Policing Marital Violence in Singapore

Narayanan Ganapathy

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CHAPTER ONE

INTRODUCTION: THE PROBLEM OF POLICING MARITAL VIOLENCE

This book explores the police response to marital violence in Singapore. As with any research, this investigation into police response is located in a particular culture and historical context. It owes its origins to the reframing of questions about the problem of intimate violence and its ramifications for the criminal justice system, particularly with issues of policing, safety and protection of victims from such violence. The book fundamentally attempts to address the question of why years of police reform in countries such as the US, the UK, Canada, New Zealand and Australia since the late 1960s have not produced significant changes to improving the policing of marital violence. In this regard, the book also documents the reform process and the resistance encountered within the police organisation, especially by the rank-and-file police, to such reform efforts. Any attempt to understand this process requires an examination of the everyday realities of policing as well as a recognition of the political, social and legal context in which policing occurs. It is towards achieving this end that the book calls for an alternative theoretical approach to the location of 'police culture', one that will be sensitive to the structural conditions of policing marital violence.

The book examines the history of changes at the policy and executive levels relating to the policing of marital violence in the Singapore context. It discusses the legislative and administrative changes, including the Family Violence Bill of 1995, Amendments to the Women's Charter in 1997, and the development of agencies with specific competencies in the area of marital violence. The disjunction between 'street-level' and 'managerial policing', to which some observers attribute the failure of reforms in the policing of marital violence, is introduced so that at the outset the focus of the book is established as one of explaining rank-and-file policing.

The book offers an alternative and original conceptual approach to understanding rank-and-file policing based on the work of Pierre Bourdieu. Using Bourdieu's relational concepts of the 'field' and 'habitus', designating the structural conditions of policing and the cultural

dispositions of police culture, respectively, the book argues that any attempt to appreciate police response to marital violence must involve an analysis of both police culture and how it interacts with the 'structures' of the field, which in the present analysis include: (a) the patriarchal State's discourse of marital violence and the institution of the family; (b) structural-legal constraints in which police intervention takes place; and (c) the interplay of class, race, gender and sexuality. In contrast to other research and published works on police response to marital violence, this book devotes a chapter (Chapter Seven) to documenting victim experiences of policing in such situations. As much as it exposes the street-level institutional response to marital violence, a sociological analysis of it will also reveal the structural features of Singapore society.

The problem of 'improving' the policing of marital violence is conceptualised by police reformers as principally one of changing the practices and community responsiveness of the police to adopting a more interventionist approach in domestic situations. Evidence of a willingness to improve the policing of marital violence in the Singapore Police Force (SPF) could be traced to the introduction of the Domestic Violence Project at a police division in April 1995. The project, which was organised around an elaborate network comprising the police and social service agencies, was essentially an administrative set-up designed to assist victims of domestic violence in making a formal complaint, rather than being a consequence of legislative change to substantive law governing police conduct. Nonetheless, the project administered by the SPF and the then Ministry of Community Development (MCD) marked the first formal response by the Singapore State in recognising and addressing the problem of marital violence in Singapore.

An interesting feature of this 'facilitated complaint and referral system', as the police phrased it, was the incorporation of the 'Family Violence Proforma' where the victim is referred by the police to a Family Service Centre (FSC) in non-seizable (non-arrestable) cases for counselling. The counsellor at the family service centre then works closely with the Neighbourhood Police officer (NPPO) on any one of the two options available: to prosecute the offender (a criminal perspective), or to monitor the victim's progress (a social work perspective). A significant development in the implementation of the Domestic Violence Project was the extension of the socio-legal control mechanisms which dealt with the problem of marital violence, and the empowerment of

family service centres to act as 'official gatekeepers' of domestic cases of assault that entered the criminal justice system.

An important consequence of this experiment was the initiation of a series of legislative developments in the area of police response to family violence. Two notable legislative initiatives which have implications for the policing of family violence (used here as generic category) in Singapore are specifically the Family Violence Bill of 1995 and the Amendments to the Women's Charter which took effect in May 1997. These legislative developments resulted in substantial changes to the police organisation, especially in the areas of training, philosophy and style of policing. These changes were to have marked the transition of the Singapore police into a 'premier public service organisation' embodying the principles of 'community-focused policing' (Singapore Police Force Annual Report 1997–8: 4).

To the rank-and-file police, however, it was business as usual. For the many officers I came into contact with, these changes did not significantly impact practices on the ground. The disjunction between 'street-level' policing and 'managerial policing' raised some serious questions about the effectiveness of police or legislative reforms. Not only did it highlight issues about the policies of various land divisions, the quality of training, and the effectiveness of police supervision, it also cast doubts on the entire reform process as it relates to making the police more responsive to marital violence.

The failure of reform is attributed to the fact that efforts have been primarily targeted at changing the cultural assumptions that rank-and-file officers hold with regard to marital violence but without a corresponding and conscious change in the social, political and legal context in which the policing of marital violence takes place in Singapore society. Recognising the latter reveals that the discourse of change and reform takes place in a social context of unequal power, suggesting that it is not in the interest of a patriarchal and paternalistic State to effect wide-sweeping structural changes that may contribute to a rewriting of gendered power relations that exist in contemporary Singapore society. While the State, through the organisation of the police and the criminal justice system, must and be prepared to offer protection to victims of violence—the majority of whom are women—the State's primary concern is to safeguard the institution of the family that would reflect and normalise women's subordinate status within the hetero-patriarchal family. Even 'radical' initiatives such as the 'facilitated complaint and referral system' is essentially designed to relocate both the offender

and the victim to the family after undergoing a period of rehabilitative counselling.

The operational policing of marital violence in Singapore thus assumes an extended meaning and dimension, in that it has incorporated and institutionalised the 'referral' and 'advice' roles of the police in such situations as legitimate operational categories. Although anything less than arrest and diversion from the criminalisation process have been interpreted by observers as perfunctory and discriminatory forms of intervention, the Singapore experience would suggest otherwise. Additionally, a semantic framework is lacking to locate, or even to speak about policing practices being discriminatory as these roles of the police come to be identified as legitimate. Reforms introduced in such a political climate remain tokenistic and divisive, without addressing the fundamental bases of gendered social relations of power that generate violence towards women in the first place, and the rank-and-file police's contribution to the exclusion of marital violence from the ranks of 'real crimes'.

Chapter One thus sets out the research problematic of the book which revolves around the question of why almost a decade of police reform has made so little difference to improving the policing of marital violence in Singapore. Chapter Two critically reviews the international literature on policing marital/domestic violence and identifies two major perspectives—situational and cultural—which have informed criminologists in their formulation of the problem of policing marital violence. The situational perspective, predominantly taken by non-feminist legal theorists, contributes to an understanding of how exogenous factors—legal and extra-legal—affect rank-and-file officers' decisions of arrest (Black 1971). A particular contribution of this perspective lies in its theoretical credence to developing a model of police decision-making rife with situationally determined contingencies. The main limitation of the situational perspective, however, is that it obscures an understanding of police *decisions to avoid arrest* as studies using this perspective had generated findings based on specific and discrete observations of police-citizen encounters, where arrest was inevitable (Smith & Klein 1984). It is also evident that the issue of *motivation* on the part of the rank-and-file police to circumvent legislative policies on mandatory and presumptive arrest practices (Buzawa & Buzawa 1990; Ferraro 1989b; Sherman & Berk 1984; Stanko 1989) have not been satisfactorily theorised by situational theorists as their primary concern

was to isolate and delineate exogenous determinants affecting arrest decisions in *real* circumstances.

In an attempt to better conceptualise the issue of rank-and-file *decisions to avoid arrest*, feminist criminologists, in particular, have developed the cultural perspective in which they specifically seek to examine and delineate aspects of rank-and-file police culture, which appear to determine their handling of domestic situations. The cultural or attitudinal perspective essentially views a negative police response, conceptualised as one equivalent to perfunctory or 'non-arrest' interventions, as being reflective of the normative values achieved during the process of social and occupational socialisation of the police. Although these studies provide useful answers to questions of why police detest domestic violence calls, certain issues remain conceptually problematic and these are discussed in the chapter proper.

Throughout Chapter Two reference is made to local initiatives as well as studies done mainly in the US and the UK on police response to marital violence. This is important as throughout the book the author will engage in a discussion of these studies, reinforcing, critiquing, and extending the theoretical issues in the sociological study of police response to marital violence. The chapter carefully marshals three bodies of literature—police culture, policing martial violence and the theoretical work of Bourdieu—to offer an analysis of the problem of policing marital violence in the Singapore context.

The reconceptualisation of the policing of marital violence is developed in Chapter Three, fundamentally by re-examining the concept of 'police culture'. Previous discussions of rank-and-file police culture have tended to essentialise it, to the extent of attributing many miscarriages of justice to its less desirable characteristics (such as secrecy, racism and sexism). 'Police culture' is a contested concept and has sometimes been used in stereotypical ways. The book effectively questions the idea of a single 'common culture' and, by applying Bourdieu's concepts of 'field' and 'habitus' to institutional policing practice, it identifies the presence of multiple subcultures among police officers, who thus emerge as 'active social agents'. The implications of reconceptualising police culture in these terms and the theoretical significance of the book are developed in the second part of this chapter. Of particular importance is the illustrative material in 'The Field of Policing Marital Violence', which introduces the structural conditions of policing and discusses the political, legal and social contexts within which the rank-and-file officer

operates. The Singapore context is notable for the emphasis given to the integrity of the family in legal and political discourse. Particular attention is given to the Family Violence Bill of 1995. The Bill basically gave wider powers to the police to arrest the abuser without a warrant or court order in all complaints of domestic abuse and the police have the discretion to choose either to prosecute or to order mandatory counselling.

In the tradition of the 'Chicago School' of sociologists of locating the participant observer in relation to their research material, the author discusses the methodological issues of participant-observation in Chapter Four. The structural features of isolation and secrecy, coupled with the intrinsic dangers of police work, help to form an occupational culture which is solidaristic, and wary of 'non-initiates'. Thus, to gain entry and penetrate the inner reality of police work, prolonged participation in the social and professional life of the police seemed to be the most appropriate. This became even more necessary when the author wanted to examine police response to marital violence in a 'naturalistic' setting. The chapter also addresses the methodological and theoretical problems associated with the use of police terminologies of 'family violence', 'domestic violence', 'marital violence', 'spousal violence', 'domestic disputes', 'private disputes', 'public nuisance' and 'noise pollution' to characterise violence between 'intimates'. Fieldwork was carried out over a period of three and a half years between 1997 and 2000. During the course of fieldwork, 176 'true' cases—by this I mean violence involving spouses—were observed and documented.

Chapter Five turns to a review of the solutions or executive options available for 'improving' the policing of marital violence in Singapore. 'Improving' the policing of marital violence is usually taken to mean adopting a more interventionist approach by the police in domestic incidents. Two broad strategies have been used to improve police response: the first is to tighten the rules and regulations that govern police action in order to control and minimise what is seen as perfunctory interventions by the police; and the second is to change police culture. Yet, as the book will reveal, each approach is found to be wanting. It follows, as outlined in Chapter Three, that attempting to change the policing of marital violence is not a matter of adopting either one or the other of these approaches. Rather, police reform must necessarily take into account both the cultural and structural aspects of the organisation of policing, and the dynamics in which police culture relates to the political and social context of policing marital violence in Singapore.

The circumvention of 'official' police procedures and 'formal' rules by the rank-and-file officers as they pertain to the policing of marital violence is discussed.

Chapter Six presents an analytical narrative of the formal processing of marital incidents by the police. Importantly, a particular contribution of the fieldwork lies in its descriptive analysis of how 'domestic messages' for police assistance, through a network of 'negotiated screening', are determined by a series of classification processes that either facilitate the 'booking-in' or eviction of domestic calls from the 'police system'.

Chapter Seven shifts the focus to female victims of intimate violence. It explores the views of victims of marital violence in terms of their relationship with the police. It also examines the neglected questions of why victims of marital violence call the police, and the context in which victims make choices to involve the police. How do victims perceive police intervention in such instances? What is the real and perceived impact of police intervention on these victims? In contextualising victims' experiences of policing in marital violence situations in Singapore, the chapter reveals two extreme but interrelated sets of responses. At one end of the continuum, criminal justice sanctions are strictly contingent upon the victims' willingness to initiate criminal proceedings against the perpetrator, and at the other, the victims' rights, needs and preferences seem to be usurped by the justice system regardless of the victims' choice. Neither of these positions takes the victims' interests into account. Nor do they stem from an understanding of the socio-cultural, economic and structural circumstances in which victims experience violence, and continue to experience it, long after a police intervention. Data from the research revealed that criminalisation as an ideological and legally practical tool is not only rendered ineffective but irrelevant to the experiences of women in the Singapore context. It is argued that two factors account for this phenomenon. First, there is an absence of support structures to achieve criminalisation and address victims' needs in the aftermath of criminalisation; and second, the paternalistic and patriarchal State impedes processes aimed at the empowerment of women victims.

The concluding chapter draws together the data and theoretical discussion on the policing of marital violence in Singapore and explains why almost a decade of reform in Singapore has failed to improve the policing of marital violence. Two reasons are offered for this apparent failure. First, reforms have been primarily targeted at changing the habitus of policing in respect of marital violence without a corresponding

(conscious) change in the field, and second, it is not in the interest of a patriarchal and paternalistic State to effect wide-sweeping structural changes that may contribute to a rewriting of gendered power relations in Singapore. While the State, through the organisation of the police and criminal justice system generally, is prepared to offer protection to women, its priority lies in safeguarding the institution of the family in a way that reflects and normalises women's subordinate status in a patriarchal society. The book concludes with a conviction that changes in policy towards marital violence have no apparent effect on practice unless they are accompanied by changes in the cultural assumptions held by rank-and-file officers of their role towards marital violence and in the legal, political and social constraints within which the police role is located.

CHAPTER TWO

POLICING MARITAL VIOLENCE: AN HISTORICAL AND ANALYTICAL REVIEW

Early seminal contributions to police intervention in domestic disputes were designed to improve police officers' decision-making and communication abilities with both the victims and perpetrators of domestic violence in an effort to diminish *iatrogenic* violence (Bard 1971b), that is, violence precipitated by the police themselves (Bard 1971a; Bard, Zacker & Rutter 1972). Bard's (1971a) experimental design which was aimed at training New York police officers in employing crisis-intervention techniques of arbitration, mediation and negotiation to handle domestic conflicts, and the later study of Wilt & Breedlove (1977) for the US Police Foundation in 1977, are significant in drawing attention to the preventive potential of police intervention in situations of domestic violence. Findings from these studies are essentially based on the assumption that police officers serve a preventive function in that they can reduce the likelihood of recidivism, or of any future crime by instituting proper handling of family altercations. Although these findings point to a compelling need for more effective police intervention, they fall short of addressing what constituted an effective response. As Bard (1971a) himself notes: 'the protection of the "right" of battered women consists not simply of legal access, but of achieving a functional match between each woman's unique needs and the resources made available by society'.

