

# Police Responses to Women Attacked by Serial Rapists

## Chapter Seven of True 'Lies' and False 'Truths': Women, Rape and the Police

Jan Jordan, PhD Thesis, Victoria University of Wellington, 2001.

Malcolm Rewa

To a man, rape may possibly be considered a myth, or else an insidious lie, dreamt up to entrap him, or both of these; to a woman it is neither myth nor lie, it is a frightening reality. (Muriel Schulz, quoted in Mills, 1991, 207)

### Introduction

In March 1996, I presented the results of my earlier research on rape to the DSAC Rape Conference in Wellington, New Zealand (Jordan, 1996). During a tea-break, I spoke with one of the leading detectives involved in both the Joseph Thompson and Malcolm Rewa investigations<sup>1</sup>. Amongst other topics, we discussed issues relating to complainants' credibility and he referred to instances in both enquiries where the police had initially considered the victim's report of her rape to lack veracity: cases which later turned out to be attacks by one of these serial rapists. Given my previous research with rape complainants, the detective thought I might be interested in speaking with some of these victims. He noted, however, that Thompson's victims were generally much younger than Rewa's, often under 16, and how this factor, combined with cross-cultural and socio-economic issues (most were Pacific Island or Maori, living in lower socio-economic areas of South Auckland) might pose difficulties for me as a researcher. Rewa's victims, he said, were a different kettle of fish altogether. He described them as mostly older, professional, highly articulate women whom he thought would be ideal interviewees – the only difficulty was that the trial was still a long way off so they would not be free to speak until after that, even if they wanted to. We moved on to other subjects, the conference ended, and I suspected that that would be the end of the matter.

Two years later I was just heading out the door to deliver a lecture on, ironically enough, rape, when the phone rang. It was the detective. His message was brief and to the point – the trial's over, the women are moving on with their lives, and some are keen to see something positive come out of this experience. Would I like to meet with them?

The outcome was that, despite thinking my research agenda was already full, I decided this was too unique an opportunity to miss. He gave me one woman's phone number to contact, having already obtained her permission, and then said he'd butt out and leave me to it. I phoned Patricia<sup>2</sup> and she offered to invite women who were interested to a meeting at her place. I flew to Auckland and, somewhat nervously, found my way to her apartment. There were five of the women present at what I thought would be little more than an hour-long initial meeting – it took more than four hours. One outcome to emerge from this meeting was a willingness on the women's part to be interviewed by me on their experiences following the assault/rape. Somewhat more significantly,

the women's interactions with each other that afternoon provided an opportunity for them to exchange thoughts and feelings, compare processes, and validate each other. As the afternoon progressed, my role and purpose faded to some extent, so that at times I almost felt surplus to requirements. This was, however, important, I believe, for my willingness to allow the women to talk with each other about what was important to them signalled more powerfully than any verbal promise on my part that it was their stories and accounts that were of central importance.

It was a moving and rich occasion, in which I was struck by both the strength and vulnerability of these women and all that they had been through. Sadness, anger, and humour were all evident, and a sense of the commonalities in these women's experiences and reactions as well as the differences. Several women expressed their wish that a book had been available that presented firsthand accounts from survivors of rape about its likely effects, possible impacts on friends and family, and the recovery process generally. They felt they would like the opportunity to have their experiences made into such a book, to help subsequent survivors and those close to them. I said I would be interested in working on such a project but could give no firm undertaking that such a book would be published until the opinion of publishers was sought. As well as material on the effects and recovery aspects, I said I would be interested in their views of police treatment and their contact with the criminal justice system, since this would provide useful, comparative material to complement my earlier research. I described ways in which I had been able to meet with the police following the study to present the complainant's perspective and contribute to the formulation of a police policy on sexual assault investigations. The women agreed to assist in furthering this venture by allowing me to interview them using an interview schedule adapted from the earlier study. The adaptations were made with their input, based both on a group discussion about issues to be covered as well as by subsequently sending draft outlines to the women for comment and feedback. Further adaptations were made in response to their suggestions.

Also discussed at the meeting were practical issues concerning, for example, whether and how to contact women not at the meeting, and where and when to hold the interviews. The woman who was hosting the meeting that afternoon offered her place as an interview venue and the others agreed it would be very suitable. This was for a variety of reasons, including the fact that for many there might be considerable inconvenience or compromise caused by my meeting them in their own homes, with partners and/or children present. Patricia's apartment, with its central location, comfort and spaciousness, also seemed to be a safe and attractive option compared with the prospects of meeting in a police station or university office. Moreover, most of the women had already been there for a post-trial lunch so it was familiar to them.

In terms of contacting other women, Patricia offered to send a brief report of the meeting to others whom she knew how to contact, since those who attended the post-trial lunch had left contact details. These women were asked if they were interested in hearing more about the research and, if so, their permission was sought for me to be given their contact details. A policewoman who had been extensively involved in supporting the women through the trial attempted to contact women who had not been to the lunch, to see if they were interested in hearing about the research. This was to ensure that, if possible, every woman was given the opportunity to participate if she wished.

From these contacts I had 18 names to follow up. The remainder had, in most cases, left the country, apart from one woman who wanted no further contact about the case and another whom

the policewoman decided not to contact because of her disturbed mental state. Most of the women spoken to initially agreed to participate, apart from three women who changed their decision between the time of the initial contact and the time of the proposed interview.

In most cases I was located geographically a considerable distance from the women and tried to schedule blocks of interviews during non-university teaching periods wherever possible. This arrangement seemed to suit most women but for some the delay in time coincided with a shift in their own stance. One woman, for instance, decided once the Burdett<sup>3</sup> murder retrial was over that she wanted to leave it all behind and changed her mind about being interviewed the following month. Another woman made a time to be interviewed, did not show up, and when I rang raged down the phone at me. All I could do was validate that this had to be her choice, that there was no compulsion and that it was important that she decide what was best for her. While I felt that I managed to respond clearly and positively to her, I found her verbal abuse of me profoundly distressing and disturbing, as a journal entry from that day reflects:

I feel so sad tonight, like the whole size of this project and all the pain Rewa has inflicted has just bowled me over. How can one man cause so much suffering, so much anguish? It's been really hard today and I've wondered if I should be doing this at all. When one woman screamed down the phone at me and said Rewa had taken over enough of her life and she didn't want to talk to me or have any more to do with it, I just felt shattered. I cried and felt guilty and felt like she was so angry with me, but then she can yell at me and make me disappear but she could never yell at Rewa and make him vanish, or yell at the police and get them to leave her alone. But that is how I make sense of it tonight.

Fifteen women were interviewed in total; this number included 14 of the 27 women whose cases were heard in the 1998 trial of Malcolm Rewa, plus a woman whom Rewa had been convicted of raping in 1975 who was called to appear as a witness in the later trial.

## **Interview process**

Each of the women who agreed to being contacted about the study was phoned by me and discussions were held concerning content, confidentiality, process, and any other issues raised by the women. If the woman agreed to go ahead, then we arranged a time when I could meet with her to discuss it further and, with her consent, commence the interview process. This process was often complicated both by their family and work commitments as well as by my limited availability to travel to their cities of residence.

The women were offered the option of being interviewed at Patricia's apartment or at their own home or workplace. Nine of the Auckland women opted to use the apartment; one chose her place of employment since it was more convenient, and I visited the remainder, most of whom were outside Auckland, in their homes.

Wherever possible, interviews were conducted in private in order to facilitate as much as possible the woman's capacity for openness and honesty. Before the interview began, an information sheet was provided which outlined the research (Appendix E) and the woman was invited to read

this through and to ask any questions it might generate. Once these were responded to, she was asked to carefully read and sign a consent form (Appendix F). This form included asking her to nominate whether, at the end of the research, she would prefer to either have the tapes of her interview returned to her or electronically wiped by myself. She was also given the option of nominating a pseudonym by which she would be called, an option chosen by six of the women. The remainder indicated that they were happy to be assigned a name by me for the purposes of the research. In addition, the women were told that they would not be asked questions about the actual rape/assault but were asked if they were agreeable to my obtaining relevant details from their police file. Access to their victim impact statements was also requested. All of the women gave their signed permission to this request and, once the interviews were complete, I negotiated with the police to make a separate trip to Auckland to access this material.

An interview schedule was used to guide the interview process, and this was divided into two main parts – the first (Appendix G) was modelled on the earlier rape study (Jordan, 1998a) and involved questions concerning police reporting, interviewing, and trial experiences, while the second part (Appendix H) concentrated on the effects of the attack on the woman and those around her, and her recovery and healing process.

It became evident, from the very first interview, that many of these women had reflected considerably on their experiences and had a lot which they wished to convey. In nine cases, the women opted to complete the second part of the schedule on a separate occasion. This made the data-gathering exercise more expensive and complicated for me logistically, but was definitely worthwhile in terms of the depth and quality of the information obtained. However, even those interviews which were conducted in one session became lengthy occasions and yielded rich material. The shortest interview lasted two and a half-hours, the average was about four; and, in several cases where the woman was interviewed on two separate occasions, the total time spent on the interview was approximately eight hours.

I soon realised that it would be important to have a range of beverages and some food available for those of the lengthier sessions that occurred in Patricia's apartment. Wherever possible I tried to ensure that short breaks could be taken when needed by the women, but most seemed keen to continue talking. It also became clear that my schedule needed to be loosely adhered to – while some women welcomed a more structured approach, many preferred to talk in their own time about their experiences and opinions and the schedule was used as a checklist rather than as a questionnaire. I felt it was extremely important to be flexible in this regard, since what I most wanted to know was what concerns the women had, not simply get answers to those I thought they might have. Having the questionnaire prepared gave us a starting-point, and a clear structure for those who needed it, but otherwise my questions had to be developed spontaneously within the interview context, as responses to issues and observations made by the women themselves.

