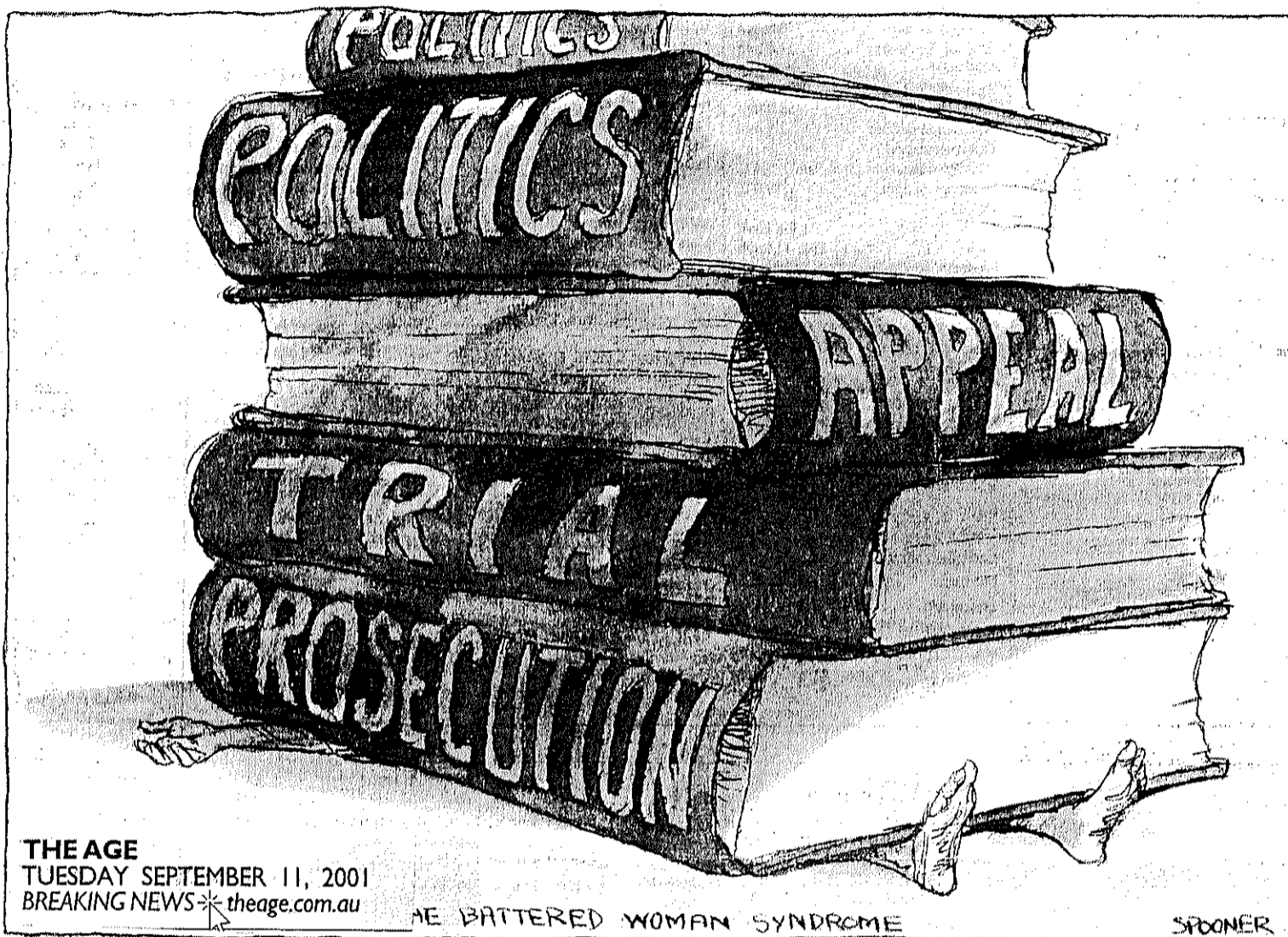


Battered justice



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THE BATTERED WOMAN SYNDROME

SPONER

Granting a pardon to Heather Osland would have shown the moral leadership for which women yearn.

By MARY CROOKS
and DUR-E DARA

TO THE Premier and the Attorney-General: When people elect governments, they expect leadership. Your decision last week to deny the petition of mercy for Heather Osland, the battered woman serving a 14-and-a-half-year sentence for the murder of her abusive husband, reveals an inability to provide moral leadership on an issue affecting every woman — her right to adequate protection from the law when her safety, her family and her life are at risk.

You took advice from three lawyers. But you heard from others — masses of women and men across Victoria who wrote to you and your government begging you to show mercy to Heather.

These fellow citizens felt Heather's pain, even though they have not endured what she endured. They sensed the inadequacy of the law on domestic

violence. They understood the need to show compassion to people who have faced years of unrelenting, unthinkable and almost unspeakable brutality.

A pardon was always to be a political decision. Yet you chose to elevate legal opinion above the needs and yearnings of Heather's huge army of fellow citizens. To privilege such advice may well have the ring of legal "correctness", but it offers no moral leadership.

Heather was initially let down by the state. Police officers let her down. The judicial system, operating within a particular mindset of self-defence, let her down. Now our current law-makers — you, Mr Premier and Mr Attorney-General — have let her down.

To the female ministers in the Bracks cabinet:

Why was this decision not judged significant enough to warrant cabinet consideration? By not taking the matter of a pardon to cabinet, the government has effectively blocked a crucial opportunity for you and others to advocate on behalf of women.

The whole point about increasing female representation in our parliaments is that it leads to more reliable translations of the everyday realities of women's lives into policy.

We do not presume that you all think the same on issues affecting women. But we are confident you have been more exposed than your

male counterparts to the issue of domestic violence through your networks of female acquaintance, friends, family members and constituents. These perspectives should have been brought to bear on the final decision.

Your government is proud of the unprecedented numbers of women in its cabinet. However, it has denied cabinet scrutiny of this issue. It blocked your final opportunity to give your advice to the Attorney-General and the Premier on the problem of domestic violence in our community, including a pardon for Heather.

To the women of Victoria:

The petition of mercy is not only about Heather. A pardon would certainly have been a sensitive and humane response to her experience of the unthinkable. But, more widely, it would have signalled the Bracks Government's commitment to act with boldness and courage on the awful problem of domestic violence that mostly afflicts women in our community.

In 1996 an Australian Bureau of Statistics survey found that 330,000 women across Australia had experienced physical violence inflicted by their current partner, and a further 1,070,000 women had experienced physical violence inflicted by a previous partner. Thirty-eight per cent of these women said their children had witnessed the violence.

Since taking office, the Bracks

Government has held two summits for Victorian women and is developing a Women's Safety Strategy. Yet here was an opportunity for government to really make a difference for women — one of those great moments in time.

A pardon of Heather would have shown its seriousness on the broader question of domestic violence. But the government resiled. Without clemency extended to Heather, how seriously are we to take these existing initiatives?

For the record, the Victorian Opposition offers no joy either. Its position is that it would not have granted the pardon.

To Heather and your son, David:

You both need to know that many of your fellow citizens, women and men, are angered and bewildered by this decision. If you feel let down and even betrayed, understand that we feel so too.

Try to keep as well as you can. We will continue to provide you both with support.

In the meantime, we will explore the political avenues available to address this particular great community problem of domestic violence against women — indoors, private and barbaric.

Mary Crooks is executive director and Dur-e Dara is convenor of the Victorian Women's Trust.
E-mail: Mary@vwt.org.au