

[THE BIG ISSUE](#) June 2004 edition No.204 examined the issue of domestic violence in Australia. In it, editor Martin Hughes dedicated the edition to Heather Osland. Hughes wrote, "We were moved to compile this issue by the story of Heather Osland, a woman who spent 13 years trapped in a torturous relationship, and another eight (and counting) incarcerated by the Victorian state for colluding in the murder of her abusive husband. "It's time that Heather Osland was released, and allowed to heal from the trauma of her experience, both at the hands of an abusive husband and a system that has tragically failed her."

Also included in this special BIG ISSUE edition, was a piece by the Executive Director of the Victorian Women's Trust Mary Crooks on Heather's story.

Governments timid on domestic violence

All of us are used to massive government-funded campaigns about industrial work safety, water conservation, smoking, and gambling, to name a few. Given the extent of domestic violence, the raft of long term consequences for families, men, women and children, and the huge costs to society, you would think attempts to change the masculine culture that breeds domestic violence would be a matter of the utmost priority.

To date, the effort to focus on domestic violence tends to be left largely to women's organizations and community groups who struggle for resources and personnel. Right now, a federal government attempt to design and run a national campaign built around 'Respect' seems to have run aground. Are the powers that be in the Howard administration too nervous?

Government timidity on domestic violence is also highlighted by the Heather Osland case.

On October 2nd, 1996, at the Supreme Court in Bendigo, Victoria, a jury found Heather guilty of murder for the killing of her violent husband Frank.

For well over a decade, Heather and her children experienced a vile regime of domestic terror that was a cruel mix of psychological, physical, sexual and emotional abuse. During this time, police were often called to the Osland home and professionals were presented with the physical evidence of Frank's brutal attacks - yet no action was taken against him. Heather tried to leave this barbarous regime several times, but each time Frank hunted her down.

On July 30, 1991, an abusive Frank Osland threatened the lives of both Heather and her adult son David. Later that day, Heather put sedatives in Frank's food. David struck the blow that killed Frank.

At the murder trial, Heather and David pleaded not guilty on the grounds of self-defence. Heather was sentenced to 14 years imprisonment, with parole after 9 years. The jury could not reach a verdict on David. Later, at a

separate trial, David was acquitted on the grounds of self-defence of both himself and his mother.

In 1997, backed by widespread community unease and distress at this verdict, Heather unsuccessfully appealed her conviction and sentence. A year later, with massive community support and strong campaigning by the Release Heather Osland Group (RHOG), this decision was appealed to the High Court. The High Court Appeal was lost 3-2. In 1999, a Petition of Mercy was lodged with the Victorian State Government. It was endorsed by 26 leading community agencies, including Anglicare Victoria, Jesuit Social Services and the Victorian Council of Churches. In September 2001, despite an enormous letter-writing public campaign of support for Heather to the Bracks Government, the Petition was denied.

Heather continues to serve her sentence. It would seem she has not been punished enough.

There was a recent Freedom of Information hearing in Melbourne to gain access to government papers relating to the denial of the Petition of Mercy. The decision is pending. Heather appeared at the Hearing. Despite being under police guard all day and unable to have any contact with any member of the public - she was nonetheless strip -searched on her return to prison.

Heather's case epitomises the public failure so far to significantly address domestic violence in this country.

We know that a national survey on women's safety (ABS 1996) reported that 1.2 million Australian women had experienced some form of violence in a domestic relationship.

We know that in a 1997 survey of 1000 young Australian men aged 18-25, a third agreed there were some situations where it was 'ok for a male to force a female to have sex'

. We know that more than 25 percent of Victoria's police force resources are spent dealing with family violence. And we know that Victoria's Assistant Police Commissioner Leigh Gassner commented recently that the statistics about domestic violence suggest that it is safer for women to walk down the street than to be in their own home.

We know the dimensions, the statistics and the heart-breaking personal accounts of survivors. We know the long term impacts on women, children and the costs to us as a community down the track. More importantly, as evidenced by Heather's experience, we know of the failure of the state to protect her not only through the 13 years of abuse but by the subsequent moral failure to show her compassion and grant her mercy.

Early in the life of the Bracks Government in Victoria, great amounts of time, resources and community consultation, especially with women across the State, were put into developing a Women's Safety Strategy. The Strategy

outlines a range of soundly conceived strategic measures to reduce violence against women - building on existing programs and services, law reform, education and partnerships between police and other agencies.

However, by rejecting the Petition of Mercy, the very same Government unwittingly signalled to women in the community that Heather Osland's domestic trauma could sit outside its Women's Safety Strategy, i.e., there did not need to be an actual connection between the Strategy and a real live victim previously denied protection by the state.

Look at it another way. Imagine the community message if the Government had chosen the braver course, declared it had a responsibility to protect women from violent abuse, conceded that Heather had been punished enough and accepted the moral case for compassion.

It would have demonstrated how the men in power aren't timid on domestic violence and that they actually had women's interests, concerns and fears at heart.

Mary Crooks
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