The interviews tended to be emotionally intense and, despite the subject matter, were also quite uplifting, for both interviewee and interviewer. In order to minimise potential stress for the women, I was careful not to ask questions about the sexual assaults themselves; however, in some cases the woman herself chose to disclose aspects of this in the course of the interview. I was also keenly aware of the importance of maintaining a clear definition of my role as a researcher/interviewer so as not to be perceived by the women as a counsellor, nor to take on that role myself. At the close of each interview, I checked out with the woman how she was feeling,

whether she had someone she could ring if it later became apparent that the interview had stirred up issues for her, and ensured I had contact numbers available to pass on if required. As it turned out, all of the women had their own supports - partners, friends, or counsellors - in place. One woman, for instance, had felt shaky before the interview and rescheduled it to allow time for her to meet with her counsellor first. Another arrived in a slightly distressed state, insisted that she wanted to go ahead, then sobbed on and off throughout the interview. After the interview we spent some time discussing the possible need for her to return to counselling and I ensured that she was able to check that her partner had arrived home before she left. Many of the women commented afterwards that they experienced the interview positively and it helped them both in terms of gaining a sense of closure as well as appreciating the extent of the progress and recovery they had made.

After the interviews, each woman was sent a thank you note and a copy of the consent form. In June 2000 I also sent out a 'bulletin' to all the women interviewed to give them an update concerning where I was up to in terms of the research and as regards trying to find a publisher for their survival stories.

The taped interviews were all transcribed to facilitate analysis. A separate file was created for each of the women containing my interview notes, the transcript, and notes from her police file. This material I then analysed by identifying themes and issues in the women's accounts and experiences.

The remainder of this chapter presents an overview of the women's feelings concerning the ways in which the police responded to their victimisation.

### **Profile of the women**

Malcolm Rewa stood trial in 1998 for a total of 45 counts (as identified in Table 7.2), involving 27 women whom he had attacked between 1987 and 1996. All but two of these attacks had occurred within suburbs of Auckland city, and involved women ranging in age from 15 to 43 years of age.

Table 7.1 shows the ages of the total number of women whose cases went to trial, compared with the ages of the women who were interviewed for this research.

Table 7.1: Ages of the Women at Time of Attack

Ages of the Women	Number in Each Age Group	Ages of the Women Interviewed
15 and under	20	5
20-29 years	7	4
30-39 years	10	5
40-45 years	5	4
Total	27	14*

\*Number excludes the woman attacked in 1975 for whom Rewa had already been convicted.

Table 7.1 shows that although women in each age group were interviewed, proportionately more of Rewa's older victims were included in the interview sample than those aged under 20. This is probably a result of the fact that the younger women had fewer attachments or dependants and

were more transient, and therefore harder to locate following the trial. Police said some women had in fact moved overseas, and one young woman returned to her homeland. Twelve of those interviewed identified themselves as New Zealand European, and two as Maori or part-Maori. Two of the women were full-time mothers; three were full or part-time students, and the remainder were employed, many in professional or managerial positions.

In terms of when the incident occurred, seven of the women interviewed were attacked between 1989 and 1992 and seven were attacked between 1993 and 1996. Rewa stood trial on 20 different counts relating to these 14 women – 10 of Sexual Violation by Rape (in addition to which, he was charged with raping three of the women twice and one three times); two of Attempted Sexual Violation by Rape; two of Assault with Intent to Commit Sexual Violation; and one of Abduction. Table 7.2 lists these in comparison with the total counts for which Rewa was indicted.

Table 7.2: Counts of Indictment Against Rewa

Offence	Number of Counts	Total	Counts Involving the Women Interviewed
Sexual violation by rape	32	15	
Attempted sexual violation by rape	2	2	
Assault with intent to commit sexual violation	5	2	
Aggravated wounding	3	0	
Abduction	2	1	
Murder	1	0	
Total	45	20	

### Police responses to women victims of a serial attacker

When I first discussed with police personnel the prospect of interviewing some of the Rewa victims, I was impressed by the police's description of the ways in which they sought to support these women, especially through the trial process. Rewa was not the talkative, co-operative offender that Joseph Thompson had been<sup>4</sup> and it was clear that a difficult court case lay ahead. The police assigned several dedicated complainant officers whose prime responsibility was to liaise with and support the women in the lead-up to the trial and during its process. Considerable effort was spent in preparing the women for their appearance in court. This included such measures as arranging an individual meeting for each woman with the prosecution team and taking care to 'match' the women with whichever one of the three Crown Prosecutors it was felt she would have the greater rapport. A room was set aside for the women at court to provide them with private space, and steps taken to try to familiarise them with court layout and procedures.

The additional care being taken began earlier in the process for some of the women. Once it was established that a serial rapist appeared to be involved, measures were adopted to maximise the opportunity for the collection of evidence and to provide good support for the victims from the point of their initial contact with the police. Part of this process involved the police being open to hearing what the women needed and being responsive to their concerns. One detective commented afterwards that he and his colleagues were on a 'learning curve' throughout this process as they struggled to provide the women with optimal levels of support. He commented also that:

The kind of treatment these women got was the kind every woman who's been raped should get.

This remark prompted me to consider whether or not it might be useful to ask these women to describe police processes from their perspective. If these were the women whom the police had tried their hardest to 'get it right' with, what was the outcome? What worked, from the women's point of view, and were there any gaps or omissions which still needed attention? These women largely fitted the stereotype of the 'perfect' victim in that the majority were attacked in their homes, whilst sleeping, by an unknown assailant who forced entry to their house.<sup>5</sup> Added to this was their status as victims of a serial attacker, which provided the police with an additional impetus to achieve excellent service delivery. What, then, could be learned from the study of these modified police processes? In other words, did the 'perfect' victims feel they had received 'perfect' policing? If so, how could this inform future police planning and service delivery to victims of rape and sexual assault. If not, what would, from a victim's perspective, have made it 'perfect'?

## THE WOMEN'S PERSPECTIVES OF THE POLICE RESPONSE

Overall, the women rated the police highly: their views were divided equally between those who stated they were 'very satisfied' and those who said they were 'satisfied' with the police response.<sup>6</sup> Their overall assessment, however, was in nine cases somewhat better than how they rated the police in relation to their initial experiences of reporting and statement taking. While only one woman declared herself 'dissatisfied', eight others said they felt that the treatment they received from the police improved over time. As the police themselves indicated, the measures they implemented leading up to and during the trial were favourably received and appear generally to have increased the satisfaction ratings they received. Analysis of the women's experiences of the specific measures and procedures adopted is, therefore, instructive in providing feedback for police personnel in the planning and implementation of victims' policies, particularly with regard to sexual assault victims. What is also significant, however, is that the experiences of the women were not uniform. The obvious dimension on which this is apparent relates to women who were attacked earlier in Rewa's 'career': they tended to be treated more routinely than his later victims. In addition, the same policy or procedural guideline is not necessarily implemented in a uniform manner, nor does it impact identically on different victims, or on victims at different stages of the recovery process. These dimensions add a complexity and richness to the analysis of the interview material which follows.

The transcripts of the interviews were read and appraised to elicit the women's responses and identify key themes arising from their experiences of police procedures. These themes are presented below, illustrated with quotes and examples provided by the women.

### Positive aspects of the women's treatment

#### I. General police attitude

##### *Belief*

The majority of the women whom I interviewed confirmed that, as one might expect from the features associated with these attacks, the police never appeared to doubt or disbelieve the woman's account of what happened. Jennifer's response was typical:

I was reasonably happy with the way I was treated, with respect, there was never any doubt that what I was reporting wasn't true or anything. I never felt threatened or anything.

As noted in previous chapters, police belief in a victim's credibility has frequently been related to such variables as the perpetrator being a stranger; lack of victim provocation (for example, the victim being asleep at the time of the attack); victim resistance and the extent of visible physical injuries sustained; and victim credibility as assessed by factors such as occupation and socio-economic status (Harris and Grace, 1999; Lees and Gregory, 1993; Stace, 1983). From a police perspective, most of Rewa's victims scored positively on all these traits. Even one woman, Karen, who had known Rewa previously, through a mutual friend, felt that this did not intrude on the police's response to her:

There was never any doubt, to me it appeared there was never any doubt in anyone's mind that I'd been raped by someone who'd broken into the house, it was cut and dry which was good from my point of view...

I don't know whether it is the circumstances of mine that made it obvious that there was nothing to disbelieve, the fact that I went to a policeman's house afterwards probably helped. I never at any stage felt that there was any doubt about what had happened, I never at any stage felt that the fact that I knew Malcolm Rewa influenced the way that the police dealt with me, as far as integrity goes, I only have the highest praise for them really. I don't think that's necessarily true for everybody. I think I'm aware of those feminist issues, I was aware of those things.

There were, however, some exceptions to this overall trend, which are examined later in this chapter when outlining negative aspects of the women's treatment.

### *Support*

Many of the women commented on the importance for them of feeling supported by the police, and of feeling that the police were on their side. Such support could be evidenced in practical ways at times: for example, by the police providing the women with lifts to and from the police station or court; and in one case by their lending Isabel, who was a student, a mobile phone so that she could continue her studies and be called when she was required at court, rather than spend time waiting down at the courtroom. Isabel commented that, given the high emotional costs involved in testifying, such a facility was 'one of the perks':

The side effect of this was that I used the mobile phone quite a lot to have lengthy conversations with my cousin and I might have rung up my husband and my mother as well. So, I was a bit naughty really, I was talking on the phone so much they might not have been able to get through! Some of the other students have mobile phones, why shouldn't I? Walking around on campus talking to a hidden friend, it's really good! (laughs)

Practical gestures such as this were appreciated by the women and helped them to feel as if they mattered and their evidence was important. Feeling emotionally supported by the police was also mentioned by some of the women. One way in which the women said this was evident lay simply in police reliability – that the police returned phone calls promptly, and did what they said they would do. Ann related how she felt about this:

I think the police did really well. They were always on call if you wanted to find out what's happening and you'd ring up and you'd either get Chook7 or one of the other guys, and they'd say oh, Ann, no, she's off doing something but I'll get her to call you as soon as she gets back and they'd always do that, you know, when they're wrapped up in such a big case like that... I think they treated us well.

