZ Police, 1985). These groups began to be established following the attack of a woman in Auckland and were neighbourhood-led. In January 1986 Police advised there were 5,300 such groups. The groups were providing information on home and personal security and more generally creating community awareness and neighbourhood 'spirit' that was seen as a deterrent to offending (Ministerial Committee of Inquiry into Violence, 1987, p. 109). Based in my own experience at the time, the suggestion that these groups were bringing any particular focus to rape education and prevention is somewhat exaggerated in the Police comment. Interestingly the Police did not reference any education and training with their own workforce at this time.

Rape crisis centres identified their priorities for expanding their education efforts at the Workshop. This included paid workers to deliver programmes, development and completion of education kits and training kits, self-education groups on marae, resource booklets and videos. Some centres noted the wide range of requests they received from community groups and schools and their difficulty in responding as *"pressure of other work limits this"* ([National Rape Crisis Pre-funding Hui], 1985).

The outcome from the Ministerial Workshop discussions was the sector identifying their *"requirement for and means of providing staff training for Rape Crisis Centres"*. The formulating of a National Training Programme, and in fact the development of wider policy in the education and prevention area, was tasked to the Steering Group established at the Workshop and eventually the national structure once established (Grant, 1985). ACC also noted it *"may be able to provide assistance with expenses incurred in printing and distribution costs of such a [training] programme"* ([Workshop Report], 1985).

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Health, ACC and the Police, the DSAC website in 2016 notes its on-going difficulty with accessing funding to undertake its work. DSAC played important roles in both taking over forensic medical examinations from police surgeons and in recognising the need for specialist training (Broadmore, Shand & Warburton, 1996).

The DSW report to the Minister of Social Welfare following the Workshop suggests a shift in official views, from observing rape crisis centres as providing a valid and important contribution to community education and prevention activities to a more cautious view of the organisations and their intent. This is referred to in relation to the underlying philosophy of the centres *“that may be problematic” (“groups with a radical feminist orientation who see the occurrence of rape/sexual abuse as further indication of a patriarchal society and the oppression of women”)*, as may some of their activities (*“some of the activities undertaken by the more radical groups fall clearly into the area of advocacy”*). DSW also noted in reporting on the Workshop that *“centres are not yet ready to formulate a co-ordinated national policy on education or prevention”* (Grant, 1985).

Up until this time, official views expressed appear to legitimate an approach to education and prevention that recognises inherent gender power dynamics and roles in society. There had also been apparent support for the efforts of rape crisis centres and their approaches to community education. But, as with the discussion about funding for victim services, there appears to have been a stalling in policy development around rape education and prevention. Certainly the sector was undergoing significant change; facing high demand for its services across a range of areas (e.g. for crisis support, on-going counselling, child sexual abuse, incest, training of professionals, public education activities), it was growing rapidly, learning to work across the sector, learning to engage with the state. The sector prioritised development of its own internal training and may have opted to forego significant prioritisation of external efforts. However, it is clear the ‘official voice’ on rape education and prevention was present, but apparently not a priority. Largely the state is silent in terms of promoting progress on the matter.

The priorities for education and prevention of rape crisis representatives are consistent with comments made at the Family Violence Conference later in 1985 echoing their stance. The Family Violence Conference statement sought:

*“training for all people who come into contact with survivors of sexual abuse that includes the realities of sexual abuse, cultural/racism awareness,*

*examination of personal attitudes and beliefs about sexual abuse. Public education and prevention is a field where much is needed. We want public education on the causes of rape. This must include the provision of support for survivors at such educational events. Preventative education is needed for all preschool children and parents and self-defence classes should be conducted for all secondary school girls” (McDonald, 1985 September 24-27).*

### The Family Violence Prevention Co-ordinating Committee

During 1985, following extension to the Women’s Refuge funding programme (also delivered through DSW), the stronger and more developed Refuge movement heightened their activities to promote more discussion on domestic violence and were successful in securing advisory support within DSW to assist in their efforts. Over that year the term family violence began to be used more widely and DSW and Refuge efforts in particular focused on co-ordinating those working in the community to address child sexual abuse, rape, domestic violence and male violence prevention.

By late 1986, the Family Violence Prevention Co-ordinating Committee (FVPCC) had met for the first time. Established as a result of recommendations from the Family Violence Conference in 1985, the committee was tasked with “*coordinating the various approaches to family violence prevention and recommending initiatives to government for funding and other assistance and to generally support community initiatives in education/prevention*” (FVPCC, 1986).

FVPCC was tasked with bringing together and strategically aligning the work of government agencies and the non-government sector involved in the area of physical and sexual violence against women and children. This is reflected in the foundation membership of the committee that included DSW, Police, Health, Education, DoJ, MWA, Māori Affairs, the Chief Family Court Judge and members from the non-government sector: Women’s Refuge, Men for Non-Violence, NCRC and Te Kākano O Te Whānau. The inclusion of the sexual violence sector

organisations is on the face of it an acknowledgement that sexual violence occurs within families and that multi-disciplinary responses were required to be effective in preventing such violence. It also established a potentially important means by which rape crisis/sexual abuse services could engage with the range of government agencies who may have a role in rape education and prevention (and in fact their wider funding requirements). However, while the Committee aimed to facilitate access to support, it also channelled the available resources and placed the community groups in an environment where they had to compete for those resources, or not achieve their goals relating to education and prevention.

On the advice of FVPCC, the NCRC, Te Kākano O Te Whānau and the Pacific Island Women's Project submitted proposals to DSW for increased funding, including specific funding for education and prevention activities in the 1988/89 year. This included resources for NCRC to employ seven regional education co-ordination workers to support their 36 local groups, along with \$10,000 for national programmes and \$10,000 for volunteer training co-ordination (NCRC, 1986 November). The proposal, however, fell on deaf ears and there was no funding allocated to the NCRC or the sector for education and prevention.

The Community Initiatives and Activities Working Party of FVPCC included the Pacific Island Women's Project, Te Kākano O Te Whānau, Refuge, the NCRC, Men for non-violence, MWA and the Education Department. A report on the working party in the NCRC Newsletter commented on the draft terms of reference for the working party. These outline that the prime responsibility for:

*“identifying needs and establishing priorities in public education campaigns should lie with the groups actively involved in the provision of support services in the area of family violence, that the priority for funding be these groups and that internal training is an integral part of the training. The terms of reference included developing a list of needs in the education prevention aspects of family violence, co-ordinating a priority list of projects to meet those needs and co-ordinating available resources. Alongside this the working*

*party, which is primarily drawing together activities underway, was also suggesting a national prevention campaign” (NCRC, 1987 March, p. 16).*

These comments from rape crisis representatives suggest they were optimistic about the scope provided through FVPCC to influence, and potentially include, the prevention aspirations for the rape and sexual violence sector groups. By the middle of 1987, NCRC representatives were, however, indicating disquiet with FVPCC. This concerned the expectation they felt from government agencies and Police that NCRC would contribute to those government-run initiatives. NCRC’s call for additional resources to be allocated to their services, which would face increased demand as a result of the initiatives, was however going unheard. As a result, the minutes note sector concern with facing increased demand with no new resources to manage, and that they may be left with little alternative but to *“put stops on education schemes”* (NCRC, 1987 June 26-28).

The sector’s own reports note considerable numbers of people attending their education events and this may have contributed to a wider public perception that NCRC was both sufficiently equipped and receiving sufficient funds both to assist victims and to contribute to wider education and prevention activities in the community (Ministerial Committee of Inquiry into Violence, 1987, p. 115). The Ministerial Committee of Inquiry into Violence (1987, p. 117) also noted that offender prevention activities would be *“left to community agencies”* although confusingly they also state that for violence to be reduced in a comprehensive manner that cross departmental co-operation was required, including in co-operation with community agencies.

ACC, although not formally a member of FVPCC, had also by this time *“decided to revise its policy and in future, will take FVPCC advice on priorities for their government sourced funding for prevention/education activities in the field of family violence”* (FVPCC, 1987 July, p 5). The ACC had of course provided the funding for the Minister’s workshop in 1985, on the proviso the workshop considered the issue of rape education and prevention. Further, ACC had offered to fund the production of

rape and sexual abuse training programme materials. This study, however, has found no evidence that ACC had actively engaged with, or been sought out by the sexual abuse sector, to progress any work in this area. Neither had ACC ever before this point indicated it had any mandate to operate in the wider area of domestic/family violence education and prevention beyond sexual abuse.

In 1987/88 ACC provided \$150,000 to FVPCC for prevention activities. This money was divided amongst the community organisations, with local rape crisis groups receiving \$850 each and the sexual violence sector overall receiving \$87,200. The remainder (approximately \$63,000) was provided to Men for Non-violence and Women's Refuge (FVPCC, 1988 June). To the year ended June 1987, the 35 Rape Crisis and Related Groups reported 26,500 people had attended education and prevention programmes run by their groups. In 1986 and 1987 the NCRC also supported a national 'rape awareness' week involving local education and promotion activities. These activities received no separate government funding (NCRC, 1987 November).

In early 1988, the community groups on FVPCC were again challenging the extent of progress and this time the focus was on government agencies, particularly the Department of Education, *"to become more active particularly in education and training"* (NCRC, 1988 March). These groups were also voicing concerns about the campaign being developed by FVPCC in regard to it needing a broader definition of family than was used, possible loss of funding from ACC for education/prevention work (for NCRC members), increased workload on already under-resourced groups and that the campaign did not explicitly seek to enhance the status of women (NCRC, 1988 June). Here, the underlying gender basis of the education work of the rape crisis sector is in effect being challenged. The Committee was not backing their view.

Despite strong statements early in 1985 about the importance of tackling rape education from both the Departments of Education and Health, these agencies report little activity to FVPCC from their agencies that contribute to rape/sexual abuse education and prevention. None of the Government agencies appeared to

take any lead in promoting or developing the opportunity provided through FVPCC for a co-ordinated approach to education and prevention in this area. FVPCC was the primary vehicle through which the NCRC was expected to engage with government agencies and as such was an important gate-keeper.