One of the earlier studies that addresses the issue of effective police response to situations of domestic violence is the one conducted by Parnas (1967). The data for this study was primarily derived from field observations, interviews and documents made available to him through the co-operation of the Chicago Police Department. By reviewing the training bulletins and teaching curriculum for 'handling' domestic violence situations, Parnas notes that the patrolman was instructed, either officially or informally, 'to cautiously attempt to settle the dispute through the exercise of common sense and discretion. He was also told to avoid arrest whenever possible' (Parnas 1967: 921) as the majority of

these cases were perceived to be 'non-criminal calls and don't warrant any punitive action' (Parnas 1967: 917).[1]

Accordingly, this police policy of 'adjustments', as Parnas describes it, is observed in the practices of the patrolmen responding to situations of domestic violence although an arrest would have been justified by law (Parnas 1967: 930). The practice of avoidance of arrest is manifested in the patrolmen's procedures of mediation and referral; threats of arrest or other forms of indirect sanctions; voluntary, temporary separation of the disputants; threat of filling cross-complaint; and refusal to arrest except on a warrant (Parnas 1967: 932). Although Parnas' study indicates that the intervention technique chosen to handle a domestic disturbance and the manner of using that technique depend in large part upon the officers' and disputants' backgrounds, personalities, biases and other structural and organisational factors, his study implies that the practice of 'adjustments without arrest was considered an acceptable and effective way of accomplishing the purpose of the law' (Parnas 1967: 930).

Black's study (1980) also attempts to address the debate on what constitutes *effective* police intervention. He observes four primary styles of police intervention—*therapeutic*, *penal*, *compensatory* and *conciliatory*—in low-intensity disputes which characterise most domestic violence calls. The therapeutic style of crisis management attempts to identify and solve the underlying problems which are perceived to be leading to violent episodes in the families. The penal style (arresting the offender) defines a 'violator of a prohibition as one who deserves condemnation or punishment', while a compensatory style seeks redress from an offender to the victim for the harm suffered by the victim. A conciliatory style simply defines the deviant behaviour as 'one side of a social conflict

[1] Parnas (1967: 930–31) documents several practical reasons for a non-arrest policy. They include: victim does not want the offender arrested but may call the police to scare the offender into behaving himself, get the offender out of the house for a while, use the future threat of arrest for her benefit or to take the victim to the hospital; victim may not be able to afford having the offender arrested if it results in the loss of his job or temporary loss of support; offence thought to be conduct acceptable to the culture of the disputants and therefore seriously not objectionable to the victim; offender angered by his arrest may cause more serious harm to the victim upon his return to the family home; arrest may cause temporary/permanent termination of familial relationship. Also see Goldstein (1960) 'Police Discretion Not to Invoke the Criminal Process: Low Visibility Decisions in the Administration of Justice' *Yale Law Journal*, 543, 573–77.

that needs to be settled without regard to who is right or wrong' (Black 1976). Black (1980) notes that in his estimate approximately 70% of officers used a conciliatory style, 26% penal, and only 4% therapeutic or preventive style to respond to domestic assaults, even though the therapeutic style was known to prevent an escalation of violence by reducing or eliminating sources of situational stress (Buzawa & Buzawa 1990: 40).

In his response to Black's observations, Bayley (1986) argues that it would be difficult to neatly categorise officers' responses on the basis of the four categories simply because of variations in officers' behaviour in interactions with the offenders and/or victims occurring at the point of entry, processing and exit. Nonetheless, his study substantiates Black's findings that officers predominantly did not adopt either the 'therapeutic' or 'compensatory' styles, the two most effective available intervention techniques, but tended to rely on the 'conciliatory' style which was thought not to have an effect on curbing recidivism (Bayley 1986).

An interesting observation raised by the studies reviewed above is that the type of intervention technique employed by officers was not based on the severity of injuries suffered by the victim or the presence of weapons on the scene, the two legal ingredients necessary for the initiation and conduct of criminal proceedings. Instead, the choice of police intervention style tended to be dominated by *situational* characteristics, independent of the nature or severity of the incident.

Situational Approach

Black's study (1971) is among the few empirical studies to propound a situational model of police arrest decisions based upon exogenous factors. His study, involving observations of 5,713 police-citizen encounters in Boston, Chicago and Washington DC, examines how a variety of circumstances affected the probability of arrest in an empirical analysis of 286 cases in which only about 5% of total incidents resulted in arrests. Black's study (1971) is a valuable contribution to an understanding of police arrest decisions. Three findings are noteworthy: first, the study reveals that the police did not use all the legal power they possessed even when 'probable cause' could be assumed to have been satisfied in nearly every such incident (Black 1971: 1094). Black notes that 'even when evidence against a suspect is very strong, the police frequently take action short of arrest. Evidence alone, then, is a necessary but not a

sufficient basis for predicting invocation of the law' (Black 1971: 1107). Second, police arrest practices, in felony and misdemeanour situations, sharply reflected complainants' preferences, whether they are vindictive or compassionate. Noting the association between probability of arrests and the complainant's preference, Black states that 'the complainant's preference is a more powerful situational factor than evidence, although the two [tend] to operate jointly' (Black 1971: 1107). Third, the study shows that the police are more likely to arrest in encounters where the suspect is disrespectful towards the police. Commenting on the effects of disrespectful behaviour on police arrest decisions, Black argues that in these situations 'the police enforced their authority more severely than they enforce the law' (Black 1971: 1099).

A significant contribution of Black's study lies in its theoretical credence to developing a model of police decision-making rife with situationally determined contingencies. It precipitates a great deal of interest in the nature of police-citizen arrest encounters and the controversies surrounding the debate of what constitutes *appropriate* and *effective* (and therefore *differential*) police intervention. Using the model—which emphasises that police assessment of the situation, and later justifications for their actions depended in part upon the ways in which the police actors themselves set the stage for police management in the 'handling' of situations (Bittner 1967, 1970, 1974)—researchers investigating police response to domestic violence situations attempted to determine and delineate aspects of police arrest decisions based on a variety of exogenous variables. Bittner (1967, 1970, 1974) provides the most instructive commentary on the discretionary nature of police work. He argues that policing in general, and the decision to arrest and charge a suspect in particular, represents only one decision point for the officer who must 'handle the situation'. As only one method for managing encounters with citizens, arrest may or may not be selected by the officers as the most appropriate and effective means to solve the problem at hand. Bittner (1974: 27), commenting on the dilemma surrounding police decision-making, states:

> I am not aware of any description of police work on the streets that supports the view that patrolmen walk around, respond to service demands, or intervene in situations, with the provisions of the penal code in mind, matching what they see with some title or another, and deciding whether any particular apparent infraction is serious enough to warrant being referred for further process... In the typical case the formal charge *justifies* the arrest a patrolmen makes but is *not* the *reason* for it. The actual reason

> is located in the domain of considerations . . . as the need to 'handle the situation', and invoking the law is merely a device whereby this is sometimes accomplished. (Emphasis in original.)

Police decision-making is therefore conceptualised as a function of the situational influences of each policing encounter. The real reason behind an arrest, as Bittner (1967: 714) maintains, is virtually always the state of particular social situations.

Studies that attempt to determine police arrest decisions using the situational model in domestic violence episodes have generally employed three types of methodology (Dutton 1995; Choi 1995):[2] first, having police specify how they would have responded to hypothetical scenarios (Loving & Farmer 1980; Dolon & Meagher 1986; Waaland & Keeley 1985; Ford 1987; Buzawa 1988); second, reconstructing arrest decisions from information on police reports and victim-study reports (indirect observation) (Berk & Loseke 1980; Bell 1984;[3] Choi 1989; Brown, 1984; Berk et al 1984); and third, examining police behaviour under real intervention conditions (direct observation) (Smith & Klein 1984; Worden & Pollitz 1984).

By and large, the major findings from the studies are consistent, irrespective of the methodology taken. The summary of findings is diagrammatically illustrated in Figure 1.

Consistent with the police attitudinal studies, the results from observational studies indicate that the independent variables of 'victim signing citizen arrest' or 'requesting offender to be charged', and the 'suspect's offensive demeanour towards the police' are two of the most important factors in determining the officers' decision to arrest. Although injury to victim as an independent variable by itself does not seem to have a significant effect on arrest decisions, observational studies reveal that this factor tended to be interactive with other situational factors, such as 'suspect-drinking' in influencing arrest decisions. In sum, the research literature on policing domestic violence documents that police arrest decisions are influenced by a multiplicity of variables—legal (e.g. felony offence, seriousness of injury, presence of weapon), semi-legal (eg suspect-drinking) and extra-legal (e.g. suspect's hostility towards

[2] See also Choi, A. (1990) 'A Critique on Brown's Police Responses to Wife Beating: Neglect of a Crime of Violence', *Journal of Criminal Justice*, 455–62.

[3] See also Bell, Daniel J. (1985) 'Domestic Violence: Victimisation, Police Intervention, and Disposition', *Journal of Criminal Justice*, 13(6): 525–34.

Figure 1: Summary Findings of Hypothetical Scenarios, Indirect and Direct Observational Studies

	Hypothetical Scenarios	Indirect Observation	Direct Observation
1. Victim requests	Yes	Yes	Yes
2. Victim-injury	Yes	Interact	Interact
3. Alleged violence	Yes	Interact	Interact
4. Weapon	Yes	Yes	No
5. Suspect's hostility	On occasions	Yes	Yes
6. Suspect-alcohol		Interact	Yes/Interact
7. Victim calls police		?	No
8. Marital relationship		No	No
9. Race		No/Interact	No
10. Domestic		No	Interact

Notation:

Yes—variable found to be significant in arrest decisions
No—variable not found to be significant in arrest decisions
Interact—interact with other variables
?—inconsistent findings

Source: Choi, A. (1989) *Policing Domestic Disturbance: A Research Review of Police Responses.*

police, relational social distance between suspect and offender, and race). But more importantly, taken together, evidence from the studies reviewed suggests that the particular *response* of the police to domestic violence situations remains essentially *unpredictable* (Stanko 1989: 57) and, therefore , a *problematic* one for both the disputants and attending officers. The unpredictability of the situation is necessarily a function of the officers' skills and ability to 'interpret [subjectively] each situation in light of their own orientations and prejudices' (Berk & Loseke 1980: 322), and the weight given to crucial variables to effect arrests are both a function of, and determined by, the use of police discretion (see Reiner 1985).

Towards a Mandatory and Presumptive Arrest Policy

In an effort by senior police managers, feminist activists, and framers of legislation and administrative policies to make police response more predictable and uniform (Buzawa & Buzawa 1990: 97), there has been a movement away from discretionary arrest practices based on situational determinants and towards mandatory and presumptive arrest

policies. The shift from discretionary arrest policies to pro-arrest policies has been motivated by at least four factors. First, pro-arrest laws would provide more clarity in terms of the police's role in *criminalising* (Stanko 1992) domestic violence by providing more training and guidance (Loving 1980). Second, the onus of responsibility to initiate arrest decisions would be transferred from the victims to police officers on the scene. Thus, many believe that officer-initiated arrest empowers women victims (Beul 1988):

> Arrest can kindle the battered woman's perception that society values her and penalises violence against her. This perception counteracts her experience of abuse . . . When a battered woman calls the police and they arrest the man who beats her, her actions along with the officer's actions, do something to stop her beating . . . Now her actions empower her. The woman may begin to believe in herself enough to endeavour to protect herself (Pastoor 1984).

A third advantage of pro-arrest policies lies in the understanding that a more equitable law enforcement system would eliminate discriminatory factors, such as race and social class, in determining police intervention in family violence situations. Finally, the move towards criminalising domestic violence is fuelled by research findings that indicate that the recidivism of violence is dramatically decreased after instituting mandatory arrest policies. For instance, it was reported in *Newport News*, Virginia, that domestic violence-linked homicides decreased from 12 or 13 annually to 1 in the initial 6 months of 1986 (Lang 1986). In Hartford County, Connecticut, the number of calls for police service for domestic violence incidents decreased by 28% (Oliverio 1987).

The most 'conclusive' and widely cited research finding indicating arrest as a preferred policy is attributed to the Minneapolis Domestic Violence Experiment conducted in 1984 by Sherman and Berk (1984). The experiment called for systematic use of arrest, separation and some mediation, with a six-month follow-up period to measure the frequency and seriousness of violence after each police intervention. The design only applied to simple domestic assaults where both the suspect and victim were present when the police arrived. The experiment included only those cases in which police were empowered, not required, to make arrests under Minnesota laws. Fundamentally, the research findings reveal that arrest was twice as effective a deterrent for batterers than the more traditional police strategies of separation or mediation (Sherman & Berk 1984) in situations of domestic violence. It was then

concluded that 'the answer appears to be that the police should use arrests more frequently in typical domestic violence cases if they want to reduce assaults' (Sheptycki 1993: 24). A subsequent national survey of police departments in the US indicates that jurisdictions supporting the use of arrest for minor domestic assault cases increased from 10% in 1984 to 31% in 1986, and that 11 states attributed these policy changes to the publicised results of the Minneapolis experiment's success (Cohn & Sherman 1987).

Yet even the Minneapolis Police Department, an enthusiastic advocate of the use of pro-arrest policies, acknowledged in 1986 that despite the introduction of the mandatory arrest policy, only 3,645 arrests were reported, less than 20% of the 24,948 domestic assault calls recorded by the police department (Balos & Trotzy 1988). Instead, according to police reports, 60% of these incidents were disposed by the officers through the use of conflict-resolution techniques of 'mediation-and-talk', with suspects arrested in only about 22% of the cases. Similarly, Baker et al's (1989) interviews with 300 victims, who had sought protection at the Superior Court and Citizens Complaint Centre, for the purpose of evaluating the use of mandatory arrest policy implemented by the District of Columbia police department in 1987 reveal that two years after its imposition, police officers were still keeping arrests at a minimum and continuing to rely on their age-old response of mediation. The study also reveals that only 5% of the cases resulted in arrests even when the complainant was seriously injured (requiring medical treatment), or had been threatened with knives, guns or other weapons. Hirschel & Hutchinson (1991), in questionnaires given to 25 police departments, found differential interpretation and implementation of arrest policies. Eigenberg & Moriarty (1991), for example, report in a study of 64 police officers in Texas that a sizeable number of officers did not even know the conditions under which arrests could be made.