Ann felt that it may have been easy for individual complainants to become lost in a court case as large as this one; on the other hand, the very fact that this was such a big, high-profile case may have prompted the police to be especially attentive to the needs of their principal witnesses.

Being validated by the police was specifically mentioned as important by several of the women. Shelley, for example, recounted how when she phoned the police she was afraid that Rewa was still hiding somewhere in the house. She feared that he was waiting for her in the wardrobe and wondered how the young, male attending officer would respond when she asked him to go and check for her. Shelley said she was very appreciative of the fact that he appeared sensitive to her feelings and went to check without looking at her as if she was crazy:

I believe that he thought I was being totally appropriate in asking him to do that and he did it without any raising of eyebrows or anything.

Other women mentioned the importance of gestures from the police, such as having their presence acknowledged whenever they walked into the court. Patricia observed of the lead investigator:

Every single time you walked in, whoever walked in, he stood up in there and he greeted them. Yeah, that was part of it, it was all good stuff, the treatment that we got, it was all really good.

Patricia went on to speculate regarding the police:

What were they trying to achieve by treating all of the victims so well? Positiveness (sic) and confidence, wasn't it, so they could get up on the stand and be confident and trust in who they are, and that's what happened.

And that is what needs to happen from the minute of the attack... It happens from day one, it doesn't happen from when they realise that they are trying to hang this dork at the other end... Afterwards it needs to happen to get that trust, that positiveness in every little thing, and you do that by getting it right with the little things and all of a sudden you've got it in the big things as well.

For Karen, it was important to have the police acknowledge the feelings she had towards Rewa and help her put these in perspective. She spoke appreciatively of the way in which she felt supported when she went to court to see Rewa take the stand:

I got there, it must have been just before a break. The courtroom had sort of a barrier, so I'd walked in the door and down the side I could just kind of see him [Rewa] from the side and I felt really aggravated, really nervous about it. It was like I'm going to see him, I can't believe it, I didn't know what it was going to be like. There were a lot of police there, hanging off his every word. Since it was very early in the piece he was probably telling the sad story about how his mother had died when he was a child and getting quite upset and all the rest. It must have been just before the morning tea break I think, anyway, then the judge said it's morning tea time. I'd sat down and I went to get up and I can remember standing quite close to him but I wasn't in his line of vision and I just wanted to kill him, I felt so overcome with emotion and being so close to him, I just wanted to kill him, I just wanted to scream, I really wanted to just abuse the hell out of him.

As I was standing there, feeling all this anger come up and threatening to overtake me, Steve Rutherford<sup>8</sup> appeared, grabbed me, walked me out and said to me 'It's not worth it', he said, 'if you yell out, it would be you that gets removed from the courtroom, not him. The bastard's not worth it.' It was like, it kind of dissipated, it was like, thank you Steve. So, then I went out and had a cuppa tea.

They're all so matey, the police. It's a real boys' thing. They're all joking and carrying on - we had Steve Rutherford making us cups of tea, he's probably never made a cup of tea for a woman in his life, I'd say! They looked after us, I didn't feel like I was up there by myself or that I shouldn't have been there or that I was in the way or anything like that. I felt that if I wanted to be there, they were happy for me to be there sort of thing.

Other women also echoed Karen's sentiments, expressing their amazement at times that they received such supportive treatment from some of the big, burly, 'bear-like' (as one woman said) male officers involved in the investigation.

#### *Place of interview*

Several women also referred to their appreciation of the police being sensitive regarding the most appropriate place to conduct interviews with them. Not all the women had identical feelings regarding this, placing the responsibility on the police to determine the most appropriate venue, in consultation with the individual woman concerned. For some, it was important that the police travel to them and interview them in their home, while others preferred the option of discussing details of the incident in, what was for them, the more anonymous setting of a police station. Gabriel, for instance, noted that:

I especially appreciated the personal visits in my own home. I felt good about the detective coming to see me and me not having to go to the police station, you know, that it was done in my own home. That the time was arranged before hand, when she would come over. I felt really comfortable about that.

Jennifer felt that, from an evidential point of view, it was useful to make her statement to the police at the crime scene, although acknowledged that this could be hard:

J: I think it's a lot more vivid for you when you're standing in the house, you remember more things than sitting in a police room or an office or something and just trying to remember it all the way through.

JJ 9: So how was it for you to go back and do that?

J: People have a real expectation of how some people... I suppose to a certain degree, you're probably still a bit shocked, still in a bit of shell shock, it was okay, it didn't worry me. To me it didn't feel any worse than sitting in her office and telling her, but I could certainly see that for some people that might be quite different.

Sensitivity to children's vulnerabilities emerged as a potential source of concern, with some of the women who were mothers expressing their appreciation when the police were careful in the comments made and questions asked while children were present.

### *Being seen as a person by the police*

The earlier rape research I conducted had identified the vital importance attached by complainants to feeling that they were viewed by the police as persons, not case numbers (Jordan, 1998a). This sentiment was reiterated by the women interviewed in relation to Rewa's attacks, and may have been heightened in significance for some because they shared a common offender and feared they could be reduced to a number. Helen acknowledged this when she praised the police team involved with the investigation and the efforts they went to:

H: I felt sorry for the police in terms of they were so understaffed, they were bloody tired, they were. They were good, they were really good, I couldn't fault them for the amount of staffing they had and the amount of time they put in. You weren't just a witness, you were actually a person to them, which was nice, so they were good, I can't fault them.

JJ: That's really good.

H: Yeah, it is good, I was pleasantly surprised really!

JJ: Had you thought that you might be just a witness?

H: Yeah. Number 202, or whatever I am (laughter).

Helen noted also how, in the lead-up to the trial, it was important for the prosecutors also to see the women as individuals. Following meetings arranged by the police for the women to meet the prosecution team, she related:

... even the crown prosecutor said, 'From seeing you people', which the police initiated, 'from seeing you, we've realised that we're actually dealing with real people here', rather than we've got a mass of 27 bloody women we've got to try to get through court, y'know, sort of thing.

## *Continuity*

An aspect often mentioned by victims concerning their interactions with police relates to officer continuity being viewed as desirable (Gilmore and Pittman, 1993; Gregory and Lees, 1999; Jordan, 1998a). Complainants whose case is passed on to other investigators without explanation report feeling aggrieved – unless, of course, they feel better served by the officer to whom they were reassigned! Generally, however, victims express a desire for continuity and the opportunity to establish an on-going relationship of trust with individual police. This issue was recognised and specifically addressed by detectives involved with the Rewa investigation. While some of Rewa's earlier victims did experience a lack of continuity in their dealings with police, efforts were made to correct this with the later victims. Some were assigned one primary officer to deal with from the time of reporting, and in the long (almost two-year) lead-up to the trial, all the women were dealt with by dedicated complainant officers, as outlined below.

## II. Specific measures introduced as part of the Rewa investigation and trial

At least one of the women victims involved in the Rewa case challenged the police regarding what she perceived as their tardy communication at times. Trial dates were being set and deferred and changes were occurring which were not always being communicated to the women, and she pointed this out to the investigation team. She said she felt gratified by their response, which indicated a willingness to try to see the situation from the victim's perspectives.

Specific measures were introduced by the investigation team aimed at ensuring high levels of victim support and preparation for court. These included the police providing the women with the following:

Dedicated complainant officers;

Bulletin letters and updates;

Pre-trial meetings with the prosecution team.

Each of these measures is addressed below.

### *Dedicated complainant officers*

Dedicated complainant officers comprised, at any one time<sup>10</sup>, two women detectives whose prime responsibility was to liaise with and support the women. These detectives were assigned full-time to the investigation team, and given primary responsibility for maintaining regular contact with the complainants, supporting them practically and emotionally, and being an information channel between the victims and the rest of the police and prosecution team.

In Jennifer's case, which was one of Rewa's last attacks before his arrest, she was introduced to one of the dedicated officers, Sandy, the day following the incident.

And at that stage, she made it very clear that that was the plan was that she would be the only person, as such, that I dealt with in any going back and forward, that it would all come through her generally.

She commented that, whereas:

... at the time you just go along with the flow... Looking back now, I'm pleased that it was only ever one person, except that Sandy left.

All of the women, however, said that although initially they may have been dealt with by numerous officers, often manifesting a range of abilities and temperaments, it was useful to have greater continuity as the trial date approached. For many, these women detectives played a vital role, and in some cases were chosen by the women to be their support person when they gave evidence in court.

#### *Letters and updates*

In response to concerns expressed earlier in the trial lead-up period by some of the women, the police began to issue occasional, bulletin-type letters. These were posted to all the women in an attempt to keep them informed of developments, explain delays in trial dates, and provide revised time frames and other information. Many of the women commented favourably concerning this practice, and felt that these letters were useful for the information they contained as well as in signifying recognition of the importance of the women to the case overall.

S: The letters were very good at staying in contact with you. There was one not long after... once you've been through all that stage of identifying things, there was a letter that came and said this is what we think is going to happen blah, blah, blah... Leading up to the trial, before they actually got in contact with you, there were another two letters. I think, it was good, it told you what was happening and when they expected it to happen etc, etc, and always a 'please feel free to contact us', with their numbers, if you need anything.

JJ: So would you say from that, that you feel like you were kept informed of the progress of events by the police?

S: Yeah, yeah, I would, it was pretty good.

JJ: That sounds...

S: quite professional really, isn't it! (laughter) That's not like a government department at all really!

### *Pre-trial meetings*

Criticism has often been expressed by victims involved in court cases of how, in their capacity as witnesses, they typically meet the prosecutor on the day of the trial, and usually in a very rushed manner (McDonald, 1997; Young, 1983).