ACC had sought to invest in rape education and prevention activities since 1984/85. The exact development of this interest is unclear as no papers were able to be located by ACC from this period. Based on annual reports, and information in official documents about ACC, however, there was a willingness to invest in policy in respect of sexual abuse prevention and education. This would have complemented the funding it spent on counselling services for victims of sexual abuse. Interestingly, ACC has never covered counselling for victims of other forms of criminal violence. There does not appear to have been any direct contact between ACC and the NCRC around the development of a national policy. Given the 1985 Workshop was tasked with developing such a policy, perhaps the NCRC had missed the opportunity to take a lead by the time they had formally established in mid-1986. FVPCC, established only months later and as described above, was where ACC sought advice on where to invest in education and prevention.

The NCRC reported reaching fewer people in their education programmes in 1988 than in 1987 (22,300 in 1988). This, they note, is 1% of the population and on that basis *“it will take us 100 years to cover every New Zealander, or five years if our resources are increased 20 fold”*. Further, it is noted that *“education programmes were maintained rather than extended due to increased counselling workloads and limited resources. Education is often the most effective way for reaching women and children who for a variety of reasons, would not come into a Rape Crisis Centre by themselves”* (NCRC, 1988 October, p. 7). The annual report notes also that the training kit being developed with FVPCC support would be available in 1989: *“Training has been well developed within rape crisis and the kit will enable wider access to that knowledge.”*



By the end of 1988, the rape crisis community sector was continuing to struggle under its funding constraints<sup>22</sup> and with increased demand on their services generated from the FVPCC “Reach Out” campaign focused on domestic violence (NCRC, 1988 December). The “Reach Out” campaign received a total of \$650,000 from ACC between 1989-1991<sup>23</sup>. However, no further grant funding for education and prevention work was directly provided to the NCRC or its members after 1988 and the campaign was completely silent on the issue of rape and sexual violence. The campaign, focused at a generic level, aimed to *“effect positive change in attitudes to family violence; promote behaviour change; encourage families affected by family violence to seek help; to reflect the multi-cultural nature of our society; to raise general awareness of family violence and promote understanding of violence prevention”*. It included TV spots (on both channels), radio spots and print advertisements. The campaign also featured Māori, Samoan and English languages, well-known men speaking to men with the message “reach out, don’t strike out” and a culturally diverse group of women singing the campaign theme song “Reach Out” (FVPCC, 1988 December).

Police, as the only state agency active in delivering a national rape education programme, were by this time requiring non-government funding to deliver and expand their school programme. The “Keeping Ourselves Safe” programme delivered in primary schools was soon to be extended into secondary schools<sup>24</sup>. The use of non-government funding suggests such activity was not seen as a core Police activity (FVPCC, 1989 December).

Meanwhile the NCRC again reported reduced numbers of people participating in their education activities during the year (18,000) although public awareness during Rape Awareness Week was seen as keeping the issues of rape and sexual abuse

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<sup>22</sup> A \$500,000 boost in the DSW allocation still left the National Collective with less than 35% of the funding it sought in its 1986 proposal, and no funding tagged specifically to education, prevention and training.

<sup>23</sup> \$150,000 in 1989 (FVPCC, 1988 June); \$300,000 in 1990 – to educate and raise public awareness of family violence (ACC, 1990); and \$200,000 in 1991 (ACC, 1991).

<sup>24</sup> This would be achieved with the financial aid of “The Carla Cardno Trust” (a non-government organisation) and the Law Related Education Section of the Police.

before the community. Further, the NCRC affirmed its role as a radical, political organisation seeking change and *“as the conscience of those who prefer to bury their heads in the sand and say ‘it doesn’t happen in our community’”* (NCRC, 1989, p. 1). The aim of education activities were also described in a different way by the NCRC than previously:

*“through the process of education, wimmin and children are affirmed and empowered, they become survivors and begin to put the blame for what was done to them where it belongs, on the offender/s. Wimmin and children, empowered with the knowledge that the crime was not theirs, are a powerful force for change and reform”* (NCRC, 1989 September, p. 5).

The emphasis in this description is on the role of education as a politicising activity aimed at victims such that they may then contribute to a role in wider “change and reform”. This is a shift in discourse from the NCRC where previously education has been described more in terms of creating a more supportive environment for victims and campaigning for understanding of the context of rape in society. Here the NCRC is asserting a personal change and politicising process for women from their education activities and a stronger activist perspective. This came at a time where the services were struggling to maintain volunteers and may seek to counter a sense of evident and growing frustration amongst those in the NCRC. By this time (1989) the review of funding of sexual abuse services by an interdepartmental working party of senior officials had got underway, providing a fresh opportunity for the sector to voice its concerns.

### [The Interdepartmental Working Party on the funding of sexual abuse services](#)

As discussed in the last chapter, the Working Party initially focused only on rape and sexual abuse counselling services. This focus was subsequently widened to consider the *“appropriate role of Government in supporting services for adult victims of sexual abuse”* and on the range of services undertaken by providers and the viability of the sector. Education, training, publicity and preventive work were all identified as “work

*that forms an essential part of an effective service” (Interdepartmental Working Party on the Funding of Sexual Abuse Services, 1989b, p. 7).*

The provision of education and prevention activities by services were seen as key contributors to two of the outcomes sought by government from funding in the sexual abuse area:

- *“A reduction in the incidence of sexual abuse*
- *A break in the cycle of family violence which maintains the roles of perpetrator and victims” (Ibid, p. 21).*

The choice of the more generic ‘family violence’ language in this context is interesting, given the Working Party is entirely focused on adult sexual abuse and there is no discussion in the reports and papers about violence in the context of relationship or intimate partner abuse. The Working Party, in looking to the future *“considers block grants should be applied for and allocated to education and training activities.”* The rationale for this is to maintain a link with counselling activities as *“education programmes result in an increase in demand for counselling”*. It proposed this based on data from the sector that 30% of the activities undertaken by sexual abuse services were toward education/training outputs<sup>25</sup> and that:

*“Utilising that proportion (30%) of total funding available to the services would enable a stable relationship to continue between counselling and education/training outputs” (Ibid, p. 23).*

In costing the provision, the Working Party considered the payments for counselling services should constitute 70% of required government funding and that the remaining 30% of government funds should be for education, training and prevention outputs. The Working Party calculated that the DSW grants (which would be the 30% of government funds for education etc.) would accordingly rise in the

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<sup>25</sup> The proportion of total time attributed to education and training activities by National Collective groups was 41% and for Auckland Help 22%.

1990 year to between \$1.98m - \$5.18m<sup>26</sup> to match the demand-driven counselling funding.

Regardless, the Working Party, in proposing a link between the counselling and education/prevention activities of services, had reflected the concerns of the sector as voiced at FVPCC over the preceding three years that education events have a direct effect on service demand. Further, it had recognised the education/prevention 'outputs' from services and it proposed a way forward that would see these outputs receive separately allocated and increased funding.

The silences in the Working Party report concern whether and which agency of state had a responsibility in regards to the promotion and leadership for rape prevention and education activities. Whether this reflected a wider state view evident in the FVPCC programme of work, or whether it was a low priority for the state, this was a lost opportunity in the social policy response to rape in New Zealand. The assumptions contained in the Working Party report appear to confirm the sector role in driving education and prevention activities, that they were doing a good job locally, that this should be resourced and that there was support, at least implicitly, in the gender equality aspects of this work by the sector. The responsibility for rape education and prevention was firmly delivered back to the women delivering services in communities around New Zealand.

## Conclusion

As identified in the previous chapter, the recommendations of the Working Party were never implemented. Despite feminists seeing education and prevention as key to achieving a reduction in rape, there was very little active state and sector engagement with this as a policy problem during the 1980s. There was tacit support for improving understanding about the reality of rape and sexual abuse and with developing more supportive agency responses to victims. There were, however, few, if any, comprehensive programmes within key agencies such as the Police, justice,

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<sup>26</sup> The variables concern high and low take up of counselling services, whether more counselling sessions were available and whether the fee for counselling was raised.

welfare or education sectors that sought to improve responses to victims by their staff. Rape crisis and Help organisations continued throughout the 1980s to deliver one-off or short courses to these agencies in their local area (for example I was involved with Nelson Rape Crisis in running training programmes for Police officers, with psychiatric nurses, with local GPs, community workers and with DSW social workers during the 1980s).

## Chapter 6: FEMINISM, SELF-DETERMINATION AND RAPE – WHAT ROLE THE STATE?

The previous two chapters have sought to plot the development of how the problem of rape in New Zealand has been represented in the social policy context through the 1980s, both in terms of funding community support services, and in relation to education and prevention activities. Within this period, I contend there are three key ways in which the policy discourse remains contested. The first of these is rarely, if at all, acknowledged in any of the material examined in this study. This rarity concerns the tension between ‘the state’ and ‘feminism’. The second contested area is the emergence of Māori and Pacific women’s voices and efforts to establish culturally-appropriate services to meet their communities’ needs. Finally, the third area concerns the contested issue of rape itself.

In this chapter I explore the origins and perspectives of feminists involved in the movement and in the state, and how these tensions may be seen to be reflected in the policy process, particularly through the emergence of neo-liberalism, the interplay between liberal and radical feminist views and in the highly contested area of rape education and prevention. Secondly, I consider how the problem of meeting cultural needs through social policy responses has stalled, despite seeming state support for such responses through the 1980s. Finally, I consider what it may be about the issue of rape itself that may have contributed to a more muted government response than feminists, and in fact dedicated policy specialists, may consider have been warranted.