Explaining the apparent disjunction between professional and street-level policing, Buzawa & Buzawa (1990) state that rank-and-file officers are generally distrustful of police-policy directives initiated by political leaders, non-police personnel or even by senior police managers. This distrust is manifested in officers' circumvention of laws and policies, which 'extends to ignoring or subverting recognised rules of criminal procedure or explicit organisational goals and directives' (Buzawa & Buzawa 1990: 100). As the research on police interventions in battering situations indicates, even within jurisdictions that had instituted mandatory and presumptive arrest policies, the decision to arrest is

still discretionary—depending on the officer's interpretation of what constitutes 'probable cause' (Ferraro 1989b: 170). For example, Ferraro's (1989b) study examining the implementation of a presumptive arrest policy in Phoenix, Arizona, indicates that of the 69 cases of domestic violence, only 9 (13%) resulted in arrests, suggesting that most of the non-compliance by the police is related to legal, ideological and political considerations, and that 'officers will continue to respond to battering based on their implicit assumptions about battering and policing and their explicit evaluations of the characteristics of individuals and situations' (1989a: 179). Rank-and-file police, as specialists in resistance to outside intrusions (Punch 1985), tend to effectively cultivate resistance and circumvention strategies to overcome any attempt by the senior command to remove their discretionary powers through the implementation of mandatory or presumptive arrest policies (Stanko 1989).[4]

It is clear that the studies reviewed under the situational approach using the methodologies of hypothetical scenarios, reconstruction of police decisions based on arrest records and victims' reports, and direct observations, contribute to an understanding of how exogenous determinants affect arrest decisions of police officers in cases of domestic violence. These studies document how legal factors such as 'extent of injuries', 'presence of weapon on the scene', as well as semi-legal and extra-legal variables such as 'social distance between offender and victim' and 'race' influence arrest decisions by the responding officers. These studies, however, have generated their findings based on specific and discrete observations of police-citizen encounters, where arrest was inevitable (Smith & Klein 1984). By exclusively focusing on cases that resulted in *arrests*, these studies obscure an understanding of police decisions of *avoidance of arrests* in situations of domestic violence despite the existence of the same legal, semi-legal or extra-legal factors as cited in the studies.

It is also evident that the issue of *motivation* on the part of the rank-and-file police to circumvent legislative policies on mandatory and presumptive arrest practices (Buzawa & Buzawa 1990; Ferraro 1989b; Sherman & Berk 1984; Stanko 1989) had not been satisfactorily theorised by situational theorists whose primary concern was to

[4] For a detailed examination of police officers' responses to mandatory arrest statutes in cases of domestic violence, see Mignon, Sylvia & Holmes, William (1995) 'Police Responses to Mandatory Arrest Laws', *Crime and Delinquency*, 41(4): 430–42.

isolate and delineate exogenous determinants affecting arrest decisions in *real* circumstances. Neither did these studies attempt to sociologically explain and account for officers' decision-making process in initiating arrests: why did certain situational factors become determinants of arrests? How would these factors assume importance if one were to situate them within the larger organisational and occupational culture of police work and policing? As Smith & Klein acknowledged, 'while our quantitative results identify factors which significantly affect arrest decisions, they do not directly address the underlying processes: how do police choose to arrest in some disputes and not in others' (Smith & Klein 1984: 477).

Cultural (Attitudinal) Approach

Empirical studies of police intervention attempting to address the underlying processes informing police decisions of avoidance of arrest basically seek to examine the acquired dispositions of police culture which officers hold in respect of policing domestic violence and towards women victims (Field & Field 1973; Parnas 1967, 1971; Edwards 1989; Walter 1981; Hatty 1989; Zoomer 1989; Smith & Gray 1983; Hanmer 1989; Ferraro 1989a; Buzawa & Buzawa 1990). These studies postulate that negative police responses, ie avoidance of arrest or perfunctory interventions, are reflective of the normative values achieved during the process of social and organisational socialisation. The conflict between the individual 'call for help' and the larger organisational mandate of police departments (Parnas 1967), the perception that responding to domestic incidents was not 'real' police work (Manning 1978; Van Maanen 1974; Bard & Zacker 1974; Reiner 1985), the absence of occupational rewards attached to legal intervention in domestic disturbances (Buzawa & Buzawa 1990), the perception that victims would eventually withdraw their complaints (LaFave 1965; Field & Field 1973; Edwards 1989), the absence of training to deal *effectively* with domestic violence cases (Martin 1976; Bell 1982, Walter 1981), the effect of police attitudes on the treatment of violence against women (Stanko 1989, Dobash & Dobash 1979; Martin 1976; Roy 1977, Hatty 1989; Smith & Gray 1983; Ferraro 1989a; Hanmer 1989), and the perception that domestic violence cases were extremely dangerous to attending officers (Bard 1969; Homant & Kennedy 1985; O'Neill 1982; Garner & Clemmer 1986) are all cited as reasons why police avoid using arrest as an

option, and one worth avoiding. Although these studies provide useful answers to questions of why police detest domestic violence calls, there are two issues that remain conceptually problematic.

First, there is an implied assumption that *non-arrest decisions* are *negative*. Thus these studies tend to portray domestic incidents as *unique* situations in which police fail to make arrests when they 'should' (Berk & Loseke 1980: 321) (emphasis in original). They convey a message that police response to domestic violence cases is *uniquely* subject to the forces of male prejudice, occupational constraints, organisational pressures and the unpredictability of police-citizen encounters. Berk & Loseke (1980) argue that 'this view of the police practice implies that (a) the police officer's primary job is to invoke legal sanctions; (b) when arrest does not occur (for whatever reason) in situations of domestic disturbance, a central police mandate has been violated; and (c) such violations of expectations are especially frequent in domestic disturbance interventions, representing a systematic bias in the application of police power and prerogative' (Berk & Loseke 1980: 321).

In stark contrast to the view that the defining feature of policing is one involving the invocation of criminal law (Berk & Loseke 1980: 321), however, the general literature on policing and police work indicates that the role of the police could only remotely be viewed as 'law enforcement' (see, for example, Bittner 1970, 1974; Black 1971; Davis 1975; Reiss 1971; Skolnick 1966; Van Maanen 1974; Reiner 1992). As Reiner (1992) points out, much of daily patrol work blends the service element of policing where conflict-resolution techniques are more frequently invoked. Punch (1979b) notes that the police are really a 'secret social service' and that service functions, though the least popular among the police, form the bulk of police work (Shapland & Hobbs 1987). While the possibility for the 'good pinch' (an arrestable case) does have a great deal of symbolic value in a work life characterised by dull, repetitive tasks (Van Maanen 1974), police-citizen encounters that resulted in arrests are episodic. In short, to conceptualise police work as primarily 'law enforcement' and to equate the image of policing with one primarily involving the invocation of criminal law is to ignore the everyday realities of police work (Stanko 1989).

Second, the author contends that the studies referred to, relating the learned dispositions of police culture to police decisions of non-arrest, suffer from the same theoretical weakness as that of the situational approach. As observed earlier, situational theorists (e.g. Worden & Pollitz 1984; Loving & Farmer 1980; Choi 1989) have identified

situational variables of arrests in *determinate* circumstances where arrest was inevitable and, as noted, these studies do not provide an explanation for officers' *decisions of non-arrest*. In the same vein, an all-powerful, homogenous and deterministic conception of police culture, presented in the studies discussed, as affecting police decisions of non-arrest does not explain *decisions of arrest* and the observed variations in police handling of domestic violence. In other words, it lacked a conception of agency; yet it is known from the now-voluminous literature on police subculture that the use of discretion—the staple of policing—essentially signifies agency.

Policing Domestic Violence: Towards a Reconceptualisation

To address these theoretical weaknesses, it is argued that an understanding of both the *structural* and *cultural* aspects of the organisation of policing is necessary in order to derive a deeper understanding of police response to domestic violence. Using Pierre Bourdieu's (1990) relational concepts of 'habitus' and 'field', designating the cultural dispositions of police subculture and structural conditions of policing, respectively, the book attempts to reconceptualise the problem of policing marital violence with reference to the Singapore context. This involves reworking the concept of police subculture by treating it as having a *relationship with*, and *response to*, the structural conditions of policing, while retaining a conception of the *active* role played by rank-and-file officers in instituting a *situational* practice. This requires not only an investigation into the occupational and organisational dynamics of the rank-and-file police (habitus)—the mainstay of the police force and the first line of response—but also an exploration of the legal, political and social context (field) in which the policing of domestic violence takes place in Singapore. It follows that any particular police response to situations of marital violence must involve an analysis of both police subculture and how it interacts with the 'structures' of the field.

An advantage of this alternative theoretical framework is that by representing the interaction between structural conditions of policing and features of police culture in a holistic perspective, it integrates the traditionally emphasised distinctions between the situational and attitudinal approaches (see Berk & Loseke 1980; Worden & Pollitz 1984; Choi 1989). To a large extent, it provides the conceptual bridge, which spans the innocuous but frequently acknowledged affinity between what

officers say and what they do. For example, the link between the police officers' perception of the victims' tendency to drop charges in cases of domestic violence (cultural knowledge) and, therefore, encouraging the victims to sign the citizen's arrest form at the very outset before deciding on arrest as an option (fulfilling the structural/legal condition of the field) is an illustration of how an institutional practice (police response) is a product of the interaction between habitus and field.

To retain the reconstructed theoretical framework, the book needs to address two fundamental issues: first, to establish the 'boundary' and content of police subculture by reworking the concept; and second, having fulfilled the first, to demonstrate how it interacts with the broader social, legal and political 'structures' of the field of policing marital violence in the Singapore context. The following chapter is devoted to achieving this task.

CHAPTER THREE

RECONCEPTUALISING THE PROBLEM OF POLICING MARITAL VIOLENCE: POLICE CULTURE REVISITED

The preceding chapter reviewed the literature on policing marital violence within the context of broader theoretical and empirical developments in the area. It identifies two major current perspectives which have informed criminologists in their formulation and conceptualisation of the problem of policing 'domestics'. The first perspective, usually taken by situational and non-feminist legal theorists, contributes to an understanding of how exogenous factors—legal and extra-legal—affect rank-and-file officers' *decisions of arrest*. Factors commonly cited as affecting arrest include the victim signing a citizen's arrest form, the victim requesting officers to charge the offender, the presence of weapons, the suspect's hostility towards police, the relational social distance between offender and victim, and the race of the disputants. The main limitation of this perspective, as the chapter highlights, is that it obscures an understanding of police *decisions of avoidance of arrests* as studies using this perspective have generated findings based on specific and discrete observations of police-citizen encounters, where arrest was inevitable.

In an attempt to better conceptualise the issue of rank-and-file *decisions to avoid arrest*, feminist criminologists, in particular, have developed a perspective in which they specifically seek to examine and delineate aspects of rank-and-file police culture which appear to determine rank-and-file officers' handling of domestic situations. Studies using this perspective essentially presuppose that a negative police response, conceptualised as one equivalent to perfunctory or 'non-arrest' interventions, is reflective of the normative values achieved during the process of social and organisational socialisation of the police. A notable feature of this rank-and-file police culture, which most studies have highlighted, is the perception that attending to domestic situations is not an appropriate police duty. The reconstructed theoretical framework shares the basic premise of this perspective that 'no-arrest' outcomes are reflections of normative values developed and sustained by rank-and-file police culture, but contends that this approach to understanding the policing of marital violence inherits a similar theoretical weakness as that of

the first perspective—in that an all-powerful and deterministic conception of police culture *alone* fails to adequately explain and account for rank-and-file officers' *decisions of arrest*.

Using Pierre Bourdieu's relational concepts of 'habitus' and 'field', designating the cultural dispositions of police subculture and structural conditions of policing, respectively, the book attempts to reconceptualise the problem of policing marital violence with reference to the Singapore context. This involves a reworking of the concept of police culture by treating it as having a *relationship with*, and *response to*, the structural conditions of policing, while retaining a conception of the *active* role played by rank-and-file officers in instituting a *situational* practice. By structural conditions of policing is meant the social, political and legal contexts in which the policing of marital violence takes place in Singapore. It follows that any particular police response to situations of marital violence must involve an analysis of both police culture and how it interacts with the 'structures' of the field. Definition of structures include: (a) the state's discourse concerning marital violence and the extent to which it is prepared to criminalise marital violence; (b) the state's discourse on the institution of the family and government policies towards safeguarding the family; (c) structural-legal context in which police intervention occurs in situations of domestic violence; and (d) structural variables of class, race and gender. The first three of these 'structures', interwoven but conflicting, are discussed within the context of the parliamentary debate on the Family Violence Bill which were introduced to the Singapore Parliament in 1995, while references to the remaining 'structures' are made throughout the book.

To retain the theoretical rigour of the reconceptualised perspective on the problem of policing marital violence, the current study needs to address two fundamental issues: first, to document the conceptual 'boundary' and content of police subculture and, second, having fulfilled the first, to demonstrate how it 'interacts' with the broader social, legal and political 'structures' of the field of policing marital violence in the Singapore context. The book seeks to do this by reviewing the literature on police subculture and charting aspects of it to make a sociological link with the policing of marital violence in Singapore.

Conceptualising Police Culture

The concept of police subculture originally emerged from ethnographic studies of police work, which uncovered a layer of informal

occupational norms and values operating under the apparently rigid hierarchical structure of the police organisation. It derives from the discovery that police work is rarely guided by legal precepts, but that police officers exercise extensive discretion in how they enforce the law. That discretion and many other everyday policing practices are thought to rely upon the taken-for-granted beliefs and values shared by the police generally, particularly by the rank-and-file officers who are most likely to encounter members of the public in conditions of 'low visibility' (Goldstein 1960). This probably would explain why so many researchers have come to equate police subculture, as a construct, with the rank-and-file police.

The concept of police subculture, however, is loosely defined. Manning (1977: 143) refers to police culture as the 'core skills, cognitions, and affect' which define 'good police work'. It includes 'accepted practices, rules, and principles of conduct that are situationally applied, and generalised rationales and beliefs' (Manning 1989: 360). Manning suggests that the meaning of various features of an interpreted social environment, or as Weick puts it, an 'enacted environment' (Weick 1979), creates and mandates a certain application of rules within particular contexts of police action. Here, the occupational culture of the police is seen as a myriad of meanings and associated rules, 'what is taken for granted about the organisation and the world by any competent member', and is therefore concerned with 'properly executed tactics, properly applied skills and a fair and open-minded view of encounters with the public' (Manning 1979: 49). Reiner (1992: 109) equates it with the 'values, norms, perspectives and crafts rules' which inform police conduct in a highly contextualised and situationally specific activity (Chatterton 1975; Holdaway 1989; Norris 1989).

Following Bittner (1967), Chatterton (1975) views police culture as containing some of the working rules that guide routine rank-and-file work. He documents how rules in use (working rules) seem to differ from rules of law and policy directives (formal rules), both differing from rules concerned with the retrospective reporting of police decisions and actions (accounting rules). The occupational culture is, therefore, seen by Chatterton as a lexicon of working, formal and accounting rules employed by the rank-and-file police when they are found to be appropriate to police work in a variety of situations.

