

of 30 days, and have been prevented from abandoning their appeals. Such people face the risk of having their sentences increased on appeal.

Other developments in Victoria include:

- an announcement in December that inquiries were being undertaken to establish the first private youth detention facility in Australia;
- an announcement in October that the operation of the Melbourne Custody Centre would be put out for private tender — believed to be the first example world wide of a police holding facility being privatised; and
- an announcement in January of a new privately built and operated adult prison to help deal with increased incarceration rates in Victoria.

This is at a time when existing private prison facilities are increasingly under scrutiny for lack of accountability and inadequate procedures for preventing deaths in custody. In addition, resources for community-based corrections programs have been savagely cut in the last three years.

Conclusion

The example set by the Northern Territory two years ago when it introduced its mandatory sentencing regime has set the agenda for other State governments to emulate. While not going to the extremes adopted in the NT, which has seen people imprisoned for small thefts, such as a can of soft drink, the perception that tougher sentencing and corrections regimes is good politics (and in Victoria, good business!) has taken strong hold in State political agendas.

Louis Schetzer

Louis Schetzer is Project/Policy Worker, Federation of Community Legal Centres (Vic.)

References

1. *Sentencing Amendment Bill (No.3) 1998 (NT), Juvenile Justice Amendment Bill (No.3) 1998 (Serial 134) (NT), Criminal Code Amendment Bill (No.5) 1998 (Serial 133) (NT).*
2. Part 3, *Sentencing Legislation Amendment and Repeal Bill 1998 (WA).*
3. Clause 101B to Clause 101N, *Sentencing Legislation Amendment and Repeal Bill 1998 (WA).*
4. *Sentencing*, Australian Law Reform Commission, Report No. 44, 1988, para. 183; *Sentencing: Report of the Victorian Sentencing Committee*, Volume 2, p.573.
5. Section 18, *Magistrates' Court (Amendment) Bill 1998 (Vic.).*
6. Section 14, *Magistrates' Court (Amendment) Bill 1998 (Vic.).*

'SIT DOWN GIRLIE'

Legal issues from a feminist perspective

Retreating forces

One of *Girlie's* favourites, Newt Gingrich, once helpfully explained why women should not be in the armed forces. 'They would have biological problems' he mused, 'being in a ditch for 30 days [in combat, one can only assume] because they would get nasty infections.' With this in mind, it is perhaps a blessing in disguise that the Federal Government's Defence Reform Program is failing so spectacularly to keep women in the armed forces.



Despite denials from the government, women have been leaving the armed forces at twice the rate of men's departures since the implementation of the Reform Program. Particularly alarming is the number of women in senior positions resigning in frustration at their lack of opportunity to progress. The government insists that the program is designed not only to keep women in the forces, but to encourage more to enter. However, the Program aims to cut the numbers of staff by approximately 7000, reducing the proportion of support and other non-active service staff, concentrating on staffing the active fighting units, or the 'tail to teeth' units, as they are known.

This policy appears to *Girlie* to be a delicious example of indirect gender discrimination. Senior women are faced with the proverbial double glazed glass ceiling, unable to advance beyond their position because they do not have the requisite 'active service' experience; denied the opportunity to obtain this experience because it was not available to women when they entered the service. This experience is available to an extent to women currently entering the service, but the powers that be are refusing to adopt a more flexible approach, the Minister responsible for Defence Personnel insisting that both the numbers and status of women in the military is improving, and emphasising that there will be no changes to the Program mid-stream. Coupled with the lack of flexible work practices and very serious and repeated allegations about sexual harassment, *Girlie* thinks the military

has its own nasty infections to worry about.

Close, but no cigar

Both Elizabeth Dole and Hillary Clinton are being courted as future Senate and possible presidential candidates in the US. As well as listing their innumerable credits and qualifications, supporters have further endorsed them by reminding a jaded America that at least these contenders can be trusted to keep their hands to themselves. Journalists in the US have argued that Washington has been 'contaminated with testosterone' not only by a President who can't keep his pants on, but by hypocritical Senators, outraged simply because he was stupid enough to get caught.

Misogyny and the male fear of being cuckolded has long insisted that women are less interested in sex and are certainly more faithful. Curiously, though, the bastions of purity being put forward to replace the failed boy scouts are not completely independent. They are chaste, shiny, new and improved versions of their husbands and, not surprisingly, recognised as far more capable. They have been commended for having stood firmly by their respective spouses while these men embarrassed themselves: one man electorally and personally flaccid; the other with so little blood left in his brain he forgot to tell the truth.