### Feminists and the State

Feminists who established and ran rape crisis centres in this period predominantly held radical feminist views. That is, they drew on personal experience as a key influence on political activism and saw the oppression of women as the most fundamental and universal form of domination which comes about because of the power of the patriarchal system (Carmody, 1995, p. 107). Social control exerted

through sex role stereotyping, societal expectations of women and the threat or reality of sexual violence and rape were seen as intertwined. As a consequence, radical feminists began to speak out and resist such dominant notions and see rape from a structural perspective, rather than an individual act of deviancy (Carmody, 1995, p. 111).

The first rape crisis centres in New Zealand adopted radical feminist principles such as a 'self-help' care and a support model that was as relevant to the ways that members of groups interacted, and to those seeking help from centres (Dann, 1985, p. 131). Rape crisis groups were also predominantly organised as collectives. These centres were focused on delivering victim support to women and over the decade, also to children. Groups emerged with strong political orientations and incorporated services for women as a way of moving from ideas to action (Vanderpyl, 2004). This coincided in New Zealand with an increasingly complex set of social needs and a corresponding growth in the voluntary sector (which as in the case of rape crisis, was in response to what were observed as government failures).

We can also see in the reports from the Rape Study, and all of the official reports that followed, a complete absence of any reference to the feminist analysis, literature or of the motivation for rape. Here, as in New South Wales, the individual, psychological therapeutic and medical discourses have been privileged over any feminist analysis of the issues of rape in official documents (Carmody, 1995, p. 159). This has meant that overall the state has redefined the issue as an individual and therapeutic issue, and then responded with policy and procedures also developed outside the reality of the wider context of rape. This, as observed by Sydney Rape Crisis, saw the state respond to the issue as if the problem were like "*a bereavement or a road accident*" where emergency victim care is the predominant problem. In so doing, the experience of rape and its role in maintaining gender relations in society is effectively denied (Scutt, 1980). The "car crash" happened, now its just a matter of the "clean-up".

Another factor that influenced the early development of policy was the lack of both

a well-developed and independent rape crisis movement and a women's policy machinery to interact with the movement. As observed by Weldon (2002), the MWA in New Zealand was only just being established as a women's policy agency at the same time as social policy in response to sexual violence was being developed. This was important as the sexual violence sector was itself similarly in a developmental phase, at the same time as it was seeking to actively engage *in* the state policy arena. The absence of a women's policy machinery to assist and mediate the institutional gender bias at this early stage may have been pivotal. Certainly by the end of the 1980s, the Ministry representation of the policy problems of rape were significantly more developed from both a feminist and cultural perspective.

The radical feminist orientation of rape crisis is observed as presenting difficulties for government, as observed in the 1985 DSW report to the Minister, where there was little direct support for a sector seeking radical change in gender relations (Grant, 1985). It also presented difficulty for the sector in how it might represent itself to government while at the same time accepting funding from the state. Here, as was the case in Australia, the state was seen as patriarchal and there was fear that by accepting government funding, feminism would be co-opted and lose its critical edge as a revolutionary voice (Carmody, 1995, p. 113; [National Rape Crisis Prefunding Hui], 1985). The payoff, however, was in enabling the sector to access some measure of financial security. While the initial funding was relatively small, the sector had been attempting to grow and had had little success in attracting funding for at least the eight years before government funding was made available. The sector no doubt had been optimistic that with the recognition of government, the funds would grow.

There is an irony, however, in that women working in rape crisis centres, frequently on government job schemes, also saw themselves as working fulltime for the revolution to overthrow a system that didn't work for women. This tension is evident in the on-going debates and discussions within the rape crisis sector during the period as the emerging government neo-liberal ideology sought to negate their reality, the differences between radical and liberal feminism emerged, and the



fraught relationship between the state and its role in rape education and prevention became more apparent.

#### **a. The onslaught of neo-liberalism**

The context of market-oriented neo-liberalism heralded far greater impacts for feminists establishing rape crisis services in New Zealand than might have been expected had economic perspectives not been on the rise. With social justice issues also prominent in the political debates, the 'social development' approach sought to reconcile these issues within a competitive economy (Aimers, 2011). Social development in this context frequently meant a state focus on capacity building. On the face of it, this could have supported rape crisis to enhance its desired skills and achieve its goals toward empowering women, and supporting self-help. This wasn't the case and instead the focus was on professionalising the sector, and as feared this also led to an unconscious and subtle de-radicalisation of organisations such as rape crisis (Aimers, 2011). Rape crisis was seen by government to be focused on fixing the effects of violence, rather than challenging and undermining patriarchal relations of oppression (Vanderpyl, 2004). The feminist model of empowerment and self-help that characterised the sector in effect fell victim to the standardisation and professionalisation agenda. This was aided by the wariness of professionals to a gendered analysis, and the influence through the 1990s of family and individual pathology models (Hester *et al.*, 1996, p. 7). And, as above, the radical edge was at best ignored by the state, and at worst posed a barrier to adequate funding.

The social development model also provided the blueprint for contracting within the community sector, with its emphasis on managerialism and on silencing the voices of those deemed 'special interest' groups, such as women. Vanderpyl (2004) also asserts that it was the government who most actively sought rape crisis to form a NCRC in order to facilitate centralised representation, distribution of grants and to promote the standardisation agenda. As a consequence, it was the national organisations who became part of delivering the government agenda through answering for government allocation of funds and explaining government decisions

to the sector. In effect, this must also have distracted their efforts to retain and build the movement.

Perhaps even more dire in its consequences for women and the voluntary sector, some have observed, has been the extent to which the state has marginalised the voices of the sector. We can see in the NCRC discourse during the 1980s an almost singular focus on the management of funding arrangements with the state. Their voice at the social policy table can be observed through representation on FVPCC and the MWA review of funding. In the former, their voice focuses on the development of their internal capability. This speaks to the priority of maintaining services and controlling professional development in line with maintaining funding from the state. In the MWA review the voice of the NCRC receives a more comprehensive hearing, yet the state agency tasked with women's issues was not sufficiently influential in achieving results from this work.

Grey and Sedgwick (2015) in discussing the impact of neo-liberalism on the role of the community sector in public debate say policy making is the poorer for a lack of this voice for communities, as are the core democratic principles of engagement. Rigid accountability, and requirements on the sector to prioritise government objectives, has further limited the extent to which community groups have been able to invest in legitimate advocacy and participation in public debate. This situation is evident within rape crisis through the 1980s and as observed today in Australia and the UK, ongoing underfunding of women's organisations is impacting on gender equality through destabilising organisations, posing barriers to their political participation and their ability to represent and target services for minority and disadvantaged women (Vacchelli *et al.*, 2015; McDonald, 2005).

The combination of the neo-liberal forces with low funding and high service demand within the rape and sexual abuse sector will also have impacted on the sector in terms of its ability to critique their own work and the bigger picture of its implications. Where writers have addressed this matter, a number have discussed the extent to which neo-liberal, managerialist ideologies have depoliticised and

clinicalised responses to violence against women (e.g. Carmody, 1995; McDonald, 2005) and how this has effectively silenced structural analyses of violence against women and displaced feminist service models (and I would argue, indigenous and culturally appropriate models).

The state, through the adoption of neo-liberalism, has sought to quell the expression of feminist demands for structural responses to violence against women through its denial of the relevance of gender (Aimers, 2011). In such a hostile environment the relatively new and developing sector barely had the opportunity to consider and develop its voice. Unlike in similar countries where women's policy machineries were in place before policy development in response to rape, feminists outside the state had little opportunity to have their voices invited and listened to in the policy process within the state. There was also little time between the early establishment of rape crisis services to a national funding programme. Huge public expectations of service delivery prompted an inevitable prioritisation of service delivery over the structural change aspirations of the founders.

#### **b. Radical and liberal feminism**

A second strand of tension between the state and feminists can be observed in the fact that through the 1980s, and particularly with the development of the MWA, a more liberal feminist perspective was emerging. In truth, this must be seen as a component of the rape crisis sector itself as well, given their willingness to engage with the state, but it also emerges more significantly through the involvement of feminists working in the policy area who were employed by the state.

Feminist approaches to rape do share a commitment to include gender as a category of analysis to counter the 'gender-blind' nature of state theory. While liberals see the state as a neutral arbiter that has possibilities for women's agency in an effort to end discrimination and alleviate inequality, radical feminists take a more structured perspective of the state as part of the oppressive force that reflects male domination. As a consequence radical feminists have often been hostile to the intrusion of the

state in women's lives, while also urging action in defence of women's rights (McMillan, 2007, p. 41).

In the tradition of liberal feminism, a number of women with feminist views moved into influential positions within government in Australia to specifically represent or advise on policy issues affecting women (Carmody, 1995, p. 125). The establishment in 1985 of the MWA also saw this occur in New Zealand. Further the Ministry has contributed both developing understanding of a gender perspective in policy advice across government and in continuing to seek full citizenship rights for women.

The task set the MWA at the end of 1988 provided the first opportunity for feminists in the sector to engage with the state where a specific gender lens was an accepted aspect of the policy debate. This didn't mean the sector became unconcerned with co-option by a more liberal state agenda for women or erased suspicions that their views would be taken seriously. It did, however, enable the state to receive evidence and provide a well-articulated case for the policy interventions the sector considered would make a difference.

The articulation of the social policy problem of rape in the MWA review fell short of a radical feminist argument for structural equality between men and women and the nature of the change that might be required to adequately address the issue. It did advance arguments that the state had not been neutral in its treatment of rape victims and that the state had a role to 'address the injustice experienced by victims' and advance a citizenship, or liberal feminist perspective. As Franzway writes, *"liberal feminists see such expressions of sexism and patriarchy as a case of imperfect citizenship, requiring redress"* (1989, p. 14 as cited by Carmody, 1995, p. 133).