The size and complexity of the Rewa investigation, coupled with the expectations and demands often voiced by the women themselves, prompted the police to invest greater energy in pre-trial preparation. Several months before the eventual court case, arrangements were made for each woman to meet, on her own, the major police and prosecution team. This meeting enabled her to meet the three different prosecutors involved and establish who she would be most comfortable with in court, as well as providing an opportunity to have any questions she might have about the forthcoming trial answered by some of the key players. One of the police dedicated women detectives accompanied the women for this meeting, and the visit was combined with, where possible, a tour of the courtroom; alternatively, the courtroom visit occurred nearer to the trial date for some women, depending on courtroom availability.

Many of the women welcomed this commitment of time and energy by the police and prosecution team. As well as enabling practical issues to be resolved, the gesture was interpreted by some as signifying recognition of the victims' centrality in the forthcoming trial. Gabriel, for example, said she appreciated the opportunity for pre-trial dialogue with the prosecutor:

It was more Simon Moore who introduced himself as prosecutor for my case and he was just very, very helpful and 'stay for as long as you want, come back, call and ask any questions, it is not a problem'. Very helpful, and I was there for an hour and he explained quite a lot to me in that time.

Jennifer's comments were typical when she recounted how useful she found the trial preparation:

When we went along to the second meeting, we actually went along to the courtroom, he [prosecutor] gave you a diagram which you took away which said: here will sit dah... dah... dah... Here will sit the jurors, this person will be here ... They were very good at that.

Likewise, Frances noted how particularly helpful she found the pre-trial briefing:

I suppose the whole thing of going through the courtroom, you know, the jury sits here and he'll be here and you'll be here and there's people behind you who will be police or reporters... It gave me a feeling, before I even got there, of who would be in the courtroom, where they would be and that sort of thing, so that was actually useful, rather than walking into a room I'd never been in before and that sort of thing.

Whilst valued as a procedure overall, some aspects associated with these meetings were criticised in terms of process, a point elaborated on further in the next section.

### *After trial function*

The constraints of law made it impossible for the women to have much contact with each other, at least until after they had testified in court. Some of those who attended other court sessions, such as Rewa's evidence on the stand or the judge's summing-up, began to chat with each other, and on the night of the jury verdict several of the women sat with and supported each other. What many felt, however, was that the other women were their present but unseen companions. Once the trial was over, and Rewa had been sentenced, a luncheon was organised at Patricia's apartment for all those who had been closely involved in the trial. As well as any of the women who wanted to attend, invitations were extended to the police and prosecution team, along with their spouses and partners. This occasion provided the opportunity for a collective debrief, as well as being an occasion to celebrate and congratulate each other for surviving the court ordeal. Not all of the women were able to, or necessarily wanted to, attend this function, with about 15 of the total being present. Those who did go spoke favourably of the occasion and the contribution it made to their own sense of closure to all that preceded it. Shelley, for example, in acknowledging the role played by the police in her post-rape recovery process, spoke of the importance of this occasion:

No, the police certainly had a role to play in that and they were very... like certainly, when I was in court, they were very positive and said I did a really good job, all that jazz. It was really good to see at the end, at this after match function, that they were all here. That was really important to me, to see them, you know, with their wives and they were all there. It was a kind of nice round off really.

### **Negative aspects of the women's treatment**

While the women I interviewed all rated the police positively overall, nevertheless most rated at least one or more aspects of their treatment negatively. Identification of the negative features experienced provides the opportunity to develop a more textured picture of police-complainant interactions and the factors important in shaping these dynamics.

### *Not being believed*

Whilst the majority of the women I interviewed were relieved that the police appeared to have no difficulty believing that they were legitimate victims, not all of Rewa's victims were responded to in this way. Kathleen, for instance, related how she felt judged and disbelieved by the police detectives who interviewed her shortly after she was raped.

K: Well, about three days after it happened I was up at the station and they [detectives] turned around and said, 'Come on, Kathleen, we know you were making all this up, we know you were having an affair and you were having sex that morning and it got a bit rough and you just made all this up, just so your husband doesn't find out...' My God! What I said to them I probably can't repeat, but I told them what to do with themselves. So I walked home with them literally following me in the police car saying 'we're sorry, we're sorry, blah blah blah', and when I got home they

would be hanging off the phone saying, 'We know that's not what happened' and 'We just had to see what your reaction was and if you hadn't reacted like that then we would have been a bit suspicious...'

JJ: So how did you feel?

K: Oh, I felt like punching them! I really felt like: My God! You know...

JJ: So that just came completely out of the blue for you, so until then you felt like...

K: Yep I've giving them all the information, they are getting on with it, they are keen, they are on to it and then this sort of drops out of the sky! In my wildest imagination I couldn't have come up with anything stupider... I felt so insecure, they don't believe me, my God. I said to them, 'Look', I said, 'that's it. I've had enough of you guys. If you won't help me, I'll catch him and then you'll be arresting me' sort of thing. I was so annoyed, I was so absolutely frustrated, but that was only like for that day...

Kathleen was the victim of one of the earlier rapes for which Rewa stood trial in 1998, and it was evident from talking with her that she and her partner (later her husband) were initially viewed as having questionable credibility by the police. She believes this arose principally from negative police perceptions of her partner's involvement in drugs and the music scene. The police thought that, at minimum, her partner knew the identity of the man who raped her and suggested that he had been directly implicated in her attack. Not surprisingly, such insinuations impacted harshly on the pair's relationship, with Kathleen admitting that it took a long time before she was convinced that her partner had, in fact, had nothing to do with the attack. In her case, DNA evidence was obtained and linked to Rewa when he was finally arrested in 1996.

Similar issues associated with belief and credibility were evident in the case of another of Rewa's victims. Several of the police detectives involved in the investigation themselves told me about the police response to a woman raped by Rewa in 1987<sup>11</sup>. She was a young Maori woman, with gang affiliations to Highway 61 (the gang to which Rewa was affiliated), and with some previous criminal convictions herself. She actually named Rewa as the rapist but he had arranged an alibi to try to cover himself. Police at the time viewed his version of events as having greater credibility than hers and the case was not proceeded with.<sup>12</sup> Despite having a named offender in 1987, a further known 26 women were raped or sexually assaulted by Rewa before this woman's case was eventually heard in the 1998 trial, at which Malcolm Rewa was finally convicted of the crimes committed against her (Fleming, 1998).

### *Attitude of police*

How the women felt the police perceived them and behaved towards them was of vital significance. Some of the women commented that they did not always feel that the police they dealt with were comfortable interviewing rape victims. At times they felt that police discomfort and embarrassment prevented officers from being able to ask the right questions, particularly in the case of a few, but not all, male officers. As Karen commented:

He knew that there were ways to treat rape victims and things to ask and things not to ask and he was aware of that, but perhaps he didn't have it quite integrated into his interviewing skills.

Others spoke also of feeling like they were being treated a certain way:

... because on the police investigator's manual, on page 16, it said...

Several women also expressed concern that at times they felt the police viewed them judgementally. For example, Kathleen was asked what she had worn to bed the night Rewa raped her. She told the police she had worn a camisole top and underwear to bed and recalled:

I remember one of them saying to me, oh, is that all you wore to bed? That sort of male attitude - maybe if you had worn a winceyette nightie it might not have happened.

### *Interview environment*

The environment in which police interviews are conducted can often be extremely important for victims. Several of the women interviewed said they were, in fact, appalled at how terrible the conditions were – as Shelley commented:

It was absolutely disgusting. The chairs were falling apart... We had to use our mobile phones. The window was broken, the air conditioning was half hanging off the wall, I mean it was a third world, something you imagine you'd see in Istanbul or South Africa. And that actually had a huge impact on my mental alertness I think.

Some complained that, when they were taken to the police station to give their statement, they were interviewed in the same dingy, cell-type rooms that police use for interviewing criminal offenders. Such rooms were often originally designed to be intimidatory and produce feelings of sensory deprivation and isolation (Kassin and Fong, 1999), clearly rendering them of debatable merit as a comfortable environment in which to conduct the sensitive interviewing of victims of trauma.

Gabriel pointed out how she felt affected by the implicit messages of power and control conveyed in the interview setting, observing:

I don't think they [interviews] should be done behind a desk. Do you know what I mean? It's like going into an office and someone going. 'Okay, well tell us about your rape thing'. It's like the power is in that person's hands. You know, because they've got their desk and their pen and their box of tissues and you're sitting there, in this chair that you've never sat in before, in a room that you don't know, and I just, I don't know, I tend to feel that there should be some kind of space that is comfortable for complainants. And there isn't.

Karen also noted the inadequacies of the interview environment:

I think in an ideal world, it would be really good to have the interview take place, to have the medical and interview take place at some place that is a bit more comfortable. That would be the

ideal scenario, rather than being taken to Central, which isn't a very attractive, user friendly place - and it's full of policemen!

Other women spoke of the lack of privacy and safety they felt whilst at the police station. Interview rooms often seemed to be semi-public areas, with interruptions being frequent. Suzanne felt particularly aggrieved by the lack of respect and understanding she experienced in this regard from the women detective who interviewed her:

S: She took me up into this room that had about a dozen desks that the police work in, and sat me in one of these and started doing my statement. She took three personal phone calls and continued to talk, I couldn't believe it. I told Chook because I just couldn't believe that she did this, took three personal phone calls while I was doing the statement with her. She continued to chat on, one of them she talked to for about 15 minutes while I was sitting waiting, about what she'd been doing the previous day and some friends that they'd met, and she just continued and I was just sitting there thinking, I just don't believe this! If I had been in my normal state of mind, and not been through what I'd just been through, I would have said. 'Excuse me, what the hell do you think you're doing?' I just couldn't believe that she was doing it, especially for a female to do it. (Emphasis in original)

JJ: Did it feel somehow worse in a way that it was another woman who was being so insensitive to what you'd just gone through?

S: Yeah it did, she should have known how I felt and she obviously didn't care.