Various studies on policing and police work have documented the essential and phenomenal features of police culture. Its core referents include: a sense of mission about police work; an orientation towards action; short-run hedonism (Holdaway 1983: 126); a cynical

or pessimistic attitude towards the public, especially the marginalised and dispossessed; political conservatism; racial prejudice; sexism; a 'cult of masculinity' (Smith & Gray 1983); clear demarcation of the public from the private and between the 'roughs' and 'respectables' (Reiner 1992: 111–29); shared definition and control of work environment; shared understanding of police competence and status achievement (Stanko 1989: 53–62); an attitude of (necessary) constant suspicion; and an isolated social life coupled with a strong code of internal solidarity (Reiner 1992). This solidarity is sustained by the constant harbouring of suspicion of *all* others who are *not* policemen. Among these characteristics, Chan (1997) points out that the 'siege mentality' and 'code of silence' evident among the rank-and-file police are often linked to the concealment and proliferation of police misconduct. Corollary to this feature is the frequent invocation of the notion of police subculture by academic researchers and commentators to condemn a broad spectrum of policing practice. This normative overtone, coupled with the civil libertarian concern about the extent and sources of police deviation from due process of law (Reiner 1985: 85), led researchers to indulge in wholly speculative suggestions that police subculture is responsible for the many miscarriages of justice. Holdaway (1983: vi) highlights this libertarian concern:

> If I desire anything for this book, it is that it may make a small contribution to our search for a more loving and just society and therefore a more loving and just police…

It is this reformist orientation, as Waddington (1999a: 294) notes, which justifies the inclusion of some of these negative elements of the police subculture as 'core' and the exclusion of others. As Chan (1997: 44–7) succinctly states, it is the 'negativity of the values, attitudes and practice norms' to which the concept of police subculture draws attention.

Police Subculture: A Contested Concept?

The value of 'subculture' as a sociological construct is that it relates a broad spectrum of thoughts and actions into a coherent whole. Cultural expression, therefore, more than representing a *de facto* operationalisation of a much broader theoretical construct, *is* a theoretical necessity: for 'canteen culture' becomes the explanation of police action (Waddington 1999a: 288). Reiner (1992: 107) reinforces this view:

> An understanding of how police officers see the social world and their role in it—'cop culture'—is crucial to an analysis of what they do and their broad political function.

Talk and action, as Waddington (1999a: 288) sees it, are related in either of two ways: on the one hand, 'police culture' might be conceived narrowly as attitudinal variables that seek to understand and explain police behaviour. Alternatively, 'police culture' might be conceptualised as a hypothetical construct that lends coherence and continuity to the broad spectrum of police thought and practice. Either way, the construct seeks to bridge what officers say and do in a context, usually in the privacy of their police cars or at the police station with what they do elsewhere, most notably in encounters with members of the public on the streets. In this respect, the notion of police subculture has much conceptual value in explaining police action generally.

The problem with understanding police culture this way, however, is three-fold. First, it treats police subculture as the primary guide to police action, thus developing and reinforcing the notion of police subculture as a powerful determinant dictating police practice. As a result, it negates the role of agency in the production of an institutional practice, a theoretical limitation that has been witnessed in the attitudinal approach explaining rank-and-file officers' decisions of non-arrest in cases of marital violence.

There is overwhelming evidence, however, that the principal explanatory variables of police behaviour on the streets are contextual and situation-specific. The pioneering research of Black & Reiss (1970), for example, examining police treatment of ethnic minorities, did not uncover any evidence of racial discrimination despite the undoubted racism expressed by officers in the privacy of the their car and in their canteen. Similarly, Friedrich's (1980) reanalysis of Black & Reiss data, Sherman's (1980) secondary analysis of observational data of variables affecting arrest decisions of police, and Waddington's (1993, 1994a, 1994b) examination of the disjunction that exists between police identification of certain protests groups as 'oppositional' and the extensive steps routinely taken to facilitate their holding peaceful protests, have all testified to the importance of contextual variables and relative insignificance of studies of attitudinal and related factors (see, for example, Coates & Miller 1974; Locke 1996; Smith et al 1984; Smith & Gray 1983; Bittner 1974; Black 1971). In sum, if there is little or no consonance between what officers say and do, it appears that the concept of police subculture contributes little to the explanation of policing.

Secondly, the problem with conceptualising police subculture as constituting a set of attitudinal variables is that it treats police subculture as being homogenous and monolithic, implying an unproblematic relationship between subculture and institutional decision-making. Fielding, however, suggests that occupational culture is not itself undifferentiated but comprises several cultures formed around adjustments to, and demands of, the job (Fielding 1989: 81). As a corollary to this, therefore, there exists a division or distinction between urban and rural policing (Cain 1973; Websdale & Johnson 1997), 'community' and paramilitary policing (Jefferson 1990), 'management cops' and 'street cops' (Holdaway 1983; Reuss-Ianni & Ianni 1983; Punch 1983), patrol officers and 'community' constables (Fielding 1995), and detectives and uniformed police (Hobbs 1988). Indeed, the author's own research interest in the subject of policing marital violence in Singapore was sparked by the innocuous disjuncture that exists between the cultural goals of professional (policy) and practical (street-level) policing. Casual association with rank-and-file officers who were involved in the implementation of the Domestic Violence Project in a police division in 1995 exposed the practices of some of these officers that clearly deviated from the official policy on domestic violence. As Manning observes the structural and cultural variations within the police organisation:

> The police as an organisation do not possess a 'common culture' when viewed from the *inside*. Instead, there is an elaborate hierarchical rank structure which replicates the social distribution of secret knowledge. Police organisations are segmented, specialised and covert to a striking degree. Social relationships among policemen are based to an unknown extent upon *differential information* and ignorance, a structural fact that maintains organisational stratification... (Manning 1978: 244) (Emphasis in original.)

This conception of police culture, which takes into account how internal differentiation, jurisdictional differences, and varying departments' priorities create and perpetuate different cultures within the police organisation, does indeed reinforce Reiner's acknowledgement that the police culture is not 'monolithic, universal nor unchanging' (1992: 109). It also removes an all-powerful, homogenous and deterministic conception of police culture. Paradoxically, faced with all this diversity, the concept of subculture as a *shared* belief becomes problematic.

Thirdly, a major problem with building a form of conceptual bridge linking 'talk' and 'action' is the absence of the historical-structural content/component to it. In other words, an almost exclusive focus

on the notion of subculture and how that *guides* institutional practices, but without an analysis of the structural conditions in which such practices are located and take shape according to actual 'encounters' in the field, is to assume that culture—as a construct and expression—is free-standing. What is also implied in the theoretical link between 'talk' and 'action' is that a set of cultural attributes, which are thought to influence the production of an institutional practice, is *distinctive to the police as a social group.*

It is to this significant problem that the book particularly responds and out of which the reconceptualised understanding of police subculture emerges. Theoretically, the reconceptualisation of police subculture by employing Bourdieu's (1977, 1990) distinction between 'habitus' (culture) and 'field' (structure) emphasises that culture is *not* free-standing. Fundamentally, the framework treats culture and structure as being in a relationship, thus interactive and interconnected. Though culture is a principal *guide* to action, conveyed metaphorically through police 'canteen' stories, myths and anecdotes, *the eventual institutional response must be seen as a product of the relationship between the cultural influence and structural conditions in which the policing role is located*. Such a reformulation suggests that the fluidity of police action (or inaction) essentially depends on, and is determined by, the presence of 'triggering' factors encountered in the field of policing (structural context), which may alter an *intended* (culturally influenced) original response. What is argued here is that the widespread sexism, to take an example, found among *police* officers, which was often assumed to be an expression of their peculiarly 'macho' subculture (Martin 1979; Brown & Campbell 1991), is now documented as the product of patriarchal beliefs embedded in the wider culture and as emanating from unequal structural relationships between men and women in society (Hanmer et al 1989). As in the context of policing domestic violence, the discretion either to arrest the suspected offender or to resort to traditional methods of mediation and 'cooling off' techniques is often informed by stereotypes of what constitutes 'normality' and 'crime', and by a categorisation of victims into those deserving and undeserving of police protection (Stanko 1989: 68). These categories, mediated by socio-structural features such as race, class, ethnicity, age, marital status, homosexuality and heterosexuality, are in fact intertwined within institutional decision-making (Stanko 1981, 1982). As Reiner (1992: 169) notes, 'the pattern of discrimination [in terms of police differential response to victims] and the map of the population found in police culture are isomorphic. They are both interdependent and

bound within the wider structures of racial and class disadvantage'. Given this, the cultural attributes of police subculture are not seen as being *distinctive* to the police but as having continuity with the wider institutions of society.

Conceptualising police culture as a response to, and having a relationship with, the structural (political, social and legal) conditions of policing allows for the retention of the use of the concept of 'police subculture'. Conceptualising police subculture this way has a certain affinity with the subcultural theoretical tradition of sociology of deviance which sought to understand deviant subcultures as a *response* to the structural contingencies that delinquents face (Downes 1966). As the pioneering work of Albert Cohen (1955) on delinquent gangs suggests, 'The crucial condition for the emergence of new subcultural forms is the existence, *in effective interaction with one another, of a number of actors with similar problems of adjustment*' (Cohen 1955: 59) (original emphasis). The later criminologies of left realism (Young 1974, 1981, 1986) have also conceived subculture as a problem-solving device which constantly arises as people in specific groups attempt to solve the structural problems they face. The problems are evaluated in terms of existing subcultures and they change over time in order to *attempt* a solution to those perceived structural problems (Young 1994: 111). By conceiving deviance 'as a solution, rather than as a problem, to dilemmas…' (Downes & Rock 1995: 148), it is conceivable that police subculture 'arises as a way of coping with, and making sense of, a given environment' (Manning & Van Maanen 1978: 267) in the face of recurrent problems and common experiences. The 'cultural-structural' connection is evident in two aspects relating to the organisation of policing: first, police subculture is seen to reflect and respond to the demands of police work; and second, following from the first, is evident the universality and tenacity of police subculture.

Police Subculture as Response to Police Work

The *locus classicus* for characterising the direct connection between demands of police work and the development of the occupational culture is Skolnick's (1966) account of the 'working personality' (Reiner 1992: 109). The 'working personality' is a response to the unique combination of facets of the police role: 'two principle variables, danger and authority, which should be interpreted in the light of a "constant" pressure to appear efficient' (Skolnick 1966: 44). Following Skolnick,

Chatterton argues that the two primary concerns of rank-and-file officers when dealing with a specific incident are the avoidance of 'within the job' and 'on the job' trouble (Chatterton 1978, 1981). Within-the-job trouble 'is bound up with the relationship between patrol personnel and their superiors in the organisation' (Chatterton 1978: 49), such that the lower ranks are 'concerned that any information about them received by higher level officers project[s] a favourable impression and at least [does] not damage their reputation' (Chatterton 1983: 201). On-the-job trouble, on the other hand, arises from the environment that patrol officers police and the relationship between themselves and the public. As Chatterton (1981: 208) notes:

> The decisions and actions taken at incidents reflect the concern to control relationships between themselves and the various publics on a division, to maintain their capacity to intervene authoritatively in any incident and to preserve their own and others' beliefs that they were 'on top of the area'.

It is the perceptual heightening of the threat of danger and violence related to 'on the job' trouble that, according to Manning (1977), gives rise to the notion of the 'threat-danger-hero' conceptualisation of police work and the development of a set of working rules which classifies and sharpens images of potential danger. As Van Maanen (1978b) points out, this potential for danger, together with other features of police work such as the shift work, the uniform, the sense of isolation, and the proliferation of rules and regulations within police departments all contribute to the perpetuation of police culture. For example, 'cynicism' and 'police pessimism'—qualities that are commonly attributed to police officers (Niederhoffer 1967; Vick 1981)—are developed as ways of coping with the hostility and degradation often encountered in the course of 'doing society's dirty work' (Van Maanen 1978a: 120). Reiner (1992: 113) similarly explains:

> Policemen often develop a hard skin of bitterness, seeing all social trends in apocalyptic terms, with the police as a beleaguered minority about to be over-run by the forces of barbarism...

Police occupational culture is, therefore, not primarily negative. It is seen to be functional to the survival of police officers in an occupation considered to be 'dangerous, unpredictable and alienating' (Chan 1997: 45). Fielding (1989: 80) argues that 'the values and practices prevalent in police subcultures are not to be dismissed as false consciousness

decanted into passive vessels but…be regarded as an adaptation to the circumstances of police work'. Police recruits, Reiner (1985: 186) asserts, 'do not imbibe [subcultural values] like parrots but because it makes sense of their experiences'. It is necessary not only to specify how the rank-and-file officers derive and modify that stock of knowledge, but also how it is contextually produced and sustained. In fact, organisational rules are not merely transposed from theory to practice; they are mediated at various levels which transform their meaning and import. While the formal police organisation prescribes a set of rules for both practice and justification, the appropriate invocation of rules requires a second-order system (Norris 1989: 93). In other words, there must be rules for applying the rules, and the police occupational culture effectively provides for this second-order system. This second-order system is usually transmitted through occupational socialisation when recruits and junior officers gain the social knowledge and skills necessary to assume an organisational role (Van Maanen & Schein 1979: 211). Recognising the importance of this second-order system, the Singapore Police Force (SPF) has instituted a practice whereby all junior and senior officers, regardless of their educational qualification and entry points, have to undergo an attachment period of at least two years with the Investigation Branch as an 'introduction' to this second-order system. As one officer remarked to me:

> When the new recruits come to the division as part of their tour of duty, it is the most important period in the officers' lives. The two years is the testing period. We as Field Training Officers (FTO) and Senior Investigators will teach about police work and what a *good* policeman is all about. This period you can either make it good or get fucked when you don't learn the golden rule: you must learn to bend the rules but without breaking them…To know this, to understand this, you have to learn from the 'lauchiaos' [a Hokkien word for veterans].

Universality and Tenacity of Police Subculture

If aspects of police culture are 'rooted in the recurrent problems and common experiences of police' and they 'arise as a way of coping with, and making sense of, a given environment' (Manning & Van Maanen 1978: 267), it is not uncommon to expect the occupational culture of policing to be fairly homogenous among officers working in similar conditions and experiencing similar demands of police work, irrespective of where they are. Thus, in contradistinction to the intellectual tradition of situational theorists who seek to erode and relativise the notion of

police subculture, appreciating the emergence of *a* police subculture as a response to the structural conditions of policing would reveal an array of core elements across a remarkably broad spectrum of 'police talk' in a wide variety of jurisdictions. Indeed, Skolnick & Fyfe (1993: 92), referring to studies of police in the US, Europe and Asia, observe that the 'fundamental culture of policing is everywhere similar . . . since . . . the same features of the police role—danger, authority, and the mandate to use coercive force—are everywhere present'. Even in a country as socially, politically and culturally distinct as Japan (Waddington 1999a: 296), patrol officers share many of the same prejudices as their counterparts elsewhere (Ames 1981; Bayley 1976, 1991).