So while coming from different perspectives and at times at odds over issues of structured gender relations and the agency of women, both radical and liberal feminist voices contributed through the 1980s to the articulation of social policy responses to rape. Over that time we have seen at least the outward depoliticisation of the radical feminist-initiated rape crisis sector in New Zealand. The liberal

perspective, focused on achieving citizenship rights for women and the promotion of the state role in the care of rape survivors, had emerged by the end of the 1980s as a dominant perspective. From a radical perspective, however, this has reinforced the silence concerning the repressive power of the state in the maintenance of an unequal and gender defined society in which rape continues to be observed as a women's problem. As McMillan observes in the UK, this led the movement to adopt 'insider' strategies and engage with the state, impacting on the movement's ability to campaign for wider social change and to adopt 'outsider' strategies (McMillan, 2007, p. 62). This is discussed further in this chapter as the nature of rape.

### **c. Education, prevention and the state**

Apart from a single reference to a feminist analysis being problematic in Grant (1985), there would seem outwardly to be a reasonable degree of alignment between rape crisis groups and official references to the primary messages for rape education and prevention. And yet the decade ended with no engagement by the state in effective or ongoing support for community-based rape education and prevention activities. In 1989 we can see a more politically-oriented view expressed by the NCRC to empower and support survivors to join the anti-rape movement. This politicisation and advocacy is, I contend, exactly what the state had concerns about. Nevertheless, this was not apparently of concern at a community level where the sector's efforts were sought after.

There is no doubt that education/training functions are identified by officials, the public, and government agencies as functions or outputs of rape crisis services. There is, however, a high degree of ambivalence evident in relation to such aspects being specified or directly accounted for within the primary social policy responses. This may be due to funding being delivered predominantly from Vote:Social Welfare where a 'social service for victims' orientation predominates. Until the end of the 1980s there is also little apparent account taken [a silence] by the state of the extent to which education activities stimulate additional demand for services. This may also have been a factor which led the government to be cautious in its policy decisions.

There are a number of agencies that might have been expected to take a coordination or leadership role in relation to education and prevention of sexual violence, were it a priority for the government. DSW funded crisis response services and led family violence prevention activities. ACC funded sexual abuse counselling and the family violence prevention campaign. Yet, neither of these agencies, nor the justice, health or education agencies, assumed any coordination or leadership. Whether this is deliberate, given the limited funding available, or through what amounted to a competitive environment for funding for education with the family/domestic violence area, there was little progress through the decade that might have capitalised on the community efforts of the sector.

The underlying conclusions thus suggest at best that there may have been a lack of a developed view about how to address these issues, or that combined with the low funding for services, that rape crisis groups put a hold on progressing any more developed programmes. Or perhaps other policy priorities were taking attention during the period. A degree of government discomfort with the issues addressed in rape education activities, how they might be being addressed, and conceivably with who was delivering the programmes, may also have been problematic during this era. Aside from a willingness to facilitate the development of internal training for rape crisis groups, there is silence in the government discourses in terms of initiating or progressing other coordinated efforts for rape education and prevention.

It is with the development of FVPCC, however, that any potential for support of specific rape education and prevention policy really goes underground. The generic and softer term 'family violence' hides the reality of sexual violence. Further, the definitions used by FVPCC exclude sexual violence that occurs outside of an existing relationship. While much sexual abuse does occur within a family or partner relationship<sup>27</sup>, it is also commonly perpetrated by acquaintances and those unknown

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<sup>27</sup> Data from the NCRC members identifies that 37% of the survivors of sexual abuse contacting them were sexual abused by relatives; for 39% the offender was known to the survivor (with 44% of these being a partner) and in 15% of cases the offender was a stranger (NCRC, 1991).

to the victim. The dynamics that exist within an abusive family/partner relationship are quite different from those where familial ties are not a feature. Regardless of these factors, the use of the term 'family violence' was at the time also widely perceived as referring to partner violence and child abuse within the family that was primarily physical in nature (Bacchi, 1999).

In effect NCRC, like others in the sexual abuse field, were competing for resources, and time to be heard. Development of an internal training resource is an example of this. While discussed in March 1985 as a sector priority, the development of the kit actually commenced in December 1987 when FVPCC allocated the resources for the work. The kit was then completed in 1989. The development of the kit, and defining of its work, fulfilled an important purpose for the movement. As Mathews (1994) asserts this can be seen as the sector creating a legitimate space for defining the movement's own work. This became part of the effort to retain some control, given the extent to which the state was defining other aspects of the work of the sector.

Was FVPCC's advice the right advice for the time? There is certainly a degree of reticence in the voice of the NCRC about the "Reach Out" campaign and its focus on family violence. Was this a strategic decision? Was New Zealand more able to receive and respond to a campaign on domestic violence? Would a sexual violence campaign have been a bridge too far in the mid-1980s? Rape crisis groups continued to engage in a wide range of rape education and prevention activities at a local level, including coordinating an annual national Rape Awareness Week.

It is clear the NCRC continued to have concern about the extent to which public education efforts increased the demand for their services. Much of the reticence about advocating large-scale prevention and education activities would appear to be based in a concern that there was inadequate resourcing for the sector to meet inevitable demands for services that would result. The sector had already experienced periods of high demand in the early 1980s when public awareness began to increase and services, unprepared in many cases, faced pressures in their

communities to deliver victim support from the moment there was publicity that a service had established ([National Rape Crisis Pre-funding Hui], 1985).

The story of policy development to underpin and support rape education and prevention in New Zealand in the 1980s is one of failure. Despite state agencies, Ministers and the rape and sexual violence sector outwardly acknowledging the importance of changing attitudes and informing improvements in the treatment and the experience of rape victims, as well as in building understanding about the prevention of rape, there was little, if any attention paid to it as a policy issue.

The fact that the sector continued to deliver rape education and prevention activities, despite its lack of resourcing, speaks to the priority of the activities for the sector. Feminists who established rape crisis services gave a high priority to such activities that might effect a reduction in rape. I suggest the nature of rape itself was not a palatable issue to address head on at a policy level. There was a reluctance by the state to move into the most intimate area of violence, that of sexual violence, in part perhaps because the state would have also had to confront the feminist perspective particularly in relation to the rape myths and, as has emerged in the wider social policy debate, the issue of rape is largely conceived of as a women's rather than a men's problem. Perhaps there was also a reticence amongst feminists/the sector in engaging with the state on this issue. The sector was new, it was only beginning to engage nationally and was establishing its own ways of operating, at the same time as engaging with the state.

The main vehicles with potential to progress a policy position on rape education and prevention during the decade were seemingly thwarted. FVPCC did not aid the development of policy or leadership on rape education and prevention. And while the Interdepartmental Working Party, led out of the MWA, squarely placed education activities as critical outputs of rape crisis services, and sought to resource them, Ministers never agreed to the recommended approach. By the end of the decade there seemed only a muted voice for rape education and prevention from the sector at the policy table (continuing through FVPCC), the sector's own



commitment to continue to deliver local programmes and a lack of any national, co-ordinated or resourced policy.

### The policy problem for Māori and Pacific Women

There is a significant issue under-represented through the social policy development of the 1980s, and that is both the voices of Māori and Pacific women and the extent to which the wider, predominantly pākehā sector and government has supported and listened to those voices. This lack of attention to the needs of Māori and Pacific women occurred despite the early identification of specific issues for these communities.

There are few direct references to the differential experience of Māori and Pacific women in the Rape Study. In discussing support systems it did note that *“Māori women experienced a variety of difficulties both within their own families and communities and with respect to European agencies”* particularly in regard to *“envisaging an accepting and non-judgemental reception”* to them and due to *“diffidence about confiding in strangers”* (DoJ, 1982, p. 126). Further the study noted the particular difficulties experienced by nearly all of the Māori and Pacific women included in the study (seven of nine in the study). This concerned the lack of any personal support, or only marginal support and the extent to which their sense of isolation due to language issues compounded their negative experiences (*Ibid*, 1982, p. 129).

There were no dissenting voices amongst the sector representatives to the call from Māori women for resources to be specifically allocated to enable them to respond to the needs of their communities at either the initial discussions in 1985, or following this through the 1980s as policy developed. This is largely based on both the NCRC and the Pacific Island Women’s Project recognising a Treaty of Waitangi-based relationship with Māori. In part this had risen as many of the founding feminists held strong anti-racism perspectives. Awareness of racism in New Zealand had been

raised for many of these women. Many had been among anti-racism activists who protested against the 1981 Springbok rugby tour of New Zealand because of the continuing apartheid regime in South Africa, and the racist selection of players in the team. The tour politicised many pākehā New Zealanders in regard to the reality of racism experienced by Māori in New Zealand and the Treaty relationship that sought to enshrine sovereignty for Māori (Awatere, 1984).

It wasn't only from outside government that pressure was coming on for the state to be more responsive to the needs of Māori. There were also reports during the 1980s prepared by both the feminist 'Women's Anti-racist Action Group' and then the Māori Advisory Unit within the Department of Social Welfare that identified the agency as contributing to 'institutionalised racism' and called for changes to the way the department operated. These led the Minister of Social Welfare to establish a ministerial committee to advise on a Māori perspective for the Department (Ministerial Advisory Committee on a Māori Perspective for the Department of Social Welfare, 1988 September, p. 16).

Puao te ata tu (daybreak), the committee's report, exposed institutional racism within the government sector and established the need for Māori solutions to issues affecting Māori, including the employment of many more Māori within the department. Further, it set social policy principles to guide the development of policy that sought incorporation of the values, cultures and beliefs of the Māori people and the allocation of an equitable share of resources to attack and eliminate deprivation and alienation (*Ibid*, 1988, p. 9).<sup>28</sup>

It is within this context also that the entire rape and sexual abuse sector sought to allocate government resources in an equitable manner between Māori, Pacific and other groups. While the initial response by the Minister of Social Welfare to the sector's proposal in 1985 was rejected on the basis she wished to see funds go to

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<sup>28</sup> By the mid-1990s, the then head of DSW Margaret Bazley conceded when giving evidence at a Waitangi Tribunal hearing however that the structural changes that had been implemented in the wake of Puao te ata tu had not endured even a decade and that any of the resources applied to the ensuing reforms had been severely cut back (Waitangi Tribunal, 1998).

existing, and properly constituted groups, there did not appear to be a point at which the department accepted the sectors' position that an equitable split of funds would see 50% going to each of Māori and non-Māori groups. This appears incompatible with the department's own internal review and response to Māori. Ironically it is not incompatible with the lack of response to feminist demands for a different problem representation through the mid-1980s and a general reluctance to locate the issue as a response to a failure to protect and provide for the human rights of women, and in this respect indigenous and Pacific peoples.