Helen recalled her discomfort at interruptions that occurred when she was being interviewed by one of the dedicated complainant officers:

There was one point, these police guys kept bursting in to the room. She [detective] didn't have her own room to do the interviews in, and she was sharing with some policemen. I just felt really stared at by them, so that wasn't nice. I could tell that Sandy was pretty angry about them, she'd say, 'Excuse me boys, but I'm conducting an interview here, do you think you could leave?', and they were like. 'Got this work to do'. They knew what I was there for, so that was not good. I felt very degraded by that, I guess. So that wasn't good...

Helen also mentioned the vulnerability she felt when going to get herself a drink at the police station:

I went to make myself a cuppa tea or something because... and the only place to make a cuppa tea was in the officers' mess, so there's a lot of people again around there. It would have been nice to have a little room that had a sofa in it, and a coffee cup, something so that you've got a bit of privacy. Because again, you've got this room full of men, big bulky men, and you're feeling pretty vulnerable at the time, and I think in terms of... they weren't offensive of anything, it was just you're feeling vulnerable, you think everyone's looking at you, you've just been attacked, raped, you know, you feel yuck, and that just makes it worse really. You want to hide, so why not let someone, just at that time, just give them the comfort they need.

Other women also expressed discomfort at the way in which they were scrutinised by other officers, feeling surveyed as Rewa's latest victim, and spoke of how degraded they often felt simply walking through the station or in the police canteen. In Marie's case, she felt acutely embarrassed walking through a busy police station:

I had to go into Auckland Central for photographs... They didn't have photographers who came to me, I had to go there. I had to go up several floors to the police photographer. That was terrible, it was awful. Walking in through the door, everybody looked. I did look pretty awful. That was really humiliating having to do that. Because I had marks around my neck where he (Rewa) tried to strangle me.

Similarly, Connie recalled how vulnerable she felt being taken into the police station dressed in her night attire:

C: They took me down to the police station in my nightie, that's exactly how I was dressed, in my nightie. I was dying to go to the toilet. I was dying to have a wash, but I wasn't allowed. They [police] said, 'No, you can't. Look, please, if there's semen evidence that we can get...' They took me down to the police station. I can't remember how long I was there, it seemed to be ages. I was not in any particular private area, because it must have been the start to the change of a shift, because people seemed to be coming and going and sort of staring at me.

JJ: How did that feel?

C: Lonely, just lonely.

#### *Victim seen as number/case*

As has been noted, the Rewa investigation and subsequent trial was one of the biggest rape inquiries ever held in New Zealand. Mostly the women said they felt the police managed it well in terms of treating each woman as an individual, but there were occasional slip-ups. Whilst possibly inevitable in a case of this magnitude, nevertheless such errors impacted harshly on the women involved.

A good example of this occurred when Karen rang and gave her name to the detective who answered the phone. He replied,

'Oh, you're number 61, aren't you?' That was my house number. I said, 'yeah, lovely'. It was a small thing but it was like, 'Oh yes, thank you very much!'

Other women commented how remarks made, at times, by professionals involved in the case conveyed a sense of there being a stereotypical 'rape victim' whom they were being assessed and compared against. Thus Helen said:

H: It was even brought home to me, the perceptions are, even amongst these people, that women who get raped are not very intelligent, come from lower class backgrounds, are asking for it, are

either prostitutes or dah, dah, dah... and that's what they're saying, which is not good in a way, but that's the perception, I guess, out there. So they were saying, actually there's a lot of intelligent women coming through here.

JJ: So they sounded a bit surprised in a way when they said that?

H: Absolutely. But that's a social perception, you know that it's there. It's not just a belief, it's a truth, as far as I can see.

### *Police minimised attack and effects*

Once the attacker was suspected or confirmed to be Malcolm Rewa, the women usually felt that they were well looked after and responded to by the police. However, some said such concern was not so evident while the attacker's identity was still being established. In Frances's case, she was attacked while she was out running early one morning. She managed to avoid being raped, and felt that the police initially trivialised the incident. Frances felt they dismissed the attack as being no big deal, when it clearly was for her and left her feeling shocked and highly vulnerable. She was, however, determined not to be put off running and began instead to run with others. Less than a fortnight later she was running in the same area with her companions when they came across a woman who had just been attacked. Frances told the police that it sounded like the same offender, and, after further police investigation, Rewa was charged with both these attacks.<sup>13</sup>

One of the most potentially fraught issues to arise in the context of rape reporting derives from the victim's confusion, or at times denial, as to whether or not she has been raped. The likelihood of such confusion occurring is understandable, given that while legal definitions assert black and white boundaries, the realities of sexual assault range along a complex continuum of behaviours. Research evidence suggests it is therefore not uncommon for women to be hazy as to whether or not they were raped, and to tend towards minimisation of their attack (Kelly, 1988; Kelly and Radford, 1996). In such circumstances, effective law enforcement will be dependent on the skills and sensitivities of investigators cognisant of these processes.

Suzanne hoped for such a response from the detective who interviewed her, but felt she received the opposite:

I remember telling her about how he was pushing himself in, he couldn't get into me and it wasn't until later in the court that I realised that that wasn't recorded... She focussed more on the attack side rather than on the sexual side, when both of it was important. She just focussed on that one side of things, and I think she wasn't really interested in it, to be quite honest... it was trivialised. I really just don't think she was interested. To her, it was just a minor assault because that's the way the statement ended up being. I just don't think she was interested.

Suzanne felt particularly aggrieved that, had the detective been more sensitive to what she was saying, she would have immediately been sent for a medical examination:

I'm very, very disappointed and angry with the way it was handled, and also anybody in their right mind should have been sent for a medical after that, and she didn't! I told her what he'd done. I remember saying to her, in front of \_\_\_ [flatmate], I said to her, 'Look, I don't know exactly what he's done but it's really revolting, I feel damp'. I said, 'I really need to go to the toilet' and she said 'Go', and so I went and she never sent me or anything and I said to her in front of \_\_\_ before I left, 'Am I okay to go home and have a shower?', and she said 'Yep, off you go, we'll be in touch tomorrow'. So I went home and I lay in the bath for an hour after I'd rung \_\_\_ (fiancée), and [he] was arranging to catch a flight up at this stage, and I lay in the bath for an hour because I felt so disgustingly dirty, and it wasn't until that afternoon [he] came up and he said, 'Have you had a check done?' I said 'No, they told me not to worry about it'. He said he couldn't believe it, so he then spoke to the detective and I dealt with [different detective] and he was a brilliant detective, and he couldn't believe it either. They came and got me the next day, but it was a bit after the event.

What Suzanne's experience highlights also is the immense importance of the police role in assessing complainant testimony. For all sorts of reasons, a rape/sexual assault victim may minimise what has happened to her. This could be for reasons of psychological self-protection, cultural shame, fear, sexual reticence – in many ways, the reason is irrelevant. For the detective interviewing her, it is important to find ways of establishing rapport so as to obtain the fullest account possible. The detail may not emerge immediately, in which case erring on the side of caution is advisable when it comes to decisions about, for example, arranging a forensic medical examination. This decision needs to be taken by the police, not left to the victim to specify. As Suzanne said,

If I was in my normal frame of mind, I should have questioned it further, but I thought, here's the professionals dealing with this situation.

### *Pre-trial preparation*

One of the positive features identified in the previous major section related to the efforts made by the police and prosecution to prepare these women for the rigours of the court trial. Considerable energy was expended in trying to familiarise the women with courtroom procedures and supporting them through this time.

The pre-trial meetings that were held with the police and Crown Prosecutors were viewed as a positive initiative by the women. However, while the good aspect for them was that these meetings occurred, several expressed reservations regarding the way in which these were arranged. Criticism was specifically voiced about the lack of advance information given to each woman concerning the size and scale of these meetings.

Karen described the process leading up to this meeting:

I got this letter from Steve Rutherford saying you're coming to meet the crown prosecutors and all the rest. Veronica came and picked me up from work, and we tootle off to the High Court, where I'd never been before. She said to me before we went in, she said, 'I'll just tell you now, there's quite a few people in the room. There's so and so and so...' and rattled off all these names which meant nothing to me.

I walked into this room and there's like eight people, plus Veronica and me, so there was like 10 people in this room. Everyone was sitting not quite in a circle, they had the police here, the lawyers here and it's like... I'm used to being in meetings and I was really pleased about that, and I'm used to talking at meetings so it doesn't worry me, but I think that for someone that's not used to talking to a lot of people, it would have been a nightmare, there was way too many people there...

I had no idea who these bloody police were, sort of thing. I later found out they were all the top police from the inquiry and all probably had every right to be there, and certainly the 3 prosecution lawyers did too, but there was too many people. Apparently, I was only about the third one that they saw, and apparently the first person or the second person had really freaked out. She'd walked into this room full of men - we're not good at walking into rooms full of men. I think that's probably something that hadn't been thought of. It wasn't great... I bet they don't do that again. (Emphasis added)

A feeling of daunt when the door to that meeting room opened was mentioned by many of the women. Gabriel referred to it as hellishly intimidating, while Frances said:

Well, all I would have needed to be told was 'there's this many police there and these other people' and then I would have known, rather than the door opened and it was, 'oh, look at all these people'.

As well as the measures already mentioned, a room was set aside for the exclusive use of victims and their support persons, in an effort to provide them with a safe space where they could try to relax, give vent to their feelings if need be, and gain some respite from possible intimidation by those supporting Rewa. In practice, this room (which was some distance from the courtroom) was not used as frequently, by some of the women at least, as the police's room. In part this was because of the close team-like environment which was created by the police and sought after by those women who spent longer times at court, often through choice rather than requirement.<sup>14</sup>

The feeling was also expressed by some that the process of preparing the women for court tended to happen when the police felt it needed to, rather than when the women might want this to occur. This prompted Helen to challenge the police to communicate more fully with the women during the lead-up to the trial, noting:

They probably felt that they were doing enough, but you live with something day by day, it's not enough, you need to know this guy is going to be put away or whatever you're feeling and he's not going to be out there, just those little silly things: 'Are you making sure he can't get out?', 'He can't get bail, can he?', because you don't know, I don't know the court system... Do people like that get out on bail? You know, you don't know that. It would have been nice if there was someone to answer those questions and not feel silly about it.

