

THE LAST

The incest taboo has been the basis of most tribal and ecclesiastical marriage laws, although its meaning varies.

In Levi-Strauss's analysis it is a consequence of the social principle of exchange or reciprocity, along with gift-exchanging rituals and barter. A man ensured that other men would save their girl-children for him by leaving his own girl-children virgin for them.

Freudians see incest as a universal childhood fantasy, although modern critics are suggesting that the illusion may have been exclusively Freud.

But the modern reality now emerging into public discussion is a vicious protracted sexual assault committed largely by older males with parental authority and responsibility upon girl-children in their charge, from which the victims seem to derive as much shame as the perpetrators.

Whether through atavistic shame or Freudian blinkered vision, even after the sexual revolution has freed us to talk about others forms of sexuality, incest remains a taboo subject. The South Australian axe murder case illustrates the disastrous consequences of failing to listen to the victims.

A South Australian woman has been sentenced to life imprisonment after she took an axe to the husband who had beaten and sexually assaulted his five daughters. One of the daughters said: "It was the only way he was ever going to leave us alone." Six years earlier two of the daughters, then 13 and 15, had complained to the Department of Community Welfare, but apart from a bungled police investigation, nothing was done.

Professor Colin Howard, Hearn Professor of Law at Melbourne University is puzzled by the decision. The case suggests a gap in the law, Professor Howard says, but legal

The following article is the winning entry of the Australian Child and Family Welfare Journalism Award for 1981. The award was presented on Monday, 27th October 1981 to Rosemary Kiely. In her reply, Rosemary Kiely mentioned that she had to submit her article twice to the Age before it was published. The first time she submitted the article it was rejected on the grounds that it was reporting on "the last taboo".

Judges for the award were Dr. Don Edgar, Director, Institute of Family Studies, Max Walsh, Secretary, Australian Journalists' Association and the editor of Australian Child and Family Welfare.

doctrines already available should cover that. "The doctrine of provocation as far as a murder trial is concerned should be enough to have the offence reduced to manslaughter."

Professor Howard says the South Australian case illustrates precisely the point that incest is a problem regarding which the criminal law is "ineffective and unnecessary". Professor Howard was a member of the Criminal Law and Penal Methods Reform Committee of South Australia in 1976 when it recommended that incest be abolished as a separate offence.

It was recommended that a parent or adult sibling should still be prosecuted for indecent assault or for unlawful sexual intercourse with a child under 18, but that the criminal law should not be concerned with incestuous relations between consenting adults, or between children less than five years apart in age. The South Australian legislature rejected the recommendation.

Professor Howard asks what use are

laws which are not acted on. Incest is probably the least reported crime, he says. Typically it occurs in a level of the community which wouldn't go near a policeman. Young women are inhibited by a sense of shame. "You don't want to confess to a policeman what's been done to you."

Police are notoriously reluctant to get involved in a dispute within the family unit, and are unlikely to bring a case to court if they doubt it will stick. "They've probably had experience of children being overawed by court proceedings." Professor Howard says incest should be treated as a sociological rather than a criminal problem.

About 9 per cent of cases seen by the Sexual Assault Clinic at the Queen Victoria Hospital concern incest, almost always by fathers or step fathers with daughters, mostly referred by the police. Social worker Ms Lesley Hewitt says most of the families have disintegrated: either the mother and children have left or the daughter has been removed. The clinic offers support during court proceedings, and helps victims to re-establish themselves, practically and emotionally.

Ms Hewitt says that surveys in Australia and America indicate that three to four per cent of women from all age and social groups have been victims of incest in childhood. She says there are cases in Victoria like the South Australian case, where no action is taken because incest is difficult to prove. If it has been happening over a number of years there may be no medical corroborative evidence.

Some children are too young to accurately describe what occurs. They may change their story and may not remember details. She believes children should not have to go to court, but should be interviewed by a Children's

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Advocate, who would give evidence on their behalf.