This isn't specific to New Zealand's experience. As Mathews (1994, p. 160) identifies, the needs and everyday realities of doing rape crisis work in particular communities has often been ignored in official guidance and regulations. This she says has led particularly to a *"disjuncture clearest among organisations serving women of colour"*. Further she discusses the extent to which definitions of services are biased to middle-class white social contexts leading to expectations that services will deliver *"as if only one defined social construct [exists], not different cultural contexts, for example indigenous people's involvement of men and family"* (Mathews, 1994, p. 163).

This is evidenced in the reluctance of government to effectively respond to the problematisations represented by the sector, and in fact seeing the sector within a single cultural context that denied both its feminist and indigenous rights orientation. These aspects in fact are seen as problematic. The initial steps to support Māori and Pacific groups to regularise their structures to meet official requirements was a step, albeit brief and under-resourced (the 1985 Te Kāhano Project). There was no follow through with this approach, and Māori and Pacific groups, operating with similarly high demand on their services, largely depended on the advocacy of the predominantly pākehā groups to access resources. In this respect they are subject to a layer of decision-making within the sector, as well as that by the department.

The sector's position on the distribution of funding varied over time, and from my own experience this depended on the make-up and level of debate at the NCRC core

group and local levels. This can be seen to demonstrate the layer of decision-making in the sector. The NCRC position varied between advocating for half of funding to Māori and non-Māori groups (Grant, 1985); to a one-third split of funding (NCRC, 1986 June); and a 40/60% split of funding for Māori and non-Māori (including Pacific women's groups) (NCRC, 1986 July); and finally in 1988 a proposal developed by the sector together aimed for 50% to Māori, 30-33% to rape crisis and 17-20% to Pacific women (NCRC, 1988 December 2-4).

There is an apparent silence in the official discourse through most of the 1980s in these regards, although in at least the allocation of funds from the VOTP replacement funds in 1986, Māori groups received 38% and Pacific groups 21% of the total funds allocated (Goode, 1986). This suggests that the department was considering the request of the sector, just not being explicit about the allocations. Given the lack of apparent transparency, the assumptions underpinning these views may have been observed as representing advocacy and aspirations unacceptable to the state at the time<sup>29</sup>.

The report of the Interdepartmental Working Party did take a position on this matter and recommended that at least 35% of DSW funds were allocated to support the development of Māori services, and 20% to support Pacific community-based services. But again it is unclear if the recommendations by the Working Party in this regard were actioned. While the sector and the MWA led review supported the independent voice and aspirations of Māori and Pacific Island women, this discourse is rarely privileged in terms of achievement of actual results.

It is difficult to avoid the view that institutional racism played a part in determining the outcome from the decade for Māori. The following, could equally have been written about patriarchy as about the importance of responding to racism effectively:

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<sup>29</sup> This has been observed in other areas where public opinion was not in accordance with proposed social policy changes e.g. acceptance of claims to protect te reo Māori were once seen as the radical view of a minority (Tuhiwai Smith, L. (1993) *The women of Nga Tamatoa* in Coney, S. *Standing in the sunshine – a history of New Zealand women since they won the vote*, p 144).

*“To end racism in Aotearoa there is work to be done by both Pākehā and Māori. Colonisation has shaped all of us; dismantling its ill-effects will therefore take the best efforts of all of us”* (Mikaere, 2011, p. 114).

### The nature of rape

As discussed briefly above, there is an absence of state discourse on the nature of rape itself and what the causes or motivations for rape are. There was, at least at a superficial level, acknowledgement during the 1980s that rape was a serious crime and that it did have serious implications for victims, and for wider society (e.g. Wilson, 1982; Young, 1983; Petersen, 1983). As the decade unfolded, however, and the incidence of rape and the myths of rape began to become more visible, it would appear more stayed the same than changed.

Rape and sexual abuse have been observed as one of the features of contemporary culture that serve to perpetuate the dominance of patriarchy. This is observed in *“persistently gendered patterns of heterosexuality”* (Gavey, 2005, p. 214) and *“a problem of women’s respectability, not men’s behaviour”* (Stanko, 1985, p. 4) and, as Hester, et al. (1996, p. 3) say, *“the term sexual violence recognises that violence is a gendered phenomenon within the context of patriarchal social relations”*. Yet to name sexual violence as male violence has also incited a backlash that not all men are rapists, that men can be victims as well, that women can also be sexually violent (Pease, 2014). The naming of men’s violence is, however, fundamentally important if we are to develop effective interventions (Pease, 2014).

It is also worth noting changes in the use of the term patriarchy as it is now rarely used in academic literature (Pease, 2014). It is seen by some as representing a universal and single form of gender relations, unable to reflect diversity within genders. Further, it was a term frequently criticised as being offensive and implicating all men in the oppression of women (Pease, 2014). The concept has instead been replaced by terms such as gender relations, gender regimes, sexism, and gender inequality. These terms, however, convey the notion that women and

men suffer equally and the notion that men are a dominant and privileged group have all but been erased (Acker, 1989). Many feminists have embraced intersectionality and multi-racial perspectives on women's oppression as more accurately reflecting gender within class and race contexts. Others (e.g. Bryson, 1999) have argued that the reality of the continued oppression of women means the concept is not yet redundant.

The demise of the term has in my view hindered ongoing attention to a structural, systemic approach for understanding the dynamics of domination and oppression that operate within social and cultural contexts. In so doing, it has been part of enabling the individualised, pathological approaches to responding to the issue of sexual violence through undermining of the wider structural analysis of inequality. Further, as Adrienne Rich noted, the privilege or influence of women is only that which patriarchy accedes, and only for so long as women pay the price for male approval (Bryson, 1999, p. 316). Bryson (1999, p. 322) goes on to suggest that in abandoning the term patriarchy *"women will continue to be taken by surprise at the obstacles that confront them and they will be denied a way of seeing the world that challenges dominant, male-centred, 'common sense' assumptions"*.

Unlike other detrimental ways in which sexism and male domination are upheld, such as denial of equal pay in the workplace, societal expectation that women undertake the lions' share of unpaid and caring work and lack of access to decision-making, rape is a form of male dominance that involves violation at a particularly invasive and intimate level. As well as a form of wider social control, its effects impact at a deeply emotional, sexual and spiritual level (Stanko, 1985). This can be seen in the effects of child rape, particularly by a family member, and rape within intimate partnerships. These are both frequent forms of rape and perpetrated by those in the most trusting of personal relationships. It is also difficult for the victims of such abuse to stand up against perpetrators who they have a relationship with, and where consent is complex or assumed (Madigan & Gamble, 1991). The long term impacts of rape for children are particularly brutalising, and frequently affect their sense of worth, ability to form future trusting relationships and propensity for

further experiences of sexual violence (MWA, 2012). In an era where egalitarianism and reciprocity within heterosexual sex are promoted as revised versions of sexuality, the restrictions imposed on women by the prevalence of rape continue (Gavey, 2005).

Let's return to the past for a moment: "*according to male mythology*", says Susan Griffin (1971, p. 30), "*which defines and perpetuates rape, it is an animal instinct inherent in the male.*" Further, she notes that the civilising of such animal instinct in the male meant men became more chivalrous. Women did not however get chivalry for free and had to 'civilise' their behaviour in terms of chastity, virginity and monogamy. For men chivalry was about protecting these behaviours. When a woman stepped outside that system she became undeserving of protection and not 'under control'. Hence "*a woman who does not respect the double standard deserves whatever she gets*" (Griffin, 1971, p. 30).

The motivation for rape can be seen as based in self-interest, as a means of exerting power and control, and as a means to demonstrate that the perpetrator and 'his' desires are dominant (Hester *et al.*, 1996). These views are reinforced for perpetrators in everyday life through the trivialising of the crime, its effect on victims and the conscious and unconscious references to the myths of rape. Shapcott's comment of nearly three decades ago is sadly as relevant today: "*The devaluation of women is so widespread that dominant members put women down automatically in their daily process of conforming*" (Shapcott, 1988, p. 206). In order to break down such a dominant and structurally-supported devaluation of women, and destabilise familiar old ways of doing sex and gender, Gavey states, "*what we need is a new cultural terrain in which it would be completely implausible to read a women's silent, still, and sullen passivity as sexual consent*" (2005, p. 217). Through such mechanisms the cultural scaffolding of rape is weakened and our societal tolerance of rape undermined.

More recently, a meta-analysis of the measures used across 39 studies for assessing sexual aggression have confirmed the strongest predictors of sexually coercive

behaviour have been found in measures relating to *“hostile beliefs about women”*, *“the desire to be in control”* and *“an acceptance of violence against women”* (Knight & Sims-Knight in White, Koss & Kazdin, 2011a, p. 127). While male sexual aggression is clearly a more recognised and measured phenomenon today, patriarchal beliefs continue to be paramount in the disavowal of responsibility for the presence of rapists. Further, evidence suggests that efforts toward the elimination of rape must respond to all forms of sexually coercive behaviour. Instead of moving against rapists and directly trying to eliminate rape, the existence of rape is in effect indirectly used to persuade women to behave to avoid rape. This includes women behaving so as to maintain male protection, to restrict the movements of girls and to be feminine. *“Rape will cease when men cease to rape and when they cease to cover up for men who rape”* (Shapcott, 1988, p. 211). As such, rape prevention programmes need to aim at *“changing society’s attitudes about the legitimacy of violence as a solution to problems and attack rape supportive attitudes about male-female relationships”* (Knight & Sims-Knight, 2011a, p. 141). Pease (2014, p 26-7) also argues that explanations of men’s violence against women must not be solely grounded in individually held attitudes and improved relationships between men and women. Failure to constitute prevention interventions within a frame to address structural relations and social practices of gender inequality negates the existence of gender privilege and hegemonic masculinity.