Moreover, police subcultures within societies show remarkable tenacity, and oral histories of policing have reinforced the suggestion that there is significant continuity in police subculture (Brogden 1991; Weinberger 1995). Commenting on the culture's 'remarkable stability through time', Manning & Van Maanen (1978: 267) note its persistence in spite of efforts to change it:

> In the operational environment of the . . . street-level policing, many old habits and traditions have survived largely intact despite the persistent efforts of officialdom to introduce new ideas, tighter organisational controls, and sophisticated technologies into the daily affairs of patrolmen. Even the introduction of better-educated and more highly trained recruits has provided precious little encouragement for those seeking to alter the police culture from the inside.

This latter point is critical, for it suggests that there are powerful mechanisms available within the occupation that act to systematically discourage innovation while they encourage the status quo. Taken together, this suggests that the source of police subculture lies deep within the fundamentals of policing itself, attesting to the conceptualisation of police subculture as a response, and having a relationship, to the structural conditions of policing. It stretches the concept of police subculture to suggest that it is not free-standing. The only problem, however, is its implicit subscription to an 'oversocialised' conception of human behaviour, which assumes that the individual member *automatically* and *competently* adopts the cultural attributes of that subculture in order to cope with the demands of police work. The end-product of such theorising is the treatment of police subculture as being both homogenous and monolithic, a conception which has already been deconstructed in the face of evidence of 'multiple subcultures' co-existing in any dynamic institution such as the police. There is also an

assumption that the structural conditions of policing are *uniformly* and *unproblematically* encountered by the policemen on the street. Structural conditions do exist quite objectively but it must be recognised that the fluidity of police action essentially depends on, and is determined by, the presence of 'triggering' factors encountered by the policemen in that structural (political, social and legal) context, thus accounting for the (seemingly) equivocal response to domestic violence situations. It, therefore, follows that the role of the agency must be sufficiently emphasised.

Pierre Bourdieu's concepts of 'habitus' and 'field' are attractive in that they deal with the theoretical and empirical (data) 'gaps' in the way police subculture is historically conceptualised. In the next section, the two concepts are examined and the advantages of adopting Bourdieu's theory are underlined before charting its theoretical relevance to the problem of policing marital violence in Singapore.

Field, Habitus and Police Practice

The two key concepts of the *field* and *habitus*, designating the cultural dispositions of police subculture and structural conditions of policing, respectively, are particularly relevant to the current investigation. According to Bourdieu (1977), the 'field consists of a set of objective, historical relations between positions anchored in certain forms of power (or capital), while habitus consists of a set of historical relations "deposited" within individual bodies in the form of mental and corporeal schemata of perception, appreciation and action' (Wacquant 1992: 16). The notion of 'society', for Bourdieu (1977), is one that is constituted by an ensemble of relatively autonomous spheres of 'play' or fields, with each field prescribing its particular values and possessing its own regulative principles. These principles delimit the socially structured space—a space of conflict and competition—where participants struggle to establish control over specific forms of power and authority, and in the course of these struggles, modify the structure of the field itself. Thus Bourdieu (1990) insists, a field 'presents itself as a structure of probabilities—of rewards, gains, profits and sanctions—but always implies a measure of indeterminacy... Even in the universe par excellence of rules and regulations, playing with the rule is part and parcel of the rule of the game' (Bourdieu 1990, as cited in Wacquant 1992: 18). In the context of policing domestic violence, the field is seen to

consist of the historical processes involved in the policing of relations between men and women, anchored in the constitutional and legal powers that provide police officers with the necessary discretion in their decisions to either *criminalise* or '*no-crime*' a particular reported case of domestic violence. From a feminist perspective, the field, therefore, is also a site of constant struggle and conflict arising from the unequal distribution of power and material resources between the *offender* husbands and *victim* wives, and between them and the intervening (usually male) rank-and-file officers.

Habitus, on the other hand, is conceived as a *structuring mechanism* (Wacquant 1992: 18) that operates from within social agents. It is a system of 'disposition' and 'inclination' that creates a 'strategy-generating principle' enabling agents to cope with unforeseen and ever-changing situations by integrating past experiences. As Bourdieu (1977: 72) states, habitus 'functions at every moment as a matrix of perceptions, appreciations and actions and makes possible the achievement of infinitely diversified tasks'. Although habitus generates strategies according to 'solicitations' in the field in a coherent and systematic manner, they are also 'ad hoc because they are "triggered" by encounters with a particular field. Habitus is creative, inventive, but within the limits of its structures, which are the embodied sedimentation of the social structures which produced it' (Wacquant 1992: 19).

Thus, instead of conceptualising culture as a 'thing'—a set of values, informal norms and rules operating on individuals in a social setting—Bourdieu (1977) argues that the concepts of habitus and field are relational in that they function fully only in relation to each other. The field is, therefore, not seen as a 'dead structure', a set of 'empty places', but a *space of play* (Wacquant 1992: 19) (original emphasis) in which social agents participate and make sense of the *play* as well as its *players*. It is here that Bourdieu subscribes to the theory of *active* social agents who, working within a particular field of policing—a space of play—create the space to develop, reinforce, transform and even resist cultural knowledge as 'triggered' by both the play and players in the field. An adequate theory of field, therefore, presupposes a theory of active social agents:

> There is action, and history, and conservation or transformation of structures only because there are agents, but agents who are acting and efficacious only because they are not reduced to what is ordinarily put under the notion of individual and who, as socialised organisms, are endowed with an ensemble of dispositions which imply both the propensity and

> ability to get into and to play the game. (Bourdieu quoted in Wacquant 1992: 19)

Conversely, the theory of habitus is incomplete without a notion of structure that makes room for the organised improvisation of agents (Wacquant 1992: 19). When applied to police work, Bourdieu's thesis is successful in demonstrating the *relational* and *interactive* relationship that exists between police cultural knowledge (habitus) and structural conditions of policing (field), since police culture is seen to have been developed as a way of coping and managing a work environment characterised by the danger and unpredictability of everyday police work. Skolnick's (1966) account of the police 'working personality' is an example of this relationship. Also central to this conception is the *active* role played by rank-and-file officers in instituting a *situational* practice. Thus, the reconceptualisation of police subculture by employing Bourdieu's distinction between 'habitus' and 'field' emphasises the point that though police subculture is a principal guide to action, the eventual institutional response must be seen as a product of the relationship between cultural influence and structural conditions with the policeman mediating its final outcome, thus emphasising agency. The point being made here is that structural conditions do not absolutely determine cultural knowledge, and cultural knowledge does not totally dictate institutional practice.

The advantages of reconceptualising police subculture in this way are several. First, it resolves the problem of the traditionally constructed linear relationship between 'talk' and 'action' by doing away with the homogenous, all-powerful, monolithic, and deterministic conception of police subculture—subculture is but one source of police institutional practice. It also deconstructs the implication in the theoretical link between 'talk' and 'action' that the cultural attributes, which are thought to influence the production of an institutional practice, are distinctive to the police as a social group. Second, it recognises and accounts for the existence of multiple ('sub') subcultures in any one police organisation (Reuss-Ianni & Ianni 1983; Manning 1978; Holdaway 1983), since officers in different organisational positions and doing different tasks operate under different sets of 'field' and 'habitus'. As the data suggest, this is a source of conflict and tension among officers involved in the operational policing of domestic violence. The differing and, at times, conflicting approaches taken by *staff* and *operational* officers, and within the rank-and-file *uniformed* patrol officers and *detectives* towards policing

domestic violence is a classic illustration of the existence of multiple cultures in a police organisation.

Third, the reconceptualisation subscribes to a conception of an active social agent by recognising the interpretive and active role of patrolmen in structuring their understanding of the organisational demands, the legality of the situation and the nature of output they *ought* to produce in any given structural context, thus exemplifying the highly volatile, situational and contextual aspects of police work. Bittner remarks of officers' 'essential knowledge' in these situations as 'new facts . . . added to the texture, not in terms of structured categories but in terms of adjoining known realities . . . the content and organisation of the patrolman's knowledge is primarily ideographic and only vestigially, if at all, nomothetic' (Bittner 1967). While police culture provides a 'traditional way of solving problems' or a 'learned solution to problems' (Norris 1989: 93), it is nevertheless up to individual officers to mediate their experiences at various levels of the police-citizen encounter. In other words, the patrolman is the final arbiter or mediator of the cultural and structural influences—that of occupation, organisation, and the broader social, political and legal context in which the police role is located. While the culture is powerful, it is nevertheless up to the individual patrolmen to accommodate or resist its influence. Fielding (1988: 135) succinctly captures this:

> One cannot read the recruit as a cipher for the occupational culture. The occupational culture has to make its pitch for support, just as the agencies of the formal organisation exert their influence through control of resources. The stock stories of the occupational culture may be effective as a means of ordering perception which maximises desirable outcomes. If they contradict the recruit's gathering experience they are likely to be dismissed.

Fourth, by depicting police institutional practice as a product of the relationship between culture and structure, it allows scope for reforming police culture (habitus), but only if it is to be accompanied by changes in the structural conditions of policing (field)—a point discussed in Chapter Five. Fifth, the reconceptualised understanding of police subculture integrates the two current perspectives on police response to marital violence—situational and attitudinal—as well as resolves their theoretical deficiencies by being able to *explain and meaningfully account for and accommodate both decisions to arrest* (position taken by 'situational' theorists) *and officers' avoidance of arrest* (contribution of 'attitudinal' and

feminist theorists). It does so by depicting the policing of 'domestics' as essentially a *process* with the patrolman mediating its final outcome. By understanding police response as a process—fluid and, therefore, acquiescent to encounters—it avoids the pitfalls of portraying institutional response as a product of a deterministic subculture (cultural approach) and/or as a situationally static activity (situational approach). Finally, charting the link between aspects of police subculture and structural conditions of policing also results, methodologically, in the mapping of the unit of analysis from the level of the social group (micro) to that of structure (macro). Conceptually, therefore, the level of analysis (and explanation) spans three levels: *individualised* police response; rank-and-file police as a *social group*; and *macro-structural* features of the 'field' such as the patriarchal State and its institutions as they relate to the policing of marital violence in Singapore.

The contribution of the reconceptualised understanding of police subculture is that it treats police subculture and structural conditions of policing as being in a relationship. In other words, the analysis requires that cultural influence needs to be set within a socio-structural, legal and historical context. In the section that follows, aspects of the habitus in the context of policing domestic violence in Singapore are delineated, which, it must be emphasised, do not presuppose a direct causal link between cultural knowledge and institutional practice. The stock of cultural knowledge has to be interpreted and made organisationally relevant before an institutional practice can be staged or retrospectively justified, depending on 'triggering' factors encountered in the field of policing. The author uses Sackmann's (1991) dimensions of cultural knowledge to make sense of the 'habitus' of policing domestic violence, drawing on the general (notably international) literature on police culture and policing domestic violence and the author's primary data drawn from the use of the participant-observation method.

The Habitus of Policing Domestic Violence

The four dimensions of cultural knowledge relevant to the discussion of habitus of street-level policing of domestic violence include: axiomatic knowledge (which constitutes the basic rationale and purpose of policing); dictionary knowledge (which contains lexical information about and of people whom the police come into contact with in the

course of responding to a 'domestic'); directory knowledge (which contains operational knowledge which informs officers *how* to deal with and respond in situations of domestic violence); and recipe knowledge (which refers to the normative dimension of cultural knowledge shared by rank-and-file officers).

Axiomatic Knowledge: The Police Mandate

This refers to knowledge held by rank-and-file officers of their primary occupational role and the role of the police organisation in general. Rank-and-file police traditionally see police work in terms of waging a 'war against crime', maintaining *public* order, and protecting property and lives. These perceptions of the police's role are informed and sustained through dominant conceptions of the police occupational culture. Manning (1977: 12) notes that the rank-and-file officer is often described by the police occupational ideology and in the mass media as an 'endangered crime fighter who battles heroically against the ever-threatening chaos of crime'. The mission of the police is repeatedly described as crime-derived, as a mission with the thrills of the chase, the fight, the capture, and the 'machismo syndrome' (Reiner 1978: 161). 'Real police work' to the rank-and-file officers, as observed by Van Maanen (1978b), is about exercising their special occupational expertise: 'to make an arrest, save a life, quell a dispute, prevent a robbery, catch a felon, stop a suspicious person, disarm a suspect, and so on'. The elements of this mission in the police perspective are reflected in their sense of themselves as the 'thin blue line', performing an essential role in safeguarding social order, with disastrous consequences following if the authority of the police were to be threatened. The vision of a 'thin blue line' not only places the police in the position of valiant protectors of society, but also of those who are knowledgeable of the dark side of society and, therefore, in a uniquely privileged position to forestall the danger that threatens. Thus, not only is heroism secured, but also cynicism engendered, for the police know that the order that 'civvies' take for granted is always precariously teetering on the brink of chaos (Waddington 1999a: 299). As one officer states:

> We're responsible people, who're not likely to turn around and jack the job in and leave the country open to anarchy. So that I'm not going to have to sit in the kitchen at night with a shotgun on my knees. (Reiner 1978: 110)

The rank-and-file police clearly do not regard responding to domestic violence calls as an appropriate police responsibility. Recognising that the police role is divided into two categories—law enforcement and keeping the peace—Johnson (1985) interprets police intervention in domestic violence situations as part of the peace-keeping service role, and identifies the intervention as being in line with a reconciliation process between disputants rather than criminal prosecution of the offender. Several studies of rank-and-file police subculture have documented the resentment of many junior officers of having to respond to domestic violence calls, which are seen as a distraction from 'real police work' (Skolnick 1966; Cain 1973; Holdaway 1977; Reiner 1978). To many officers, having to deal with the social work aspect of the police role and calls for service is 'rubbish' police work. Reiner (1992: 119) writes:

> Domestic disputes are a common sort of call regarded as 'rubbish' by many police officers: 'With domestic disputes, the husband and wife going hammer and tongs, you've got to separate them, calm them down before you go. And you're not doing a policeman's job, you're doing a socialist's [sic]'.