Later in the interview she referred to her thought sequences once the letter arrived outlining the forthcoming trial:

Because as soon as I knew I was going, you got the letter, then you start dreaming. It's like, oh my God, he's going to be able to come across there and kill me. You know, again, they're not logical but you want to know that there's ten people between you and him. Because if he can do it

once, he can do it again. How do you know he hasn't got a knife, how do you know? Yeah, all really stupid things and maybe that might have helped me a bit to know, there's two bodyguards on either side, there's all these people before he can get to you... which I was told two days before and that's great, but if I had been told when I was actually starting to think about it... But people can't anticipate if they're not inside your head, I suppose. They must have known from enough women, though, that you're going to have those sort of fears.

Concerns such as these raise questions about whose time-frame is being adhered to, whose needs dominate the process, and how can these issues best be resolved.

### *Lack of follow-up after court attendance*

In contrast to the women's general appreciation of pre-trial input, strong dissatisfaction was expressed by some that as soon as they had given evidence, it felt as though all support was withdrawn. Whilst some rationalised this as understandable, in that the police and prosecution focus had now shifted to the next witness to take the stand, nevertheless it provoked feelings of betrayal in some women. Shelley expressed this sentiment well when she noted:

There was no debrief after the court appearance which would have been really important to me. I mean, there you were, the most special person to the prosecutor and for the court and you were like queen for the day. It was very much that, you know, and there was media coverage and you stood in the box and there was all this and then it's like, 'Bye, next one'. A sort of disposable witness really. Just disposable, you know we've – you've done your dash and thanks very much that's great, goodbye, without a thought to actually, this person's leaving with you know all sorts of things happening to her.

For Shelley and some of the other women, the need to have some kind of debrief arose following their court appearance. This was true for Marie also, who had to manage the added difficulty of taking the stand as the first police witness in the 1998 case, 23 years after Rewa's conviction for attacking her. She recalls:

I was quite happy with the way things went, the only thing I would say, I wasn't prepared for afterwards. After I had given evidence, I actually had a dreadful time the next 2 or 3 days, just the let down. I don't know, whether it was all the build up to get me there, I felt there was nothing, I was just left high and dry. Because I was the first witness, I got the impression, it might have been totally incorrect, but I got the impression that they breathed a sigh of relief, 'Oh, we've started, we've had our first witness on the stand, and the trial is under way'. I think they all went off to the pub to celebrate! I got the impression that it was you've been there, done your bit, now that's it, goodbye now, thank you very much. I just felt there was no follow up. Now whether that should come from them, I don't know. I still needed the contact, I needed to know what was happening. I knew in my mind that they're really busy, they're preparing the next person to go on the stand, I've done my bit now, so they can put me to the side. I just felt that... I just spent all the Thursday crying, which is probably just reaction. I had to have people with me, I was just a mess and yet I had coped with going in there, I had coped with the week, I had done everything, but nobody really was there for me afterwards.

In Frances's case, however, the time she most acutely felt the need for police/prosecution contact was following the delivery of the verdict. This was because, for her and one other woman, the jury returned Not Guilty verdicts against Rewa. Frances describes how she contacted one of the dedicated women officers that evening:

F: I rang her because it was late at night when the jury came back in but I was up so I rang her at the courtroom and she told me then... It was so late at night, she just said, 'Look, I'm really sorry to have to say to you that your verdict was not guilty'. It was a funny feeling, a really strange feeling. My sister in law said to me, it's almost now that you actually need to be speaking to someone about it. In those few days afterwards, it was a real feeling of... that I did put it all behind me then it all got opened up again, and now it's left really open. It's not so bad now as it was when it first happened.

JJ: In terms of that, did you get to talk to anyone, the police or the prosecutors afterwards, did they sit you down at all and give you some explanation about why they think the jury's reasoning may have been or anything like that?

F: No.

JJ: So in an ideal world, what would you have liked to have happened?

F: Perhaps just sit down with Paul Davidson [prosecutor], I guess, and maybe for him to say why he thought I got that verdict. I think I was quite surprised too, leading up to the trial there was so much... there did seem to be, they seemed to be going out of their way so much to make sure everything was going to be okay for all the witnesses, and then afterwards there wasn't any contact, that was it, it's finished, it's over.

JJ: So how did that feel, what message did you feel like that gave you in a way?

F: I guess I was quite an unimportant part of it, it was that sort of message. When we had a thing a few months later here at Patricia's, I spoke to Gina [prosecutor] about it there, she came up and she made me feel better about it, she said we have no doubt in our mind that he was the one who attacked you. I actually really needed to hear that, but I needed to hear it sooner... It would have just given me that affirmation that I needed at the time.

### *Other sources of dissatisfaction*

#### Statement-taking process

One concern raised by many of the women, and which echoed that identified by women interviewed as part of my earlier rape research (Jordan, 1998a), involved their feeling that the police often persisted in taking their statement when they were exhausted. This practice was criticised by some of the women because it appeared to represent an adherence to police procedure at the expense of sensitivity to victims' needs. Persisting in continuing to interview in such circumstances could also result in the police resorting to putting things in their own words,

instead of ensuring they obtained as realistic a picture as possible from victims. Such a practice not only undermined the women's sense of the validity of their experience, but could also have potentially serious implications later in the process – for example, when the women were questioned or cross-examined regarding their statement in court.

Jennifer felt the police tried to interview her initially when it was the wrong time and it was too late. Shelley also described how exhausted she felt by the time the police began to obtain her full statement.

I think that – see, by the time I was giving my full statement, I'd spoken to the police on the scene, I'd spoken to the doctor and given the same statement to the doctor at the hospital and then I was doing it for the third time in a more extended way to the police and I think what really I would have liked to have seen happen was that statement could have waited. I think I really needed the time, I mean it had to be done. I probably would have performed better had I had some sleep and then come back and perhaps had it done in my own home or done it in a more comfortable situation.

Shelley also noted that the detective who was interviewing her knew she was tired and tried to speed things up for her, but this could have resulted in incorrect details or sequences of events being recorded:

I did feel as we were going through that he was trying to kind of put the words for me, but I think he was just trying to be helpful rather than being objective about writing the statement. And there were some things that he read back to me that I said, 'No, that's not actually what happened', or 'No, that's not what I mean'.

One or two women expressed dissatisfaction regarding what they perceived as limited or inappropriate techniques that the police expected them to be able to utilise. Patricia, for example, had fought with Rewa and chased him down the road, in the process obtaining a good look at him. The police were keen for her to assist them by drawing a compusketch, which she agreed to do. This proved to be a singularly frustrating experience, she said, which lasted more than three hours:

They had an American profile programme in there, it had not one Polynesian not anything, the closest thing to an Asian was an Eskimo. They didn't have anything that was slightly conducive with a Maori or Polynesian that you see on the street.

Other women observed how difficult they found the process of police interviewing and statement-taking because of the explicit nature of the information required. In response to a question concerning whether she felt she could tell the police as full an account as she wanted to, Kathleen responded:

No, because I couldn't divulge a lot of that information 'cause I didn't feel comfortable. If I had maybe a female there, or they had gone through a list of questions, like: Did this happen or did that happen, did he do that, it probably would have been a bit easier... 'Cause there are some things like when he, the oral sex bit, I didn't know how to say what had happened. It was just sort of uncomfortable, horrible...

I couldn't say a lot of the stuff I wanted to say or that I felt I needed to say but, yeah, I don't know, I couldn't, I just couldn't. You know, I felt embarrassed, I did feel embarrassed, yeah, that's the word for it, I felt embarrassed.

### *Retention and return of personal property*

All of the women had items of property retained by the police for forensic examination. These included mostly items of clothing and bedding, including items used by Rewa to bind and gag them. The women understood the importance of these items being examined, but several expressed concern regarding the police retention, use, and return of their property. Some of the women said that they were not always informed of the procedures to be followed, and at times heard nothing after their property passed into police hands.

One major source of discontent arose from the lack of consultation by police as to what the women wished to have happen to these items following their examination. While many said they did not necessarily want these items back, most felt they would have liked to be offered the choice. Shelley described the property items of hers which the police retained:

They had all my bedding including pillows and duvet. My dressing gown, the clothing I was wearing at the time... I just assumed that, I mean, they may have said to me, 'We're taking it for evidence', but that was all and there was certainly no clear explanation that I wasn't going to get it back and that actually surprised me because my duvet cost me, it was a set and they actually destroyed all the evidence afterwards and then I made a claim to my insurance company and they said no. It wasn't, I wasn't going to get a claim on it and so then I contacted the police who wrote them a letter and they came up with the money after the police wrote the letter. It was incredible, I felt it was incredibly insensitive. It was those sorts of things that really, really threw me. It was those extra little things, a few layers out...

Shelley also felt aggrieved that the next time she saw her pantyhose, which Rewa had used to tie her up with, was when they were displayed on national television following the release of the trial verdict.

Women whose property was returned often complained about the way in which the police managed this process, with some feeling that greater sensitivity could have been displayed by the officers concerned. For example, the police would suddenly arrive on the doorstep with the items in question, without the woman being given a choice regarding whether or not she did in fact want to see these items again. The likelihood of it being upsetting to see the clothes one was wearing when raped did not always seem to be appreciated by the police – it was simply time to return the property so it was returned. One woman, for example, found it distressing when her property was returned with crosses marking the spots where semen stains had been found. The condition of some items meant that, ideally, complainants would have been warned about the state of the goods in question. As Isabel said:

They took away all the clothes that I'd been wearing when I was attacked and they gave them back sometime later, but I don't know why they bothered giving them back because they all had little holes cut out of them. They came back in those sort of evidence bags.