Rape continues to be portrayed and described as a women’s problem. And as with the double standard described above, women continue to be seen as complicit and many victims seen as ‘undeserving’ of sympathy. In fact Amnesty International found in 2005 that 34% of survey respondents in the UK believed a woman is partially or totally responsible for being raped if she had behaved flirtatiously and that 1 in 4 believed the same if she was wearing something sexy or revealing (McMillan, 2007, p. 22).

And so the very nature of rape, perpetrated predominantly by males against females, is aided and abetted through the conscious and unconscious bias developed within the patriarchal value system. Yet, patriarchy and gender inequality seem to have



been all but obscured in the analysis of the issue of sexual violence. As Johnson (2015) discusses, in the context of measuring women's experience of male violence, the equality discourse has been so dismantled that gender violence has been de-gendered. This, she says, has arisen where those with power can limit what is perceived as truth, and within a current context where formal equality is perceived to have been largely achieved and gendered material inequalities are easily obscured (Johnson, 2015, p. 391).

## Conclusion

Through the process of policy development it can be seen that the state both privileged non-feminist discourse and redefined the critical social policy issues around rape; in particular through the funding of services and rape prevention and education. The overarching neo-liberal agenda of government was instrumental in both reducing expenditure in the welfare state and seeking to professionalise and standardise services that might be defined and contracted by the state. The state has however failed to adequately even consider feminist, Māori and sector discourse and aspirations for how policy might effectively respond to the issue of rape.

The family violence agenda, while also important in addressing unacceptable violence in New Zealand society, became privileged over an agenda to address sexual violence. I would argue that the primarily radical voices of the sexual violence sector were shut out from the policy table. Similarly, the state privileged a focus on rehabilitation and the voices for wider structural change between men and women and pākehā and Māori were muted or ignored. By the end of the 1980s, when the women's policy machinery became involved in reframing the agenda, the liberal feminist proposals that sought recognition for the injustices experienced by victims were also ignored.

For the sector, as they headed into the 1990s, their services continued to be underfunded, their feminist (and Māori and cultural) service models were at risk and

there had been scant opportunity to critique and consider what the implications might be from a waning structural analysis for the decade/s ahead.

## Postscript: RELEVANCE OF FINDINGS FOR 2016 AND BEYOND

How is the policy problem of sexual violence represented in policy in 2016 and what can we learn from past representations? In addition, where might future research be undertaken to further explore these issues? In this section I seek to comment briefly on the relevance of conclusions for policy around the areas of focus for this thesis; funding of services and rape education and prevention. First, I review the current government and community discourses in order to identify the way in which the policy problems are represented. Second, I discuss some of the conclusions from the study of policy development in the 1980s and how they might contribute to current policy formulation. I end with recommendations for future research.

### Government's representation of the policy problem

The issue of sexual violence has been the subject of a number of policy reviews that have considered both the funding of services, public education and prevention of rape in recent years (Taskforce for Action on Sexual Violence, 2009; Ministry of Social Development, 2013; Ministers of Justice and Social Development, 2015; Social Services Select Committee, 2015; Law Commission, 2015; Ministers of Justice and Social Development, 2016). Most recently, in April 2016, the Ministerial Group on family violence and sexual violence reported to Cabinet with an update on the progress of their work programme, established in 2015 (Ministers of Justice and Social Development, 2016). In this report we find the policy problem of sexual violence represented as an issue:

- Closely associated with family violence
- That causes severe and ongoing harm to victims who are disproportionately found amongst women, Māori, migrant communities, children, the elderly, the disabled and Pacific peoples
- Framed as an issue with a significant fiscal, social and economic cost. The total cost of sexual violence crimes is given as \$1.8 billion per annum.
- Where there are still gaps in specialist sexual violence services and current services struggle to meet demand.

Services are said to be *“fragmented, difficult to navigate and not always aligned to client need or best practice [and] this is partly attributable to fragmented spending decisions made by multiple agencies over time without a view to the overall system or potential flow on implications”* (Ministers of Justice and Social Development, 2016, p. 2). The current government work priorities in relation to sexual violence concern *“a workforce development project”* and *“the consolidation of functional leadership and co-ordination [in the] primary prevention area”* (Ibid, p. 9). While the Ministry of Social Development is tasked with developing a primary prevention framework for family violence and sexual violence (to support alignment of efforts), the ACC is tasked with *“co-ordinating sexual violence primary prevention work in consultation and partnership with agencies and the sector”* (Ibid, p. 13).

It is not apparent from publicly available papers what or how the government will invest in rape prevention. I attended a consultation meeting to discuss early thinking with government officials (DSW and ACC) on their approach to primary prevention (18 August 2016, Taita). The meeting, attended by 150-200 people, was presented with ideas drawn from international research and people were invited to comment on priorities for further work in the development of sexual violence prevention initiatives. The officials were challenged by attendees for not adequately considering home-grown, and particularly Māori approaches to prevention, for using a process that was disrespectful to the expertise held by community organisations and for failing to adequately involve and engage with the sector from more of a partnership perspective. The community organisations asserted that they would be impacted by any prevention efforts and needed to be involved in the development. These were similar to criticisms levelled at officials in the 1980s.

The Cabinet report was subsequently followed by the announcement in Budget 2016 of \$46million of operating funding *“to better support victims and prevent sexual violence”* (Adams & Tolley, 2016). The additional funding was said to be for a new (more effective and consistent) frontline crisis response in the 72 hours after a sexual assault, including a national 0800 helpline and efficient referrals for follow-up

responses; harmful sexual behaviour services to reduce offending; and services for male survivors of sexual abuse. The issues of immediately available and ‘wrap-around’ support for victims had previously been highlighted as concerns in the recent Law Commission report on sexual violence matters. The report states: *“Sustainable funding is required in order to allow community and government service providers to offer front line services that wrap around the victim while at the same time planning for the future and carrying out research projects or policy development”* (Law Commission, 2015, p. 195).

It is unclear whether any of the funding announced will support existing non-government services (funded at an estimated \$16 million in 2012/13 (Law Commission, 2015, p. 194)), research, policy development or in fact sexual violence prevention. These broader areas were also highlighted by the Law Commission (2015, p. 196) who point specifically at a rationale for specific ministerial and departmental leadership: to ensure resources are allocated to meet needs; are spent effectively and avoid ad hoc reactive responses; and that government is the only body with the resources to facilitate the co-ordination and consultation required for such an effective response. As in the early 1980s, we see a justice perspective being applied to the area of sexual violence.

The government policy priorities are therefore to be focused on addressing:

- The need for wrap-around victim services, including for male survivors
- Harmful sexual behaviour treatment
- Workforce development
- Leadership and co-ordination of family violence and sexual violence prevention initiatives.

There is a lack of clarity currently as to whether existing female victim/survivor services are a priority for investment or whether new approaches are to be developed. It is also unclear whether evaluation and research, wider sector strategic policy leadership and co-ordination are priorities for government. Similarly

substantive proposals by the Law Commission on alternative approaches in the criminal justice sector in the area of sexual violence have not been prioritised (Law Commission, 2015).

### Sexual violence sector priorities

But what of the sector, what is the discourse amongst non-government organisations? Where are their priorities? These can be seen in the submissions to the Inquiry into funding of specialist sexual violence social services made during 2013-2015.

The NCRC continues to exist, although in 2013 it represented just nine affiliated collectives. Its submission to the Inquiry cited the need for *“increased and sustainable funding for front line services, rape prevention education, professional development, supervision, volunteer support, ongoing training and for research”* (Nga Whiitiki Whānau Ahuru Mowai O Aotearoa NCRC, 2013, p. 1). In addition the NCRC emphasise the *“need to create a stronger relationship between [NCRC], our affiliated services, and government”* (2013, p. 7). Here the NCRC particularly refers to their repeated efforts to collaborate with government and that they are *“disadvantaged by the prevailing misconception that our horizontal governance and management structure (collective) and often radical, feminist approach, predisposes us to incompetent financial administration ad responsibilities”* (2013, p. 7). They urge the government instead to recognise the variety of organisational structures in the sector as a strength.

Te Ohaakii a Hine – National Network Ending Sexual Violence Together (TOAH-NNEST) is a nationwide network of those providing specialist services for sexual violence prevention and intervention. It represents 35 specialist not-for-profit organisations (including NCRC) and many individual specialists, and was established in 2005. It has a Te Tiriti o Waitangi-based structure with two houses: Nga Kaitiaki Mauri (tikanga Māori) and Tauīwi caucus. It represents services including primary prevention, early intervention, recovery and support for victims/survivors, longer

term and complex needs treatment, and offender treatment. Further, it provides specialist advice and training for others and promotes legislative reform (TOAH-NNEST – Tauwi Caucus, 2014).

TOAH-NNEST - Tauwi Caucus prioritise the importance of:

- Ensuring victims/survivors and those exhibiting harmful sexual behaviour receive the assistance they need
- Services including prevention programmes, early intervention services, ongoing support for victims/survivors across the life span and their families/whānau, and similarly treatment services for those engaged in harmful sexual behaviour and their families/whānau
- The application of well-defined best practice guidelines<sup>30</sup> in the delivery of services as they reflect the best evidence of effective practice
- Recognising that inadequate funding is a barrier to services meeting best practice guidelines and that government must commit to addressing this through greater investment
- Ensuring client voice is built into an integrated service model, along with evaluations and performance measures
- Demand driven funding for service in order to promote innovation, improved practice and productivity (2014).