They clearly prefer law enforcement functions where the prospects for 'action' and instituting an arrest are higher (Buzawa & Buzawa 1990). Arrest has a special place in the lexicon of police work. First, it symbolises an authoritative and coercive *legal* solution in the restoration of a disrupted social order. Second, arrest fits neatly within the ideology of crime control and protection of society. Third, it provides the officer with a 'tangible' product that brings status and prestige within the police organisation. One of the most interesting contradictions of policing domestic violence is that an *arrest* resulting from a domestic situation is not afforded a great deal of prestige by both the informal and formal peer groups (Stanko 1989: 51). It is to many not a 'real' crime (Stanko 1989, 1981). The much-publicised Policy Studies Institute (1983: 314–15) research on policing in London found that there was a certain amount of ambiguity regarding the perception of the police role in relation to domestic violence. Most officers had a negative attitude towards responding to domestic violence calls, often feeling that they should not become involved in these cases at all. The perception that domestic violence does not fit into the ranks of 'real' crimes could possibly explain why the rank-and-file officers would *want* to systematically circumvent any initiative on the part of the senior police management or outside organisations like the Society Against

Family Violence (SAFV)—a local non-governmental organisation—to take a more 'pro-active' approach to domestic violence in Singapore (Chapters Five and Six deal with this issue in detail). The apparent ineffectiveness of the mandatory and presumptive arrest policies instituted in some jurisdictions in the US, discussed in the last chapter, is also a good illustration of this. As one local officer remarked to me:

> I am a policeman. Not a counsellor. You think the government is paying me to hear people's quarrels? I hate it when they ask you to deal with this kind of problem . . . To us, there are real people who really need us and we have the duty to help them . . . not family problems, please . . . (Field notes)

There is little doubt that the occupational self-image of the police is that of 'crime-fighters'. Reiner (1978), for example, found that only one in twenty officers saw their work chiefly in terms of social service rather than crime-fighting. Similarly Johnson (1985) illustrated that the public mainly evaluated the police according to their performance as 'helpers' or 'comforters', while the police evaluate themselves against technical proficiency in combating crime. However, this image of the police as a crime-fighter is not just a distortion of what they do, for as Waddington (1999a: 299) argues, it is virtually a *collective delusion*. He states:

> Evidence for the gap between canteen talk and action on the street is to be found issuing from the mouths of police officers who dismiss most of what they are called upon to do as 'rubbish'. Routine policing is *not* experienced as the expression of police values, but as its negation. (Emphasis in original.)

Thus, in contrast to rank-and-file officers' perception of themselves as 'crime-fighters' and 'crook-catchers' accompanied by the desire to generate their own, more exciting crime, empirical research reveals that the bulk of police work and patrol duties blend the service element of policing (Manning 1977; Stanko 1989). As a corollary to this, arrest is therefore a rare occurrence (Black 1971; Bittner 1970, 1974; Van Maanen 1974). Thus, Banton (1964: 127) states:

> The policeman on patrol is primarily a 'peace officer' rather than a 'law officer'. Relatively little of his time is spent enforcing the law in the sense of arresting offenders; far more is spent 'keeping the peace' by supervising the beat and responding to requests for assistance.

Similar results have been found in many other studies (Punch & Naylor 1973; Punch 1979b; McCabe & Sutcliffe 1978; Hough 1980; Morris &

Heal 1981). Assignments such as providing transport for drunks, accident victims and lost children; taking reports on accidents, drownings, missing persons, dog bites, disputes between friends, businessmen and clients, landlords and tenants; controlling the public in traffic and in collective situations (public ceremonies, sporting events, national events); and looking into public complaints of noisy children and wayward teenagers, are all part of the chores of policing. These chores, however, are the bulk of police work (Shapland & Hobbs 1987). Recognising the service role of the police, Punch describes the police as a 'secret social service' (Punch 1979b).

Although the reality of the police experience indicates that the police are really a 'secret social service', performing thankless, unexciting, mundane and endless jobs (Manning 1977: 12), the rank-and-file police, however, continue to undertake conduct consistent with the image of being a 'crime-fighter'. This is because the notion of *competence* both in the informal and formal police context is defined in terms of performing crime-fighting tasks such as the apprehension of criminals or the successful conclusion of a *criminal* case. Rank-and-file police develop a shared understanding of competence which allows an officer's view of what constitutes 'real crime' to match those of his fellow officers. As the illustration of primary data in Chapter Six suggests, developing a shared understanding and interpretation of events, people and places is a function of, and is requisite to, 'collective thinking' which is necessary to sustain a collective organisational response in the context of operational policing of domestic violence. Competence is defined *by* the rank-and-file as well as *for* the rank-and-file. The rank-and-file police do not highly value domestic cases even when a successful intervention (ie arrest of the offender) in a domestic dispute might have meant that the patrol officer had effectively diffused a volatile and dangerous situation (Stanko 1989). Together with competence, status and prestige are also important elements within the internal culture of the rank-and-file police. Images of the police and their work (a form of 'calling' to many officers) are very much part of a shared assessment of a job well done and one worth doing. Manning (1978: 11) states:

> ...his most meaningful standards of performance are the ideals of his *occupational culture*. The policeman judges himself against the ideal policeman as described in police occupational lore and imagery. What a 'good policeman' does is an omnipresent standard. (Emphasis in original.)

Despite the few good 'pinches' (challenging and exciting criminal cases involving traditional notions of the chase and arrest), rank-and-file officers organise their routine patrol work in the *hope* of encountering one during the course of their shift. Recognising this, Manning (1978) characterises police work as having to execute an 'impossible mandate'—driven by public expectation of the police and the officers' need to attain the ideals of a 'good policeman' versus the reality of routine police work. 'Real police work' thus becomes a source of satisfaction *and* frustration to the rank-and-file officers. Nevertheless, the importance of the 'good pinch', according to Van Maanen (1978b: 304):

> ...is precisely the opportunity to exercise his perceived role that gives meaning to the occupational identity of patrolmen. Operationally, this does not imply patrolmen are always alert and working hard to make the 'good pinch'. Rather, it simply suggests that the unexpected is one of the few good aspects of the job that helps maintain the patrolman's self image of performing a worthwhile, exciting and dangerous task.

Fundamentally, the fact that the police devote so much rhetorical effort to affirming what their everyday experience denies raises the mythology of the 'crime-fighter' to its ideological importance. As Waddington (1999a: 300) notes:

> The exercise of coercive authority over the fellow citizens poses an obvious and acute challenge to the legitimacy of the police. Policing has historically been transformed from a potential threat to fellow citizens into their protection by ideologically identifying the police with crime fighting. Criminals lie beyond the moral community of society, the suppression of whom 'serves and protects' (as the legend on many an American police car reminds us) the remainder of the respectable citizenry. It is yet a further affirmation that policing is heroic: coercive authority is exercised in the service of the highest ideals of *the law*. (Emphasis in original.)

Arguably, the above quotation has two important implications for the policing of domestic violence. First, by continuing to subscribe to the mythology of crime-fighting and by mobilising the network of organisational resources to sustain this image of the police organisation, it would be difficult to see how a traditionally understood social issue like domestic violence could fit into the ranks of 'real' crimes that would necessitate a crime-fighting approach. The traditional distinction between 'real' crimes and 'service deliveries' has to be maintained if the State is committed to having a coercive police force, as only the existence of the crime-fighting role could possibly ideologically legitimise the

exercise of coercive force. Second, it illuminates the politics and rhetoric of 'exclusion' embedded in the business of policing. Distinguishing the 'problem population' from the 'respectable citizenry', the poor from the rich, the powerless from the powerful, the 'deserving' victims from the 'undeserving', the racial minorities from the dominant, are all intrinsic and integral to the efficient and effective accomplishment of the police role. In other words, to be rendered manageable, policing requires that those over whom authority can be exerted be identified in advance. This form of mental and social mapping is what will be referred to as 'dictionary knowledge' in the following section. In a society plagued by an immutable stratified order, the police have historically exploited the division between the 'roughs' and the 'respectable', as Brogden (1982: 190–1) explains:

> ...Organisational factors within the police institution contributed to an easier relation with the respectable working-class and to the institutionalised exclusion of the lower classes. The antagonistic milieu of the street for patrolling police officers resulted in practical compromises. If police officers as individuals wished to survive and if the police institution as a corporate body aimed to gain a measure of consent, tolerance was necessary. Discretionary law enforcement led to a truce with one class at the cost of joint criminalisation of the lower orders.

Dictionary Knowledge

Studies have illustrated that policing is a highly contextualised and situation-specific activity; therefore, it is a highly *interpretive* one in which rank-and-file officers develop routine ways of categorising their policing environment, the types of crimes they encounter and the people with whom they come into contact. This categorising process enables the officers to summarise complex and ambiguous situations in a short period of time and to take action (legal or otherwise) that is appropriate to the crime, the place where the crime has occurred and the social characteristics of the offenders (or suspects) and victims[1]. Dictionary knowledge, usually in the form of police stories, presents officers with ready-made schema and scripts which assist the rank-and-file to limit

[1] Although some of the officers interviewed at the police land division revealed that all decisions are only taken based upon and according to legal criteria, it was observed during fieldwork that these same officers at times took into account social characteristics, ie race, income level, educational level of the offenders and victims in their decision-making.

their search for information and to organise the information in terms of past experiences and established police-relevant categories. Police stories prepare officers for police work by providing a 'vehicle of analogous thinking' and by creating a 'vocabulary of precedents' (Erickson et al 1987). The shared stories provide rank-and-file officers with a stock of knowledge out of which a range of actions can flow, and equips officers with a repertoire of reasonable accounts to legitimise their actions (Chan 1997).

The factor that separates the new recruit from the old-timer, as Norris (1989: 93) points out, is the ability of the old-timer to develop an effective second-order system that would help to articulate actions in the light of a situationally relevant reading of organisational rules and procedures. An aspect of this second-order system is vividly illustrated in Rubenstein's (1973: 65) description of an officer on patrol in a police vehicle: 'Once he has named a place his opinion assumes precedence in determining what is going on there. He cares less about who is there than where they are. He does not make evaluations of the people at each corner every time he cruises past, but makes assumptions about them based on his conception of the place'. Assessments that police officers make of certain groups of people and of various streets they patrol are essentially police-relevant categories—categories which enable officers to creatively convert 'ordinary' events and 'normal' people into organisationally relevant (or irrelevant) ones—generated by their power to cause problems, and their congruency to the police value system (Reiner 1992: 117–21). These categories assume the form of shared knowledge among the officers and are sustained within the police occupational subculture. Reiner (1992: 117), for example, states '[t]he fundamental division is between rough and respectable elements, those who challenge or those who accept the middle-class values of decency which most police revere'. Similarly, Muir (1977: 156–7) describes a similar 'separation of people into the governables and the rebels…those who might revolt against police authority from those who would not'.

In the context of policing domestic violence, rank-and-file officers similarly develop and subscribe to existing police-relevant categories that facilitate their decision-making process in domestic situations. Data drawn from participant observation in the present study explicated and exposed the organisational structure and processes that enabled the transformation of data drawn from 'talk' (e.g. telephone calls to the police) into a nexus of shared meanings in order to ensure an

appropriate, context-sensitive, yet collective organisational response to a domestic violence incident. As the primary data indicated, it is the dictionary knowledge that facilitates the connection between the receipt of a message (and hence the coding of an event as organisationally relevant) and the staging of a police response. This intermediary period between the receipt of message and police response involves interpretive work by the police dispatchers and subsequently by the dispatched patrol officers to transform everyday 'talk' into socially acceptable and credible knowledge before the 'talk' can be coded as 'official information' or as a 'relevant message' in the police system. This is an important process because shared meanings with regard to the content and context of a particular domestic violence situation are an essential precondition to a sustained collective action. Importantly, patrol officers themselves, based on the data provided by the dispatcher at the Divisional Operations Room (DOR), tend to create an 'image' of a domestic violence situation through a process of social mapping, making specific assumptions about the causes of domestic violence with regard to the race of the disputants, their housing type and the area in which the disputants live, the extent of possible injuries and past history of violence. This process of socially mapping a domestic violence situation, often facilitated by knowledge of past experiences and police 'canteen stories', collectively pre-packages and determines the type of police intervention even before the patrol unit reaches the scene (see Chapter Six). As one officer remarked to me:

> Let me tell you...I have been in this line long enough to close my eyes and just hear the message just once. Based on the message I can know what I am going to see at the scene. Just follow one rule when it comes to domestic fights...if Chinese is involved, it must be gambling problems or money problems, for Indians it must be drinking...I tell you Indians just love to drink and get drunk, for Malays, it must be drugs...you can ask any policeman, they will tell you the same thing. Chinese families some can change, Malays no point, Indians no chance! Once you know this, you will know how to handle them. No problem.

Interestingly, the above quotation illustrates that in addition to having developed 'operational' categories about domestic violence, rank-and-file officers tend to form stereotypical opinions of the victims of certain ethnic/social class groups in order to categorise them into those 'deserving' and 'undeserving' of police attention and protection. Alternatively, the police may divide the community into 'deserving victims' and 'hopeless families' (Hatty 1989: 77). As discussed by Ferraro (1989a), when officers

observed a recurring pattern of violence in a family, they believed it was, in fact, a 'normal way of life' for a particular victim and offender. Consequently, they were less likely to believe that any intervention on the part of the police would be effective or necessary. In this regard, officers viewed the community as comprising dichotomous types of 'deviants' and 'normal' citizens. Normal citizens are those similar to themselves, while deviants are those who 'do not work, have loose family structure or inter-marriages, are drunk and/or high most of the time, live in dirty, run-down homes, and sometimes speak foreign languages' (Ferraro 1989a: 168). For this group, family violence is perceived by many officers as merely an aspect of an overall family pathology and vice and, therefore, not amenable to any formal intervention. As one officer similarly stated to the author: 'to these groups of people, nothing can be done to save these families . . . not the police, not the social workers'. Alternatively, the police can respond 'overzealously' to these groups:

> . . . that's what happens when we want the police to calm him down, they send in the riot squad . . . All we wanted was someone to calm him down. I know that it wouldn't have happened if we were white. We are all very angry about the police. (Bradford 1984 quoted in Stanko 1989: 67)

Closely tied to the use of stereotypes to categorise the community into 'deserving' and 'undeserving' victims is the ideological constructs comprising police beliefs regarding the role of the woman in the production of violence. Hatty (1989), for example, discovered that the rank-and-file police basically adhere to three such ideological constructs: first, the degree to which the woman demonstrates traditional gender-based roles and the extent to which she violates norms of feminine sexuality; second, the degree to which the woman is seen to have 'provoked' the man; and third, the woman's psychological instability or psychopathology (Hatty 1989: 78–81). Any departure from accepted standards of mothering and housekeeping by the woman is interpreted by the police as having contributed to the violence. Some officers also justify the use of 'harsh measures' in these cases to 'teach a lesson' to the wife:

> There's a kind of woman involved in 'domestics'—the sultry types, the ones who hang around bars. These women go out to meet men. They put an enormous strain on relations. I've seen men go berserk with worry.
> . . .
> From my experience, I think the woman should do more around the house. The woman demands a lot, but doesn't do her bit—and he retaliates. I'd feel the same. (Quoted in Hatty 1989)

The shared knowledge among the rank-and-file officers, sustained through police stories and personal experiences, does also contribute to the understanding that attending to cases of domestic violence is usually futile. This is because very few domestic violence cases brought to court via an arrest or civil complaint (magistrate complaint) have resulted in successful prosecution. Rank-and file officers are well aware that most victims do not press charges against their abusers and that even if they did most would drop the charges subsequently; that prosecutors often exercise prosecutorial discretion and may decline to proceed; or on occasion, defer charges pending a successful diversion programme administered by the court. For instance, Brown (1984) notes that one of the most common complaints of police officers in dealing with battered women is that the women themselves are not supportive of officers invoking the criminal law. Homant & Kennedy (1985) also found that 91% of their sample of Michigan police officers were in agreement with the statement: 'The main problem with an arrest is getting the woman to co-operate with prosecution'. As one of my informants stated:

> A really shit case. The family in the case I attended to is really in a mess. The husband has been abusing his wife like nobody's business for the past 11 years. I went to the scene after receiving a call from officers on the ground [patrol officers] of a possible violation of protection order. When I went to the scene, she was bleeding from the head, and the fucker was still carrying a metal ruler in his hand. I told the patrol officers to arrest him and they did. I charged him under Section 325 [voluntarily causing grievous hurt]. Surely, he would go in [into prison] and I was very confident of that. I really wanted to end her miseries and to put him behind bars. After some weeks, the fellow appeared for mention. His lawyer produced in court a letter written to him by his wife—'I love you very much, it is not my fault. It is not your fault either. It was the officer who forced me to press charges against you. I told him that it is all part of the family. I want you back, the children want you'—I looked an absolute fool. The charges were dropped and the couple was ordered by the court to seek compulsory counselling. This is what I mean by shit case.