Raquel also had the pair of jeans she had been wearing handed back to her, without any advance warning, and with a big hole cut out of the crotch area. The material had been removed for forensic analysis. Raquel had been attacked and raped in her car; when the police had finished their examination of the vehicle, she was told to come and collect it. Her boyfriend went and was upset to find the passenger seat still down in the position Rewa had placed it for the rape. Furthermore, Rewa had cut this woman badly during the attack and the inside of the car was still covered with her blood, a fact which prompted a family dispute amongst all those close to her as to who could best manage to clean it, until in desperation Raquel herself arranged for it to be valet cleaned.

That's another thing, another complaint, and I don't know whether we really have right to complain about this, but when I got it back it [her car] back, it was still... it had blood everywhere in it. I remember the seat still, the seat was still back, my seat that he put me back onto, the passenger seat was still down, they hadn't put it back upright and then when \_\_\_ [boyfriend] went to pick my car up he was really, really upset seeing the seat down because it made him think about everything, and the first thing he did was put the seat back up. He was really upset, it made me uncomfortable, I remember being uncomfortable because I saw how upset he was, that probably made me... I was dealing with it really well, it hadn't really occurred to me how upset everyone else was at the time because I was still in my own little world, in survival mode, I wasn't really... it's hard because they can't always do the best thing for you because they're really messed up themselves. When you're a victim, you forget that there's a lot of other victims too, but you're the victim of the actual crime, but there's a lot of other victims emotionally and it's kind of hard when you're the victim survivor to relate to that, you don't actually completely understand what they're going through, they're busy trying to cope with it and understand what you're going through which is hard enough and you're not really capable of understanding what they're going through. But there's blood everywhere in my car and I had to take it back like that and get it cleaned, that was interesting.

As Raquel said, though, why could the police not have either cleaned it themselves or offered to get it done at the family's expense before they took receipt of the vehicle?

From the examples and statements described above, it is clear that while most of the women felt very positively towards the police, some police procedures and behaviours produced dissatisfaction. Even when they apparently conformed to stereotypes of the 'perfect victim', these women did not receive 'perfect policing'. For some, this sense of dissatisfaction could have been further enhanced by police personnel making serious mistakes in relation to the management of their cases and evidence. The next section documents some of these errors and the women's responses.<sup>15</sup>

### *Mistakes and errors made by police*

The fact that mistakes were made is probably not surprising in a case of this magnitude. In the course of the lengthy investigation and trial procedures, there were at times lapses in communication, errors of judgement, and insensitive behaviours. Examples of these, as described to me by the women, follow.

Shelley, who was raped twice by Rewa in the course of the attack, expressed concern that one rape charge was apparently lost between the time of statement-taking and the trial. It seemed to her that one page of her statement must have gone missing, since Rewa was only charged with the one count of rape against her. If he had been acquitted by the jury on this charge, she said she would have been much angrier about this aspect of the police management of her case. If the police had deliberately reduced it to one charge, then the reasons for this were clearly not communicated.

Shelley also said she had originally identified an item of clothing found in Rewa's possession as belonging to her, then some months later found hers still in her house. She told the police and asked them to delete the reference to this identification of clothing in her statement. No such deletion occurred. When the case went to court, the defence lawyer, Barry Hart, pounced on this occurrence, delighting in being able to show how 'mistaken' in her identification of the item Shelley had been and goading her as to how many other details she might be mistaken about. She commented:

I felt a little bit let down by the police that there had been a communication problem and unfortunately the defence had that information and he really hassled me on that and he'd say you were wrong with the camisole are you wrong with anything else you know so and I felt that I had been allowed, that they'd exposed me unnecessarily to that sort of questioning and I found that really, really hard to kind – I felt like I had to claw my way out of it really.

In other cases there was confusion sometimes as to whether Rewa's attack on an individual woman legally constituted rape or not. Such ambiguity is not unusual in practice, given that sexual behaviours occur along a continuum in reality (Kelly, 1988), rather than neatly falling into the polarised dichotomy advanced in law and examined in earlier chapters. In Rewa's case, this confusion was exacerbated at times by the fact of his erectile dysfunction, which obviously affected the extent to which he was able to achieve penetration. How the police responded to the women's accounts of his actions had significant ramifications later, and often determined how he should be charged: Patricia's case, for instance, was filed as an aggravated robbery initially, a factor which meant that her case nearly missed being linked to Rewa as the offender, although she expressed amazement at this oversight:

P: One of those police told me that aggravated robbery leads to rape. You know, there are all these steps: there might be an aggravated robbery this year but next year they are likely to be a rapist, that they are keep on the adrenaline as such, that they keep on. So they [police] should already know that, so if this sort of arrogant policeman would tell me that, why doesn't everybody know that? Why isn't it already in the system? So it got filed under aggravated robbery and that is when I said to Chook, how come it took you so long? You would think they would have found it when he had gone through all the files in [her suburb].

JJ: Yeah, what did he say?

P: Because it was filed under aggravated robbery and not attempted rape. Big gap, big gap. It's tunnel vision.

A scarf belonging to Rewa had been left at Patricia's address. The police took the scarf away, and she was sure that, since it looked like it had been round Rewa's neck for a long time, that some forensic evidence would be obtained from it. Unfortunately, she told me, it seems that the police may not have noted that this scarf belonged to the offender, rather than the victim. For whatever reason, the scarf appeared not to have been forensically examined at the time.

I don't know what went wrong but there was a big mess up with that scarf and that was all they had to go on and they blew it. At the time of the court it was mentioned that it wasn't there, it had been mislaid somewhere.

Suzanne feels she encountered a similar problem with the police concerning identification of a fingerprint outside her flatmate's bedroom.

The chap doing the fingerprints said, 'I've got a really good thumbprint of this one, through the point of entry'. I said, 'Oh, great'. When Rewa was arrested, the police said to me... because I said, 'What about the thumbprint, as some kind of evidence?' They said no, it was my fingerprint, and I said no it's not, and they insisted it was, and I said I have never, ever been into [flatmate's] bedroom ever and I still haven't to this day, and I certainly never had my finger on that ... I actually got really angry in the end, I said, 'It's not my fingerprint!' In the end they said it was [flatmate's] thumbprint and [she] said I have never had my finger on that outside of the window, it was right there, we knew he got in that window because the stool was there where he got in, it was right where he would have put it... because he put the screwdriver under it, we couldn't believe that they were doing this... That actually did concern me, it was like they first initially said it was mine and then they said it was hers, and I know I've never been anywhere near her bedroom inside and out, so that was a little bit of a concern.

Connie recounted to me how absolutely exhausted she felt by the end of her statement. Her husband drove her to her parents' place, and as she walked in the door news of her attack was being headlined on the television news and the phone was ringing; it was the police requesting that she return immediately to the station. She felt scared that perhaps they did not believe her:

Well, that was my thought, that they didn't believe me. Despite the fact that it was on TV, that it had made the news, it's still not enough in your head to tell you, well it's on the news, they believe you, because I know what news is like, a story's a story, doesn't matter whether it's true or not. And I thought, Oh no, they don't believe me, what now?

Connie returned to the police station, feeling agitated. On her arrival, what she discovered was that the typist had spelt a word wrongly on the statement and the police simply wanted the change authorised and signed by the complainant. This seemed a small detail to the police but by then this experience was impacting hugely on her, adding to her already heightened senses of fear and vulnerability.

Several of the women expressed concerns in particular over the arrangement, or in some cases lack of arrangement, of medical examinations. Mention has been made previously in this chapter of Suzanne's anger when the detective failed to send her for a forensic examination when this might have yielded critical evidence. In Raquel's case, she feels the police made a potentially serious error of judgement in not sending her for an immediate medical examination to have her head injury assessed. Instead they drove her to the police station, saying they would have to arrange for a clinic to be opened for her to have the forensic examination:

That is what they told me afterwards, but in actual fact that had nothing to do with my head injuries. In actual fact the fact that I had head injuries, they damn well should have taken me to A and E now that I think about it....

I guess they probably felt that I was quite lucid and quite okay to... you know. But there was nobody there to check my pupils. You know when you have, you've got a difference in concussion and brain compression I mean who knows, who knows what had happened to me? It's probably a little bit slack on their part. I mean if I had been really badly injured they would have taken me to hospital, you know, but because I was walking and talking fine they didn't concede that there was anything wrong with me. God, I could have collapsed an hour later, you know.

Gabriel also had concerns regarding police liaison with medical personnel. In her case she was taken to the hospital to have her injuries examined, but feels that the police left her there without medical personnel being told how shocked and vulnerable she was likely to be feeling. Gabriel commented:

I was quite disgusted about the fact that, when I was at the hospital, I was left in rooms by myself and wheeled out of rooms because there was no more rooms and left in a hall way on a stretcher for a long time. I found that very disturbing, because I couldn't get up without help. I just think that's terrible being left by yourself. At that stage there was no-one available to be with me. And the fact that the X-ray person didn't know the nature of my, no-one knew the nature of why I was there. Now I don't know whether that is because of the privacy of it all, like I don't know if the Police can go up to the nurses and say, 'Look, we've had this young person who...'. No-one seemed to know why I was in there. I had to tell them and that was not something that I really felt capable of doing.

What is apparent, in the above examples, is that many of the women were aware of potentially serious mistakes and significant oversights that were made by the police. Fortunately, these mistakes did not appear to seriously impede case outcomes (in this case, Rewa's conviction), although some women believed that potentially the police's errors may have had more deleterious effects. What emerges from the women's accounts overall, however, is that if the police have a fundamentally positive relationship with the woman from the outset, then such errors will be tolerated within the context of that relationship. Just as in any marriage or partnership, errors of judgement or communication may occur, but if the underlying bonds of trust are there then these are unlikely to jeopardise the fundamentally secure basis of the relationship. In other words, if the foundation of the police-victim relationship is strong, complainants will be understanding of the pressures on police and relatively forgiving when mistakes occur.