She would like to see us adopt a highly successful method of treating incestuous families developed in Santa Clara County, California, where counselling is integrated with the court process, the fathers are advised to plead guilty and part of the sentence is to attend the programme. The parents acknowledge to the daughter that the incest was their fault and not hers, and the family is re-united if that is what all members want.

In Santa Clara County from 1971-73 before the programme opened, 30 incest cases a year were reported to police. "About what we get here", says Ms Hewitt. In 1979 over 800 cases were treated in the Santa Clara clinic. The only thing that had changed, Ms Hewitt says, is that there is now somewhere to go for help.

Incest plays an important part in the treatment of drug addiction at Odyssey House in Eltham. Seventy per cent of females and 21 per cent of male residents had been sexually abused, 40 per cent of males had been victims of incest, according to figures for 1980.

Mrs Flo Koniski, an incest therapist with Odyssey in America, came to Australia last year to train staff and set up a sexual abuse group at Odyssey House. Mrs Koniski is a trained nurse and an incest victim.

She said adults must be ready to pick up signs of incest, such as a sudden drop in school performance without any obvious reason, inappropriate knowledge or sex-play in young children. "Gently and quietly sit down with the child and say 'Where did you learn that?'".

Incest between daughters and fathers or other older male relatives was the most common form, Mrs Koniski said,

and was done as a power play by men who felt inadequate in their peer groups. Her own experience was typical. It began when she was seven, with sexually perverted acts, proceeded to penetration when she was nine, and ended when she was 14½ and threatened to mutilate her father.

"To the world we were the wonderful American family. He was known as a good father who took us to carnivals, and people said how good we were . . . What they didn't know is that when he took us to the beach he tried to drown my brother and took me into the dunes."

Incestuous fathers were typically aggressive infantile and alcoholic. They looked to their child victims to meet their emotional and sexual needs, and turned to a younger sister when the older sister reached puberty.

Their wives were typically weak and passive, lacking identity outside marriage and afraid of being left without support if they broke up the family.

"The child felt that she was at fault; that she carried the burden of keeping the family together by sexual activity," she said. But there was always fear, shame and guilt. It was "the family secret . . . Daddy's little game".

Incest between mother and son or daughter or father and son was less common but more devastating for the victim. Brother-sister incest caused the least damage.

A consequence of incest was the "destruction of the individual's ability to trust any authority figure," Mrs Koniski said. "Daddy was the perpetrator, Mommy let it happen. The child grew up in severe isolation . . . and had difficulty making other relationships".

"One of the healthy signs in the children was that when they reached 14 or 15 they left home." Another was that

they tended to work in the helping professions. "I was trained very well by my mother and father that I should help everyone else," she said.

Mrs Koniski found that incest victims responded well to kindness, patience and non-confrontive group therapy.

She introduced me to Elaine, an Odyssey resident. "What would you like to do to your uncle?" she asked her. "I'd string him up and cut it off and send it to his wife." The first step towards healing the incest trauma is to break the secret; the second is to let out the anger.

She asked Elaine if she thought she would ever get married and have a family. "No, I don't like sex and I don't like the way men dominate women, and I don't like children."

Elaine said she had not told the grandmother with whom she had been living. "She would not have believed me. Or (made) me feel really dirty. Sex was something you didn't talk about unless you were married, and sometimes not even then." Elaine was arrested for prostitution and came to Odyssey House from prison. At the time of interview she ran the business office, ordering and buying supplies for the house.

She was finding the sexual abuse therapy group helpful. "The females understand. They can relate so much to what has happened. The males — just hearing that their opinions of me don't change, that they don't look down on me — that is really good."

Mrs Koniski said some of the people she had treated could now "relate well to a good circle of friends, (were) constructive and productive in their jobs and able to maintain a love relationship and not feel dirty." But the pain and emptiness remains. . . "I will still get off a bus when an old man gets on who looks like my father."