Studies have produced evidence to the contrary (for example, Oppenlander 1982), highlighting the finding that the degree of police concern over the possible withdrawal of the complaint is not matched by the frequency with which this occurs in practice. As the data in the present study indicate, responding officers still subscribe to this view to evict the case from the police system, not because of perceived administrative complications but over the lack of organisational incentives involving the arrest of a 'domestic abuser'. In such situations, arrest loses

its significance and symbolism in the lexicon of police work. As one officer told me:

> I don't want to take the chance. You spent nearly 30 minutes with them, you try to calm down the situation, try to talk sense with them. Then if she is not satisfied with him, she will ask me to arrest, not because she wants him charged and sent to prison. But to frighten him a bit so that next time he will not whack. Sometimes, my HI [Head of Investigations] will recommend for charge, then they will all come running to the station and want to withdraw…sometimes they even accuse us of building a case against their husbands. But I ask you, are all these worth it? Because if I arrest the fellow and bring him back to station, you know how many points I get as part of my performance? A BIG zero!

Typically, promotional criteria in police work depend on quantifiable skills of the officer, such as arrest and case-clearance rates; as one officer remarked:

> This kind of case got no real value because your sergeant, your Commander and the manpower people in Police Headquarters are only interested in how many people you have arrested and how many real crime cases you have cleared. The kind of cases they are interested is something like murder, robbery, burglary, gambling, molest and assault.

A Senior Officer reinforced the rank-and-file officer's perception:

> When we interview someone for promotion, our first priority is to establish how many cases the officer had solved and cleared for the last one year. This is a fundamental gauge of his performance. We put a lot of emphasis on the officer's crime detection and crime prevention skills. At times, we also look into cases where the officer had successfully prevented the occurrence of a crime through fast response and fast thinking. Other things will include like cooperation, attitude, and nice fellow or not. As a law enforcement organisation, all officers must focus on tackling and preventing real serious crimes in order to make our community safer and we must reward them accordingly for their discharge of law enforcement duties.

Although the 'common sense' knowledge of rank-and file officers holds the victims of domestic violence responsible for the non-mobilisation of law, there is evidence to suggest that the police themselves frequently circumvent the law due to factors other than the victim's reluctance to support them in invoking the law (Brown 1984: 279). One of the most pervasive themes in police-related literature on domestic violence is the assumption that these calls represent a substantial threat to the safety of the responding officers (Parnas 1967; Bard 1969; Homant &

Kennedy 1985; Buzawa & Buzawa 1990; Garner & Clemmer 1986). Family violence researchers such as Straus, Gelles & Steinmetz (1980) also note the danger in responding to family violence calls. Homant & Kennedy (1985) found that 92% of their sample of Michigan police officers agreed with the statement: 'Family fights present a highly dangerous situation to the police officers.' The FBI statistics also revealed that 'disturbances' was the largest incident-related death category (Garner & Clemmer 1986). Although the prospect of danger is certainly underscored in the training and instruction manuals of the academy, Parnas' (1967) study on police response to domestic disturbance revealed that almost all of the officers interviewed, however, '"knew" from their peers that the patrolman must be careful when answering such calls' (Parnas 1967: 919–20).

Refuting this 'evidence', subsequent studies (e.g. Buzawa & Buzawa 1990, 1993) indicated that domestic assailants were less likely to use a deadly weapon in the presence of an officer as compared to robbery suspects or deranged individuals. These studies also exposed some of the methodological flaws of previous findings, which resulted in an incorrect conclusion that responding to domestic violence situations was 'dangerous'. For example, the Garner & Clemmer study (1986) demonstrated that the methodology used in the composition of the FBI statistics had resulted in an overstatement—by approximately three times—of the real rate of police injuries and deaths related to domestic violence calls (Buzawa & Buzawa 1990: 30). This was because FBI researchers had collapsed the substantive categories of officers responding to domestic violence calls, bar fights, gang activities, and the restraint of deranged individuals into the generic category of 'disturbance'. Only by separating these various components, it was discovered—given the proportionately longer amount of time that officers spend responding to domestic violence calls than to other activities in the 'disturbance category'—that responding to domestic calls did not appear to constitute an especially dangerous police activity (Buzawa & Buzawa 1990: 30).

Yet as the primary data suggest, rank-and-file police continue to treat domestic violence as 'dangerous' and develop strategies to minimise or eradicate the 'danger'. As one officer stated:

> Whenever you attend to a domestic case, you have your balls in your throat. You know what I mean by that. I hear from my sergeant and some old-timers that we must be very careful because attending to such cases can be very dangerous and not easy. You never know when the husband will turn against you. Those days when we receive messages from the

police dispatch stating that there is a case of family dispute, my corporal would usually jam the system [police radio sets].

Directory Knowledge

Directory knowledge informs police officers how operational work is and should be routinely carried out in the 'field'. Directory knowledge and the operational aspects of policing domestic violence essentially follow from the definitions and categories created and designated by dictionary knowledge. In other words, police decisions of arrest or 'adjustments' in situations of domestic violence depend on categories set up by rank-and-file officers in terms of structural variables of class, race and gender, as well as organisational features such as disincentives in handling domestic cases, the futility of police involvement in these cases, the perceived threat that domestic assailants pose to responding officers, and the absence of adequate training to handle domestic violence cases. The construction of a 'theory' of domestic violence, for example, based on initial information provided in the message by police dispatchers, signifies the affinity between dictionary and directory knowledge. It was illustrated in the previous section how the police perception of certain ethnic groups as being 'violence prone' tended to affect the type of response to domestic situations involving them.

Interestingly, the translation of directory knowledge, based upon the construction of police definitions of domestic violence episodes, centres upon a notion of police competence that departs from traditional assessments of police performance and efficiency. In the absence of a 'no crime' situation which is typical of most domestic violence cases and therefore with no prospect of arrest or 'clearing' cases—traditional indicators upon which police competence is measured—patrol officers devise an alternative 'performance gauge'. This essentially takes the form of assessing the 'time lag' between the arrival at and departure from the scene, in that 'anything more than 20 minutes to handle a domestic situation is deemed as having lost control over the situation and interpreted as poor performance' (personal communication).

An empirical understanding of directory knowledge—its manifestations and situation-specific character—contributes to a reworking of the concept of police culture. The data indicate that although directory knowledge is a *logical* extension and function of definitions and categories created and sustained by dictionary knowledge, it does not follow that dictionary knowledge necessarily *dictates* operational practice

(directory knowledge) in a deterministic fashion. As much as these meanings and categories are relevant to understanding the production of an institutional practice, it must be recognised that dictionary knowledge is equally responsive to 'triggering' factors encountered within the political, social and legal context in which they exist. In other words, dictionary knowledge needs to be set within a socio-structural and legal context (field). The contribution of the reconceptualised understanding of police subculture is that it essentially treats the facilitation of an organised institutional response as a product of the relationship between culture and structure, with the policeman mediating its final outcome. By doing so, it is able to accommodate and account for a wide range of police responses to cases of domestic violence and yet, at the same time, be able to retain the *uniqueness* of each policing encounter (see Chapter Six). As the data reveal, directory knowledge assumes many different forms and types in the operational policing of domestic violence. These operational methods include arrest, mandatory arrest, policy of 'adjustments', 'mediation', 'cooling off', 'turning off', 'warning', 'offering legal advice', 'psyching', 'separation', 'referral to other social service agencies' and 'ordering one of the disputants "to take a walk around the block"'. The chapter on the operational policing of domestic violence sheds light on the availability of options open to the policemen on patrol within the framework of operational response to domestic violence.

Recipe Knowledge: Police Values

This category refers to the normative dimension of police culture. It suggests what should and what should not be done in specific situations in both the informal and formal context. It provides recommendations and strategies other than those prescribed in the legal and operational manuals for coping with the danger, uncertainty and unpredictability of police work. The need to devise strategies to 'cover oneself' and to 'stay out of trouble' arises because of the common knowledge shared by rank-and-file officers that 'if you can't police by the book, you are always in the shit' (quoted in Norris 1989). For example, Ferraro (1989a) cites that as a way of 'covering oneself' in the face of the presumptive arrest policies, rank-and-file officers may decide to suspend judgement about fault at the scene of a battering. Instead, officers tend to arrest both the husband and the wife, and make the senior officer at the station decide whether to press charges against the husband, thereby effectively

pushing the burden of sorting out who is at fault and what charges to draw onto the shoulders of senior officers. Officers also learn to 'stay out of trouble' by doing the minimum amount of work, or manipulating their field diaries to protect themselves and their peers against possible reviews and verification checks by their supervisors (Manning 1977).

A well-documented aspect of police recipe knowledge is the apparent code of silence, solidarity, secrecy and lying shared among rank-and-file officers in the face of official investigation by 'those on top' and 'those outside' (Punch 1985). By controlling the flow of information to their senior officers and by selectively filtering and laundering that information, rank-and-file officers are able to minimise the risk of 'in-the-job trouble' (Norris 1989: 93). Westley's (1970) study, for example, found that if faced with a partner's misconduct, 11 out of 16 officers would not be willing to report it, while 10 would be prepared to perjure themselves in court to protect their partner. Reiner (1992: 116) sees this solidarity as essentially a response to the working conditions of policing, 'a product not only of isolation, but also of the need to be able to rely on colleagues in a tight spot, and a protective armour shielding the force as a whole from the public knowledge of infractions'. Similarly, Skolnick & Fyfe (1993) observe that rank-and-file officers adhere to 'the code which decrees that cops protect other cops, no matter what, and that cops of higher rank back up working street cops—no matter what' (Skolnick & Fyfe 1993: 7). The code, according to Skolnick & Fyfe, is typically enforced 'by the threat of shunning, by fear that *informing* will lead to exposure of one's own derelictions, and by fear that colleagues' assistance may be withheld in emergencies' rather than by violent means' (Skolnick & Fyfe 1993: 110) (emphasis in original).

The Field of Policing Marital Violence

The previous section delineated the various aspects of the habitus of policing marital violence in Singapore by drawing on the international literature on police culture and the author's primary data. Institutional practice, it must be emphasised, is not to be seen as a function of, and having a causal link with, the habitus but rather as a product of the relationship between police subculture (habitus) *and* the structural conditions of policing (field). In other words, the stock of cultural knowledge has to be interpreted and made organisationally relevant before an institutional practice can be staged (or retrospectively justified) depending

on 'triggering' factors encountered in the field of policing. The field, according to Bourdieu (1977, 1990), emphasises the historical, structural relations of power (Wacquant 1992: 17–18). To understand the policing of marital violence in Singapore, one must necessarily examine two important features of the field: first, the social and political context of policing domestic violence in Singapore, of which a key component is the discourse on the limits of State intervention in marital violence; and second, the structural-legal framework in which police intervention takes place in cases of marital violence.

Social and Political Context of Policing Domestic Violence

The discourse surrounding police intervention in cases of domestic violence in Singapore occurs within a specific political regime, and within the boundaries defined by the authoritarian, 'hetero-patriarchal' and paternalistic State (Chan 1996).[2] The discourse of the Singapore State over police interventions in family violence, protection of victims—most of whom are women—and hence, the contestation over the (re)location of 'woman' and 'family' in Singapore society can be appreciated in the parliamentary debate surrounding the Family Violence Bill. The Bill was introduced to the Singapore Parliament on 27 September 1995 and it took 30 days for it to be tabled, read, discussed and subsequently rejected by Parliament.

Fundamentally, the Bill gave wider powers to the police to arrest the abuser without a warrant or court order, hence making it a *seizable offence* provided for by the Singapore Penal Code and Criminal Procedure Code, to investigate all complaints of domestic abuse including 'simple hurt', and to have the discretion between prosecution and mandatory counselling. The Bill also outlined police responsibilities towards the victim such as finding alternative accommodation, refuge shelters, getting medical help and assisting the victim to collect her belongings from the matrimonial home.

[2] From 1966 to 1981, Singapore had members from only one political party in Parliament, ie the People's Action Party (PAP). At present, there are only two opposition members in Parliament, although there are Nominated Members of Parliament. The Singapore State is one that the PAP is practically synonymous with the State (see Rodan 1993). The Singapore State is also a patriarchal and paternalistic one. Paternalism, on the other hand, refers to a relationship of exchange: an exchange of submission for protection (Lerner 1986: 239) involving a relationship of mutual obligations and rights. In a paternalistic discourse, protection is predominant over empowerment or equal treatment.

Although the goal of the Bill was designed to protect vulnerable members of the family, including the young and the elderly, the State's response to it was clear—that it would introduce litigation at an early stage which could lead to the disintegration of the family. The Singapore State has a definitive and unproblematic view of what constitutes the family and its role in Singapore society:

> We believe that the state of our families, the building blocks of any society, determine not only the moral tone of the society but its economic health as well. As our families prosper, so does the nation. (Abdullah Tarmugi, the then Acting Minister for Community Development, Minister for the Environment, and Minister-in-charge of Muslim Affairs 1995: 89–90)

Given the Singapore government's desire to promote the family as the 'building block of society' and its constant warnings against 'decadent Western values'—thought to pose a threat to the well-being of the family—a Family Violence Bill, which did not accept the State's defined role for the family, was deemed problematic. This was particularly evident in light of the State's intent to ensure the preservation of the family unit whose role is clearly prescribed in the White Paper (1991: 3): 'the family is seen as the "fundamental building block" out of which larger social structures can be stably constructed'.