TOAH-NNEST – Nga Kaitiaki Mauri emphasise the importance of understanding the differential impacts of sexual violence on Māori women, the importance of ensuring adequate access to services nationally that take a Māori world view and the need for adequate resources to support the development of such services. Further, the maintenance and strengthening of engagement between government and the sector, and the establishment of a research centre specific to a Māori world view were among recommendations to the Social Services Select Committee (TOAH-NNEST – Nga Kaitiaki Mauri, 2014).

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<sup>30</sup> These cover aspects of service delivery including matters such as 24/7 communication channels and call-out services, follow-up services, case tracking, court services, social work support, information.

A third submission from TOAH-NNEST focused specifically on ‘the Tauwi Prevention Project’ (Dickson, n.d.). Here again TOAH-NNEST points to serious inadequacies in the provision of services. In opening, the submission refers to the context:

*“...of no national co-ordination across government departments and communities of sexual violence primary prevention activities. The specialist sexual violence sector has been inventively attempting to prevent sexual violence, without institutionalised support, on the smell of an oily rag for the last four decades”* (Dickson, n.d., p. 2).

Twenty-five full-time staff were known to be working in the community sector delivering predominantly education based programmes. Eight programmes were available nationally, but uptake was patchy with around 26,000 people reportedly attending a programme in the previous year (Dickson, n.d., p. 3). Most programmes provided 1-3 sessions and were targeted at teenagers. A small number were specific to preventing child sexual abuse. The sector recommended the development of a national prevention strategy, collaborative approaches to delivery of programmes, and shared resources along with a national public awareness campaign.

These submissions provide a sample of views held by the sector. In contrast to government, their discourse around services for women victims/survivors and community prevention highlights:

- Severe underfunding of front line services, rape prevention education, professional/workforce development, and for research
- An uncertain relationship with government around funding and ongoing engagement
- A lack of recognition of the value of diverse and culturally defined service types.



The Tauīwi caucus has in particular used similar economic investment rhetoric to the state discourse, emphasising both results based funding arrangements and performance measures for accountability.

### What can we learn from the 1980s?

Fundamentally, the policy responses and priorities continue to under-estimate both the importance of responding to the diverse experiences of victims, including in families and communities, and also less than adequately address the fundamental causes of sexual violence in developing responses to reduce that violence. There are four broad areas where the problem representation of the 1980s may illuminate current discourse and problem representation. These are: the nature of services, sexual violence prevention, leadership and partnership and the critique and theorising of rape and sexual violence against women.

#### a. The nature of services

While government acknowledges the differential impact of sexual violence in different communities, it primarily recognises a more standard, professional, and individual victim services approach that privileges particular types of services. The service models disadvantaged in this framework will tend to be those tailored to meet culturally appropriate/whānau needs, ongoing care and support needs and those organised less as individual counselling services, and incorporate a political perspective. The importance for victims/survivors of having ‘culturally appropriate’ services is not only in having their reality confirmed within their own lived context, but also in building resilience in diverse communities and their ability to respond to sexual violence. This is as true for Māori as it is for other communities (based in ethnicity, age, disability, sexuality). This resilience and community ownership of the violence being experienced within communities also underpins effective approaches to the prevention of violence.

The current service models individualise the experience of being a victim, and tend to pathologise victims. This perpetuates a view of rape as a victim problem (largely a

women's problem) and emphasises a view of such women as vulnerable and lacking in agency. Counselling and therapy responses to victims have been found to support recovery, but the lack of support for services to position rape within a wider social context is, I consider, problematic. In particular the limited opportunity for the sector to represent the voices of victims continues the privileging of more professional discourse and maintains a public perception that victims remain silent out of fear that they have 'done something wrong' or because they will be vilified.

This study has not considered the effectiveness of different approaches to meeting victim/survivor recovery needs, but has noted a number of writers who have indicated little is understood about how effective different approaches are (e.g. Carmody, 1995; Maier, 2011; McMillan, 2007). Future research and evaluation in this area would undoubtedly consider the individual outcomes of interventions, but could also usefully consider how interventions that contribute beyond the individual enhance such outcomes.

Fundamentally the state continues to show a degree of ambivalence towards any sustained, committed delivery of services to meet the needs of victims, their families and communities. There are current indications that action is occurring, but the extent of the actual follow through and embedding of funding to enable services to develop, innovate and provide consistent services continues to contribute to a high degree of mistrust in the sector towards government.

## **b. Sexual violence prevention**

It is promising to observe that in 2016 sexual violence prevention is on the government agenda. The largely unrepresented aspect of this problem in 1980s policy has in some way been recognised. It is still early days, however, and there is little detail on the nature of prevention initiatives that might be developed. The consideration of such initiatives within a primary health prevention framework, the clear leadership of ACC and initial consultation with the sector, although fraught, suggest opportunity to build on developments in recent years in the sector and the

existing ACC programmes such as 'Mates & dates' and expansion of programmes into universities. Ending the current silence on the level of resourcing and the extent of partnership with the sector (including to ensure culturally appropriate initiatives) will be important elements in enabling a co-ordinated and sector supported approach that reflects assumptions other than those held by government/overseas experience, to prevention initiatives.

This study argued that some of the reasons for a lack of policy focus on prevention concerned a reticence about addressing the nature of rape and gendered sexual violence itself. In the development of sexual violence prevention initiatives it will be important for the sector and government to have the opportunity to examine and consider the evidence (both from practice, experience and context, as well as literature) from a range of perspectives to support their co-production of effective initiatives.

### **c. Leadership and partnership**

In 2016 we see Ministers acknowledging, in the same way they did in the 1980s, that decisions made by multiple agencies have contributed to fragmented services and a lack of any systemic approach in the sector. Further, the Government response to the report of the Social Services Select Committee Inquiry into the funding of specialist sexual violence social services (2016) accepted all the issues raised within the Select Committee's recommendations. In particular Government acknowledged that *"an overarching sexual violence policy framework is needed to support an integrated approach across government agencies to prevent and respond to sexual violence, and to ensure sustainable and effective services are available to those who need them"* (2016, paragraph 13). The Government response also noted it is prioritising such a framework and that officials are to report to Ministers on progress with this in December 2016.

It would appear that Ministers (of Justice and Social Development) are acknowledging their leadership roles in the development of co-ordinated

government approaches to sexual violence. What is less clear is the extent to which this is any more than the latest in a line of unfulfilled promises and whether government might support and enable the sector to engage in an effective way with government. The government response to the Select Committee Inquiry acknowledges that consultation with Māori and the integration of kaupapa and tikanga principles will be included in policy and planning policies, and that other stakeholders will also be consulted on proposals affecting funding and infrastructure. My own experience at the rape prevention consultation meeting does not however inspire confidence that the sector will have an effective voice in the process.

ACC is identified as taking the lead role for government in the area of rape education and prevention. But to what extent is this anymore than an ad-hoc, limited and current area of focus? There is little evidence to suggest that education and prevention work has had any support from ACC in the intervening decades, or that there is any sustained commitment to this type of 'injury prevention'.

Effective engagement with the sector, I contend, would likely involve on-going or a standing opportunity to engage in discussion on policy development for sector leaders, alongside wider sector consultation. This would better support co-creation and detailed analysis of the specific policy problems to be addressed and enable the sector voice to be heard on all aspects of the programme development.

#### **d. Scope to theorise and critique**

The question remains: is it important to maintain an analysis of gendered structural inequality in the development and implementation of effective policy responses to sexual violence? I would argue that it is. The anti-rape community sector has shifted from a more transformative social change movement to services seeking to address individual needs, both for support and information/education, and in so doing are more easily meshing with the state's interests of managing rather than eliminating rape (Matthews, 1994). Regardless of the rationale for this shift, the incidence and experience of rape victims/survivors and communities does not appear to have greatly improved relative to those experiencing similar abuse in the 1980s. It is not

clear that progress has been made in the focus on individual therapy. This may in part be due to a lack of wider attitude change in the courts, the police, and other social services. Given the space to reconsider what a transformation of male-dominated institutions, as sought by 1970s and 80s feminists, might look like could open opportunities to advance improvements. The public disavowal of feminism and closer alignment of services with state defined problems and solutions certainly hasn't provided significant gains for addressing rape in society (Corrigan, 2013).

Surely, however, if feminism has been disavowed, or seen as less relevant for understanding the origins of sexual violence in the sector today, it still remains important that critique and theoretical understandings that make sense of the reality of survivors', including how the increased complexity in the experience of sexual victimisation is reflected in analyses of the roots of sexual violence. Unless such roots are understood, we remain limited in our efforts to eliminate such violence. Efforts to ensure the state does fulfil its responsibilities to, as Corrigan states, "*protect and defend the lives, dignity, autonomy and equality of individuals and communities threatened and harmed by sexual violence*" (2013, p. 262) require a sector that is enabled to reflect on its practices beyond a hand to mouth existence. Such reflection, including findings from evaluations and research, are key to uncovering critical silences, understanding assumptions and continuing efforts to co-create policy problem definitions. These will open the opportunity for more enduring policy solutions in the continuing pursuit of a society free of sexual violence.

### Recommendations for further research

There are a number of areas where the findings from this research suggest new areas of inquiry. I briefly consider four main areas where this may be useful: theoretical models, service models, prevention of sexual violence and in relation to policy development.

While I consider a theoretical framework based in an understanding of the system of patriarchy continues to have some value in understanding the roots of sexual

violence, an evaluation of the various theoretical underpinnings of rape would be useful in supporting critique of current policy and practice models. Further, it could consider the extent to which current approaches are adequate in reconciling movement and government goals for the elimination of sexual violence and how a theoretical framework for understanding sexual violence might better articulate a more nuanced appreciation for divergent cultural and social experience. It is clear from feminist legal analyses (e.g. McDonald, 2014) that the cultural and social scaffolding of rape and the prevalence of unhealthy attitudes towards rape within New Zealand pose severe limitations on the achievement of progress on this issue. That said, more recent public media attention to the poor handling of matters such as the “roast-busters” and “Chiefs’ rugby stripper scandal” provide some optimism for the future.