The possibility of a woman as conservative as Elizabeth Dole being the first female President of the US is strangely disconcerting. Similarly, while the prospect of a self-professed feminist Senator Clinton is exciting, *Girlie* can't help wondering why this thinking man's Tammy Wynette didn't take a leaf out of Lorena Bobbitt's book a long time ago, or at least flick through Virginia Woolf occasionally. She was comforted, though, by a peculiar article in the *Age* recently which asked the reader to 'Pick the Better Feminist: Diana or Hillary'. After musing for a while on the 'freewheeling', impulsive Diana, who refused to accept her husband's infidelity, starved herself and kept the British Fashion industry alive singlehandedly, the author finally voted in favour of Clinton. Hillary, despite enduring her humiliation in silence, had made a choice, and was

Continued on p.53



Rough Justice

by Lisa Scottoline, Harper Collins, 1997; 344 pp.

Thank god for lawyers with a sense of justice!! Have you ever wondered what lawyers do when they find out their client really is guilty? Marta Richter, the chic defence lawyer who is the central character in this book ends a trial successfully only to find out 'through a slip of the tongue' that her client was actually guilty. After a few minutes agonising she decides she cannot live with this travesty of justice and sets out to prove over the following 12 hours, that he did it. With the help of her two female associates and a lot of luck she ... no I won't give away the punch line.

Almost everyone, except Richter and her colleagues, comes out of this looking bad — the corrupt businessmen involved in property developments, the thugs who try to kill Richter, the judge

who is in it up to his neck, the incompetent police and other lawyers.

While the legal ethicists may have trouble with Richter's initial decision the dilemma she faces is real enough. Whether you agree with her decision is another thing. But regardless of those messy dilemmas Scottoline who is described on the jacket as 'The female John Grisham' has written a fast, action packed book. Great holiday read - ing. ● FR

Star Struck

by Val McDermid; Harper Collins, 1998, 240 pp; hardcover.

Star Struck provides a wide range of entertainment for McDermid's fans and first time readers alike. While the main plot is rather predictable, the side-line stories are a lot of fun, maintaining the reader's interest with a range of quirky twists. Using a diverse range of topical material including

racism, technology, horoscopes, recreational drugs, false arrests, murder, deceit and a long running soap opera the author offers an assortment of interwoven story lines sure to entertain the discerning (and not so discerning) reader.

The book offers an engaging peek into the private lives of a range of eccentric characters who are (maybe) just real enough to be believable. That is except of course for the main character, Kate Brannigan, who is just too cool, concerned, committed, capable and in control, to be anything but a character from a crime novel.

The contemporary setting provides lots of action with a range of unexpected diversions in the plot to keep the reader interested. Numerous clever light hearted 'digs' at authority figures suggest the author has a healthy scepticism of hierarchal power. She is, however, careful to ensure that these could never be considered offensive. Overall an easy and fairly entertaining read. ● MMCK

'Sit Down Girlie' column continued from p.45

quite possibly prepared to sacrifice personal pride and happiness for the opportunity of being part of a greater process and the possibility of facilitating change.

Girlie was not overwhelmingly convinced, but the image of a woman with a law degree, hair just so, smiling through gritted teeth and focusing on the greater good seemed strangely familiar. Hopefully we don't have too many Bills to endure before we get to make the important decisions.

Important voices

Girlie is very excited to announce the staging of a Tribunal on Women and Human Rights in May this year. Held in the Melbourne Town Hall, the Tribunal

will be based on the model established by the Beijing Conference on Women, drawing on the agenda established in the Platform for Action. Between 6 and 12 women will be invited to address the Tribunal about their experience and disadvantage. A panel of independent experts will then make recommendations to government based on these testimonials in an attempt to highlight the human rights abuses taking place in women's lives across Australia.

The Tribunal is being conducted by a working committee of the Women's Rights Action Network Australia (WRANA), a non-government organisation established in June last year. Organisations on the Board of Management include the Association

of Non-English Speaking Background Women of Australia; the Coalition of Activist Lesbians; International Women's Development Agency; National Women's Justice Coalition; OzRights; United Nations Association of Australia; the Women's Electoral Lobby and the YWCA.

WRANA hopes to increase community and government awareness of human rights abuses against women and invites *Girlie* readers to attend the Tribunal, or to consider membership. Contact *Girlie* with any queries regarding this and other events in the future! (Email: elena.campbell@wisewoulds.com.au)

Tess Timment

Tess Timment is a Feminist Lawyer.