Some of the women noted that their experience of the police was more positive than they initially expected, although attributed some of the reason for this to it being such a significant inquiry. As Gabriel reflected:

I don't know, just because I had a good experience, I mean, I'd never know what it would be like to make an individual complaint. Bearing in mind that when I was attacked, the Police already knew that there was a serial rapist out there and had a very good idea that this was part of it. And perhaps I did get a lot of special treatment, and then definitely throughout the trial, in fact all of us did because it was so unusual and it had to look good because shit everyone was looking at them. It had to look good. Imagine if it wasn't handled very well? I mean, God. How would the country feel to find that there was a serial rapist and the police force were all over the place and didn't give a shit! It had to be handled very well because it was in the limelight.

What emerged for the women overall was general satisfaction with the police approach, coupled with an ability to give clear, specific examples of which aspects, from their point of view, were not handled well. As Shelley expressed it:

I'm very positive, I had a very positive relationship with the police and accepted a lot of their downfalls as well. In fact I know that their processes weren't often wonderful and you know having to deal with 30 of them at different times, I kind of accepted that because each one of them as individuals were really nice to me. And that's why I could accept it... There were quite clear cock ups along the way... But the fact that there was that real sense of support and belief... I didn't really feel too bad – I was angry about it but I kind of rationalised it.

Patricia noted also that while the mishaps may appear insignificant on one level, they all detract from the ideal of perfect policing:

So, it is all minor little things that are human failings really, but in a case like that, or yeah, in cases as big as that one, if you can close the gaps on human failings then I guess you would get a more perfect system and then everything is going to flow a lot easier, isn't it?

## **Implications of the research**

The responses of the women attacked by Malcolm Rewa to their experiences with the police provide us with valuable insights into the concept of what, from the rape victim's perspective, constitutes 'perfect policing'. A clear understanding of victims' needs emerges from the interview data. This includes validation of many of the measures employed by police during Rewa's investigation and trial, as well as criticisms of some of the ways in which these procedures were managed.

Important aspects of police practice which were applauded by the women included:

the provision of dedicated women complainant officers;

the ability to liaise with a police team of aware, sensitive detectives during the trial;

the opportunity to meet the Crown Prosecution team in advance of the trial; and

familiarisation with courtroom layout, defendant's position in the court.

Many of the women reiterated the paramount importance of issues of safety and privacy for victims of rape/sexual assault. Being believed, validated, and reassured was also stressed, because of the need to counter the negativity and degradation of sexual violation. Several of the women spoke of the ways in which they felt so acutely dependent on the police, as professionals, to determine the proceedings. In suggesting how police might approach this issue, Helen said:

It's almost like you have to try and think what the woman needs, because she doesn't know, she's not been through it before, she's not going to be able to make decisions for herself.

Can the police learn, as Helen suggested, to put themselves inside the head of a rape victim and anticipate what she needs? The overall positive response of these women to the police suggests that at least some can, at least some of the time. This raises the question of what factors determine this ability to show empathy and sensitivity towards victims of rape – gender, training, personality, or experience? The results of this research, combined with the data obtained in my earlier study, suggest the importance in particular of training and experience. In both studies, women often suggested the desirability of a specialist police unit to respond to sexual assault victims. Access to interview rooms and facilities designed with victims' needs in mind was also strongly advocated, rather than expecting traumatised individuals to adapt to the deliberately harsh cell-type environments designed for interviewing the perpetrators of crime. What must it be like for a victim of rape to imagine that the previous person sitting in her chair was possibly a rapist or child abuser?

The most significant aspect to emerge from the interviews with these women concerns the paramount importance of the police establishing a positive relationship with the complainant. The majority of the women were regarded as credible victims and had their accounts believed by the police from the outset. An environment of trust was created which formed a strong foundation for a relationship that had to be sustained over a long period of time. The police recognised the centrality of Rewa's victims to the police goal of successfully prosecuting this repeat offender. The efforts the police went to in establishing a respectful and supportive relationship with the women proved to be invaluable. The sheer magnitude of this investigation meant that, on occasion, mistakes were made and insensitivities did occur. In a single complainant case, mistakes such as those cited earlier involving a lost scarf or wrongly identified fingerprint could cause the entire case to collapse. Fortunately, in a multiple complainant case such as this, isolated instances of bungled evidence were unlikely to prejudice the eventual outcome. While such mistakes might strain the relationship between the police and the woman concerned, if a good, solid relationship already existed then the women were usually willing to forgive such indiscrepancies. In other words, if the complainant already felt believed and supported by the police, then a mistake or inconsiderate remark would be assessed within the context of a fundamentally positive relationship. The capacity to forgive and to understand would be apparent. For example, if the return of a complainant's property was not handled well, the complainant may be aggrieved by that act but, hopefully, not to the extent that she would decide to end her relationship with the police. If, however, the relationship was already strained, and there was little trust or rapport between the

police and the complainant, then one more sign of police disrespect or insensitivity might tip the scales. The result might then be that the complainant would decide 'That's it!' and withdraw the case or refuse to co-operate as a witness. It is the strength and quality of the police-complainant relationship that carries a case through to completion and, hopefully, to successful prosecution of the offender

It is probable that a major factor underlying the fact that the women attacked and raped by Malcolm Rewa were dealt with positively derives from Rewa's status as an offender. He was a repeat, serial offender, the kind of 'monster' rapist whom the police are highly motivated to apprehend, and there was extensive public and media pressure on the police to 'catch their man'. However, from my talking with police involved in this case, it appears that they began increasingly to see, from spending so much time with these women, how lacking in victim orientation they, as investigators, actually were. Hence, from interviews I conducted with senior police personnel involved in the Rewa investigation, as well as from the women's remarks, it is clear that the police learned to become much more consistently victim-centred in their approach and management of the women as the investigation proceeded.

In part this was because Rewa's latter victims were often able to be linked to him immediately (largely because of his modus operandi), and thus the offender's status and notoriety influenced police treatment of the victim and crime scene. What some detectives observed, however, was that the women whom Rewa attacked were mostly highly educated and articulate women who were able to verbalise their needs and reactions clearly. Thus when, for example, one woman complained about a poor lack of communication concerning trial dates, the police responded favourably and began to issue occasional written bulletins to update the women concerning case developments.

It is debatable how much this receptivity to complainant suggestions could be attributable to the size of the case and status of the offender, or the status of the victims, or to the police recognition that the only way Rewa would be convicted would be as a result of victim co-operation. Whatever the motive(s), the effect was that the police learned the necessity of listening to and validating the victim, and developed a much fuller appreciation of victim needs and vulnerabilities. Since the end of the trial, detectives involved in this investigation have become regular contributors to detective training courses held at the national Royal New Zealand Police College, emphasising in particular the importance of an empathic police response to rape victims.

At heart, those they lecture to may always primarily define themselves as hard-nosed detectives who are motivated to try whatever is necessary to catch serious offenders. Whatever the reason, part of what at least some police learned from the Rewa and Park investigations is the centrality of the victim to police success in their mission. Part of what needs to change is the expansion of the concept of serious offender so that this category includes not just the easily defined 'animals', as one detective called Rewa, but the much more typical non stranger rapists, whose victims may often be viewed as imperfect victims and characteristically receive less than perfect policing, as the study of police files demonstrated.

In talking about perfect policing, it must of course be acknowledged that perfection as a concept is not an absolute; ideas as to what constitute perfection are diverse and situationally determined. What is perfect policing from the police point of view may be defined as that which nets the

offender; whereas from the victim's perspective, perfect policing may be a broader, more complex concept. It may incorporate that which validates victims and their experience, provides them with support, and secures their safety, as well as involving the police doing whatever is necessary to help secure the arrest and conviction of the offender. This emphasis will vary for different women; there is no one, uniformly shared goal. For the police to reach their goal, they need to be able to ascertain, for every individual victim of rape, what she in particular needs from them, in order to secure her trust and co-operation, and their success in law enforcement. As Isabel observed in relation to the symbiotic relationship between her, as a rape victim, and the police:

Okay, so they run the system, the police and the lawyers run the justice system, but they needed my help to do what they needed to do and they let me do it my way - a little bit.

---

1 For background notes on Thompson and Rewa, see Chapter 6, FN 5.

2 All names used are pseudonyms either self-selected by the women, if they chose, or assigned with their consent.

3 The 1998 trial included also charges against Rewa relating to the rape and murder of Susan Burdett in 1992. Rewa was initially acquitted on both counts but at a retrial in December 1998 he was convicted of the rape of Susan Burdett, but not of her murder.

4 A detective who interviewed both rapists commented that Thompson began confessing as soon as he was arrested, even to rapes that the police did not know about, whereas Rewa remained mute and hostile.

5 Only one of the women I interviewed was attacked away from her home, when Rewa abducted her as she returned to her car late at night.

6 Figures presented here refer primarily to the 14 women interviewed whose cases were tried for the first time in the 1998 court case and exclude the experiences of the woman attacked in 1975 unless otherwise stated.

7 Detective Sergeant Dave Henwood, commonly known as Chook, a senior member of both the Malcolm Rewa and Joseph Thompson investigation teams.

8 Detective Inspector Steve Rutherford, who headed the Rewa investigation.

9 My questions are included where I consider these a useful preface to the women's responses.

10 One of the first women detectives assigned as a dedicated complainant officer left the police and was replaced during the trial preparation period.

11 Although I spoke with this woman several times by phone, during which she shared details of her experience, she decided not to be formally interviewed because of her current life circumstances and desire to move on emotionally after the trial.

12 The issues of complainant credibility evident here are strongly reminiscent of the factors identified earlier in this thesis as being linked to police perceptions and judgements concerning victim veracity.

13 Whilst the police were confident that Rewa was the offender in both these incidents, the jury acquitted him on all counts derived from these two attacks. The jury's decision appear to have been related to an absence of corroborative evidence that Rewa had intended raping these women when he attacked them (he was charged with Assault with Intent to Commit Rape).

14 Several of the women interviewed indicated that they chose to spend considerable periods of time at the court after they gave evidence. Some were keen to see Rewa take the stand, and/or be present for the judge's summing up, jury verdict, and sentencing.

15 It is also possible that other mistakes and errors were made which were not detected by the women and which the police managed to keep concealed.

-----

Copyright © Jan Jordan 2001,