As discussed, current service models are significantly driven by policy parameters and there is limited knowledge about the extent to which less individualised models of practice are more effective than models that aim to achieve wider, cultural, and community outcomes. These being models that support community ownership and development of resilience in the support of victims and efforts to stand up to sexual violence and aim to eliminate it. The voice of victims/survivors and of those from across New Zealand communities would be important in such research to assess service models.

The third area where research could add to current knowledge is in relation to the efficacy of efforts to prevent sexual violence. While bystander and public health approaches show promise, a number of writers suggest that efforts need to be cognisant of and built from an analysis of inequality in society (e.g. Pease, 2015). Further research could usefully consider this and how such underpinnings might impact on the effectiveness of rape prevention and education efforts.

The final area for further research concerns public policy processes and the outcomes sought from policy interventions. Here it may be useful to revisit the idea of interviewing previous policy actors in the area of sexual violence from the 1980s;

both those inside and outside government. While memory was a key reason for this study not including interviews, this thesis provides an overview of the policy development through the 1980s and a summary of key points could now provide a prompt to interviewees. Such research could contribute to identifying sustainable and effective policy intervention approaches. Further it would facilitate the reflection and wider critique of earlier aims and policy parameters.

The current government work on developing a policy framework for the sector (to prevent ongoing fragmentation of resourcing) could usefully be enhanced were the sector able to fully investigate and debate their best practices and best evidence to contribute to the development of the policy framework. Supporting a strong and independent sector to initiate and develop its own thinking has real advantages for a robust policy development process, as well as enabling the capture of lessons from effective interventions and practices. I would certainly hope the New Zealand policy response to sexual violence would be significantly more robust after another 30 years of attention by the state, and those who have sustained support and education to victims and communities.

## Appendix A: Overview of funding policies 1983-89

The focus of this study is on the social policy development relating to funding of services for victims and of rape education and prevention. Here I provide a brief overview of the key policies and their development in the era. During this time the state policy was concentrated in the Department of Social Welfare (DSW) and the Accident Compensation Corporation (ACC) funding policies. The DSW had a primary focus on the funding of community-based services. The ACC's role in relation to sexual abuse focused on the provision of counselling fees. Victims also had a right to claim other benefits from ACC for personal injury by accident and ACC provided considerable funding as part of its statutory responsibilities in the area of injury prevention. A summary of the funding delivered through these programmes 1984-89 is provided at figure three.

The ACC counselling fees policy is described below. There was very little interaction between the rape crisis sector organisations and ACC in regard to this policy. This is in contrast to engagement with the DSW rape and sexual abuse services funding programme 1985-89. An overview of the DSW programme and the sector's response to it is also provided below.

### ACC Counselling fees

At least from 1984 ACC was reimbursing eligible centres for counselling sessions for victims of sexual abuse ([Sexual Assault Units], 1984). It has not been possible in this study to identify how or when this may have come about. Centres eligible for the counselling fees included those that were an incorporated society or registered charitable trust; were accepted by the Police as an appropriate centre for referral (including by the Police Surgeon<sup>31</sup>) and received referrals from a registered medical professional. The counsellors of such services were required to be under supervision by the psychiatric section of the hospital.

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<sup>31</sup> The police surgeon is the medical professional assigned to collect evidence from and attend a rape complainant.



The counselling fees were only available to a victim and where the sexual abuse had occurred after April 1974. This meant that in 1989, for example, 29% of adult women seen by Wellington Help were ineligible for the counselling fees, as were a further 18% of all clients seen by Wellington Help, because they were family members of the victim (Interdepartmental Working Party on the Funding of Sexual Abuse Services, 1989b).

In 1988 the Board of ACC determined it no longer had the mandate to provide fees for sexual abuse counselling, prompting the review of funding in the sector. The fees did however continue to be paid under a legal and administrative arrangement with the DSW. The last column in figure three provides an overview of the known expenditure by ACC on counselling fees and sexual/family violence prevention through 1984-89.

### **DSW Rape and Sexual Abuse Funding Programme**

From early in the 1980s rape crisis centres were accessing small amounts of funding from a number of government departments, including the DSW, in an ad hoc way. Late in 1984 the newly appointed Minister of Women's Affairs announced government had allocated \$150,000 to provide a fund for making grants to rape crisis centres in the 1984/85 financial year (Ashton, 1984). Later, the Minister confirmed the funding programme would be provided through DSW.

Over 1985-86 Rape Crisis, Māori and Pacific Island women's groups in response to the funding being made available, established three separate national bodies to co-ordinate and represent the interests of their groups at a national level. These were all constituted in 1986 as The National Collective of Rape Crisis and Related Groups of Aotearoa (NCRC), Te Kāhano O Te Whānau and the Pacific Island Women's Project (Else, 1993, p. 50, 147, 542). These bodies were involved in determining the criteria for allocating funds and over the next two years developed and agreed with DSW what statistical information would be provided to the department, as well as agreeing that services in receipt of government funds would be properly constituted.

A proposal for new funds for the NCRC was made in September 1987 to Government. It sought \$1,141,000 in 1987/88 for 31 groups and \$1,367,000 in 1988/89 for 36 groups. Similar proposals for similar levels of funding were also developed by the Māori women's groups, and the Pacific women's groups.

By the end of December 1988 the three sector groups had jointly developed a funding proposal seeking contributions from a number of government departments: DSW (30%), DoJ (30%), Health (20%) and Education (20%). They sought \$14 million to be distributed across the three sector groups<sup>32</sup>.

*Figure three: Overview of funding to the rape and sexual abuse sector (DSW and ACC) 1984-1989*

	<i>Total DSW grants for sexual abuse<sup>33</sup></i>	<i>No. of local groups</i>	<i>Grant levels per group</i>	<i>Counselling funding from ACC [other ACC funding]</i>
1984	\$20,000	3	Not available	Not available
1985	\$150,000	25 -3 Māori	\$4,500	Eligible services access \$20/hour for counselling victims [\$20,000 for national meeting]
1986	\$170,000	29 -7 Māori groups)	\$5,000	\$25,000 salary grants to 9 counselling organisations Counselling fees continued
1987	\$607,000 (includes \$333k reallocated from VOTP scheme) Note: Salary rate paid in VOTP scheme to approx. 33 groups had been \$17,000pa <sup>34</sup>  <i>Includes new funding of \$100k</i>	Approx. 50 -16 Māori	\$3,300 to \$13,000	\$147,000 was paid in counselling fees to 11 services providing counseling
1988	\$816,000 (includes \$435k	79	\$12,000,	\$541,000 was paid to 16

<sup>32</sup> The level of government funding provided to non-government sexual violence victim services in 2012/13 was \$16 million (Law Commission, 2015).

<sup>33</sup> Inclusive of National Office allocations.

<sup>34</sup> The 33 groups were reported to have had 1-3 VOTP workers each. This would have resulted in estimated total expenditure on VOTP for rape crisis groups alone of \$841,500 pa.

	reallocated from VOTP scheme)  <i>Includes new funding of \$100k</i>	-22 Māori - 6 unaffiliated to national body	\$10,000, \$7,000 and \$3,000.	centres & 25 individuals for sexual abuse counselling sessions at \$50/hour [\$250,000 to sector, refuge & men's groups for education]
1989	\$1,306,000  <i>Includes new funding of \$500k</i>	79 -9 unaffiliated	\$14,700, \$12,600, \$7,350 and \$4,200	\$1,206,000 sexual abuse counselling fees to 37 centres and 102 individual counsellors at \$50/hour <sup>35</sup> [\$150,000 to sector for education]

Sources: Annual reports to Parliament from DSW and ACC and various policy papers

### Summary of service funding

Overall the funding to the rape and sexual abuse services sector through the DSW programme increased almost 9-fold over the 5 years 1984-89. However over that time:

- less than half of the funding rape crisis had been receiving annually through the previous Voluntary Organisation Training Programme (VOTP) was allocated into the programme when VOTP ceased (\$435,000/annum allocated into rape and sexual abuse programme compared with annual expenditure for rape and sexual abuse groups of approximately \$841,000/annum);
- funding declined for a significant number of groups as they lost salary from the VOTP scheme of approximately \$17,000 per subsidised employee;
- very few groups had accessed funds at a rate that had been proposed in 1985; and
- the total number of groups (including Māori women's groups) had at least trebled.

<sup>35</sup> Five centres, all of which were unaffiliated (to a national body in the sector) account for 60% of all paid sessions and 84% of payments made to centres in 1989 (HELP Auckland, South Auckland and Wellington, START in Christchurch and St Albans Medical Centre). Private practitioners used less than a third of expenditure. Few community sector groups accessed counselling fees for their clients (and less than around \$160,000 of payments for counselling). An estimated 4000 survivors received 27,000 counselling sessions paid for by ACC. (Interdepartmental Working Party on the Funding of Sexual Abuse Services, 1989a)

Over the five years a small number of rape crisis services began to access ACC counselling fees. The specialist counselling services receiving ACC counselling fees provided counselling to an estimated 4000 survivors, while the 4,500 clients of the NCRC were largely provided with a similar number of hours of service, but on a voluntary basis.

### **Other key areas of policy development in the 1980s**

Rape law reforms were introduced into law in 1986. The reforms introduced are discussed in the literature review. Also, by the mid-1980s the Minister of Social Welfare had established the Family Violence Prevention Co-ordinating Committee [FVPCC] to work with government and non-government agencies to address the prevention of family violence. The sexual violence sector was represented on this committee although none of the activities of the committee directly addressed the prevention of sexual violence. This issue is discussed further in chapter five.

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