Despite attempts by supporters of the Bill to tailor its contents and method to fit into the political discourse of the 'family', the Bill was described by various political actors as being 'harsh, high-handed and detached' (*The Straits Times*, 3 November 1995) as well as confrontational and punitive:

> Mandatory intervention made many MPs as well as concerned Singaporeans outside parliament, men and women, uncomfortable, not least because they just do not think the problem warrants such a drastic solution. (*The Straits Times*, 4 November 1995)

This subsequently led to a reworking of the definition of 'family violence', in which Abdullah Tarmugi, the then Acting Minister for Community Development, Minister for the Environment, and Minister-in-charge of Muslim Affairs, stated:

> ...a problem but not endemic...without belittling the suffering of these victims...the reality in most cases is not as gruesome and the victims not as helpless as put. There is a wide of range of abuse with various shades of gravity. (*The Straits Times*, 3 November 1995)

Objections to the Bill were, therefore, not confined to the measures against domestic violence. There were objections to the idea of having

a Bill that would focus exclusively on Family Violence, and overly emphasise and amplify the seriousness of the problem:

> We do not want to frighten our young citizens into thinking that marriage is a declaration of war, the home a battle zone, and the bedroom the scene of war crimes! Neither do we want the Bill to be viewed as a piece of legislation that will result in constant conflict between the two genders, that is, men and women. (*The Straits Times*, 2 November 1995)

The above is particularly revealing, given the government's concern that its young citizens are marrying later, having fewer children and, in some cases, eschewing marriage altogether. A telling argument against the Bill was that such a Bill would send the message that marriage, and therefore the 'family' (for the Singapore State does not separate the two), is a dangerous affair which is contrary to the current discourse on Shared Values. Recognising this, supporters of the Bill attempted to re-work the Family Violence Bill as a way of preventing the State from completely rejecting the Bill, by arguing that the family unit would be kept safe; that mandatory counselling would contribute to keeping the 'family' intact; that the Bill did not intend to pit women against men, creating an atmosphere of mistrust, but rather, that it is meant to include other vulnerable family members like the elderly and the physically challenged. The one constant refrain throughout the debate was that of preserving the family unit intact.

Complementing this refrain was the shift from 'women' as victims to the 'family' as the site of concern, given the realisation of the State's discourse on the location of Singaporean women in the family:

> We should not hastily or mindlessly apply the full intrusive and coercive force of the law when this may not be the best course of action *in the interest of the family.* (Wong Kan Seng, Minister of Home affairs, *Parliamentary Debates*, Vol 65: 116)

Thus the strategy taken by proponents of the Bill was to avoid making it solely a women's issue but rather one in which whoever takes to violence should be stopped ('Abuse issue is not a male-female battle', *The Straits Times*, 28 September 1995). The emphasis on women's rights and needs, as Purushotam (1992) argues, makes the Singapore State uncomfortable because it does not deny being a patriarchal State and because it does not deny that the State supports the patriarchal family. For women's needs to be addressed, they have to be made politically relevant by locating those needs within the context of the family. For example, in addressing the recommendation for setting up a Women's

Affairs Bureau 'to identify the problems confronting women today, and then, to design policies and solutions', the then Prime Minister Goh Chok Tong (1993: 22) said:

> I do not think, however, that the proposed Women's Affairs Bureau should confine itself to *problems confronting women*... The rationale for its setting up should be whether it can address *family and societal problems* more effectively. (Emphasis added.)

Reinforcing the State's conception of the family and women's position in the family, the then Minister without Portfolio, Lim Boon Heng, stated:

> The majority of women continue to accept the traditional marriage contract where the man is the natural head of the household by virtue of his role as the breadwinner, while the woman plays the supportive role in home-making and nurturing the young and old dependants, even though she also works and contributes financially. (1994: 70)

Similarly, Seet Ai Mee, the then Minister of State, argues:

> In today's age, women can complete their housework more quickly and have more time on their hands. They are therefore in a better position to pursue careers and contribute to the economy. (1989: 94)

Feminists in Singapore, and proponents of the Bill in particular, were compelled in a sense to accept and participate within the dominant political discourse which maps out the State's locations for 'women' and women's role in the 'family'. They were also confined by the State's definition of legitimate actors who may introduce such an issue, and legitimate strategies which emphasise negotiation and consensus-finding (see Chapter Seven). The latter, however, was deemed problematic by the State as it perceived the Bill to have contravened the Shared Values (1991: 4) on how differences of ideas are to be solved:

> Resolving issues through consensus instead of contention complements the idea of putting society before self. It means accommodating different views of the way the society should develop, and working hard to develop a consensus on particular courses of action which have the majority but not unanimous support, in order to bring as many people aboard as possible.

The criticism of the Bill, therefore, stems from the point that:

> ...Dr Soin [a Nominated Member of Parliament representing women's issues] came across as advocating just the kind of approach which some

> feminist groups and liberals elsewhere favour—roping in the State to fix everything that they think is not right. (*The Straits Times*, 4 November 1995)

Her strategy of using the law-as-a-tool to legislate protection for victims of violence was interpreted more as a Western and confrontational way of solving issues instead of 'a more Asian and less legalistic way of sorting out family problems' (*The Straits Times*, 4 November 1995). There is again a creation of categories: one that is Western and litigious, detrimental to the family; and the other Asian and consensus-seeking, displaying a concern for the preservation of the family. As Aline Wong, the then Senior Minister of State for Health and Education, states:

> Where the law intervenes or is resorted to readily, people will be much less inclined to solve family problems through reconciliation or take moral responsibility for their own behaviour. In the long run, we may all be the losers. (*The Straits Times*, 3 November 1995)

Clearly, the State has not ignored the issue of domestic violence since it has certainly a vested interest in ensuring stable families and preserving the family unit. However, given that the discourse on family violence in Singapore takes place within the context of a paternalistic and patriarchal State, the defining element of that discourse must necessarily be protection over empowerment, and consequently left to the State to decide and implement. As the then Prime Minister Goh Chok Tong (1993: 29) pointed out:

> In a largely patriarchal society, minor areas where women are not accorded the same treatment should be expected so long as the welfare of women and of the family is protected.

The product of a negotiated agreement with the State on the dominant discourse on protection to victims of domestic violence and to the family—or as one informant puts it, 'playing ball with the State'—were the Amendments made to the Women's Charter in May 1997. Fundamentally, the change made the violation of Personal Protection Orders (PO), which the victim has taken against her perpetrator, a *seizable* offence for which the police can arrest the offender without a warrant. This has been viewed as a positive development in the area of policing domestic violence by many observers (*The Straits Times*, 3 May 1997).

It is against such a social and political context of policing domestic violence—the *structural* conditions of policing—that the *operational* rank-and-file response to domestic violence is to be located. The operational

policing of domestic violence in Singapore has an extended meaning and dimension, in that it has incorporated and institutionalised 'alternative' categories of 'referral' and 'advice' (Sheptycki 1993) as legitimate operational categories. When anything less than arrest and diversion from the criminalisation process are interpreted by observers as 'perfunctory' interventions by the police (Buzawa & Buzawa 1993), the Singapore experience suggests otherwise. A number of factors account for the establishment of the extended operational framework to deal with domestic violence (see Chapter Six), but two of these, which are largely reflective of the State's discourse on the moral limits of police intervention in cases of domestic violence, are worth mentioning here. First, the officers' view on the potential threat criminalisation poses to the family institution. As one officer remarked to me:

> The last thing I want to be known as is a 'family-breaker'. I have a good service record and in my life as a policeman, I have seen many things and heard many things. But when it comes to family violence cases, you must be careful on how you handle such cases—go for peaceful solution, talk to the man and the woman and try to cool things down for them. But the last thing you want to do is arrest because when your arrest causes divorce between them and the whole family collapses, I tell you, you will never be happy again for causing them that...

Second, and related to the first, is the futility of appropriating 'guilt' and the label of an 'offender' to a family member who is *known* to the victim. As the data reveal, the policing of domestic violence becomes essentially a problematic category for the police because the protracted and complicated situation in which the violence takes place between *known* individuals makes it difficult for the policemen to identify an 'offender' and 'victim'. One officer remarked:

> You see in a domestic situation, let me tell you, there is no wrong or right, guilty or innocent. Wife pressing charges against husband? That cannot happen! No such thing in marriage!

Policing marital violence is also, to a great extent, about policing the family institution. Juxtaposed with the system of institutionalised operational categories of 'victim' and 'offender', 'guilty' and 'innocent', and 'crime and 'no crime', the policeman's understanding of the law has a moral dimension. Policing a domestic incident involves the protracted scrutiny of the venue both as a *legal* as well as a *social* and *moral* space—so that in addition to fulfilling legal requirements, a moral assessment of the incident and the disputants are considered in staging an operational

intervention. Thus, among others, the disputants' disposition, their occupations, appearance of the home, neatness of the children, whether there is dinner at home, and the 'moral' standing of the victim which is primarily measured, in the words of an officer, in terms of:

> Whether she was dressed appropriately, comes back home late, cannot be bothered about the house or her family, just want to make money, too career-minded—I tell you, this is the cause of much violence in the house... Then there is another type of woman, one who takes care of the family, comes back home early after work to look after her children and husband, cooks for the family, keeps the family and house in order, devoted to her husband, honest, very careful about her behaviour, doesn't want to make a mountain out of a molehill even when the husband sometimes whack her a bit... First type of women call the police, I tell my men, just show your face, second type, I will be a bit more interested... sometimes, there have been cases where I personally talk to the husband to take care of his wife and family because the wife is so good to him already...

The scrutiny of the victim's conduct in making an operational decision is particularly significant in terms of the conceptual understanding and discourse on 'protection' as conceived within the patriarchal, paternalistic State. Leaving protection to the paternalistic State—as monopolists of that protection—means that the State may develop categories of victims into 'deserving' and 'undeserving' ones and set boundaries for police intervention before extending protection. Police operational response, thus needs to be located within, and as a consequence of, the expectations of the State and community of who is deserving of 'protection' and when.

Structural-legal Context of Police Intervention in Domestic Violence Cases

Appreciating the context in which police intervention occurs in cases of marital violence (and in a way that generates so few arrests) requires an analysis as well as an explanation which extends from the level of *interactions* (everyday policing encounters) to that of *structures* (context in which everyday policing is to be situated). Although police officers exhibit reservations at having to deal with cases of domestic violence, and offer resistance to incorporating it into the ranks of 'real' crimes, the low arrest rate arising from marital violence cases could not *solely* be attributed to the organised (cultural) resistance and circumvention strategies displayed by officers on the ground. The data from the present study indicate that the majority of marital violence cases do not result in arrest is a direct consequence of officers satisfying the requirements

of the law—that most cases do indeed *legally* fall into the 'non-seizable' category for which the responding patrolmen cannot initiate arrest.

The central (legal) categories for the operational policing of marital/family violence are drawn from provisions available in the generic category of 'hurt' under Chapter 224 of the Singapore Penal Code. Typically, the definition of a 'domestic violence incident' is based upon the classification of the incident as 'voluntarily causing hurt' (VCH) under Section 323 (for which the police cannot arrest without a warrant) and Section 325 'voluntarily causing grievous hurt' (VCGH) (for which the police can arrest without a warrant). The data reveal that the bulk of all family violence cases did not result in arrest because these cases could not justify the very 'exclusionary' definition of 'voluntarily causing grievous hurt'. For a case of violence to be defined as 'grievous hurt', the victim has to satisfy one of the following conditions: (a) emasculation; (b) permanent privation of the sight of either eye; (c) permanent privation of the hearing of either ear; (d) privation of any member or joint; (e) destruction or permanent impairing of the powers of any member or joint; (f) permanent disfiguration of the head or face; (g) fracture or dislocation of a bone; (h) any hurt which endangers life, or which causes the sufferer to be, during the space of 20 days, in severe bodily pain, or unable to follow his ordinary pursuits (Singapore Penal Code 1985: 102).

A consequence of this very 'exclusionary' classification is that most cases of domestic violence are diverted from the criminalisation process. This would probably explain why the 'referral' and 'advice' roles of the police have to be incorporated, institutionalised and legitimated within the operational framework, apart from the two important factors mentioned in the preceding section. As much as these roles are developed to absorb cases diverted from the criminalisation process, advocation of these 'alternative' categories has a number of advantages to the responding policemen. First, it calls for a *routinised* police intervention (although all cases of 'disturbance' are classified as 'urgent' calls by police radio operators). Typically, this involves advising the victim to make a police report and seek medical assistance in order to file a magistrate complaint, and the policeman then leaving the scene for the next job. As one officer remarked:

> We know that from our experience most cases of family violence are indeed non-seizable and therefore it makes no difference. Whether you go to the scene in 3 or 30 minutes you cannot do much. You are still there

> to perform a very *routine* response, give her the NP 301 [police report], NP 306 [medical report], ask her to report to the police station, which they will never do, and then off for the next job. (Emphasis added.)

When I asked the officer on how he would distinguish Section 323(VCH) from Section 325 (VCGH), he stated:

> It's rather simple and straightforward. In most cases, as you know already, the women tend to scream and scream at the top of their voice especially when we are there, maybe to get our attention. If I see this, straight away I know that this must be 323 because if you see how the law sees grievous hurt, the woman cannot or shouldn't be doing these kind of things...she must be deaf or blind...only then we can go in...Sometimes, I think the law is a bit funny also.

Second, the non-criminalisation of a domestic violence case eliminates the uncertainty over its status in terms of prosecution of the offender. Many officers interviewed in the study stated that it is extremely difficult for the police organisation to legally retain the case within the police system for the purpose of prosecution because of the 'victim's tendency to withdraw charges or failure to substantiate allegations of assault at the last minute' (personal communication). Consequently, officers tend to discharge cases which they perceive to be 'problematic' from the police system—meaning the criminalisation process—at the first instance by advising complainants to seek help from counsellors at the Family Service Centres (FSCs). It must be emphasised that the whole processing of a 'domestic violence incident' as accomplished by institutionalised policing hinges on the issue of the victim's willingness to substantiate allegations of assault and assist in the prosecution of the offender. A negative response results in the immediate exit of the case from the police system (Chapter Seven deals with these issues in greater detail).

Although police intervention in marital violence cases rarely results in arrest, it does not in any way preclude the exercise of arrest as an option. Interviews with officers and observations of police 'handling' of marital violence cases indicated, however, that when arrest was exercised as an option, officers were less inclined to invoke the legal categories of 'hurt' and instead resorted to using provisions of 'Breach of Peace' (BOP), 'Public Nuisance' and 'Disorderly Behaviour' under the Miscellaneous Offences Act, a fundamental legal precept for dealing with public crime-disorder (as opposed to 'private' crime in the case of family violence). Nonetheless, the use of these categories was

mainly reserved for recalcitrants and those who openly challenged police authority (see Chapter Six).

This chapter addressed the need for a reconceptualisation of the problem of policing marital violence by using Pierre Bourdieu's relational concepts of 'habitus' and 'field', designating the cultural dispositions of police subculture and structural conditions of policing, respectively. It primarily involves a reworking of the concept of police subculture by treating it as having a *relationship with*, and *response to*, the structural conditions of policing, while retaining a conception of the *active* role played by rank-and-file officers in instituting a *situational* practice. Rank-and-file officers, facilitated by wide-ranging discretionary powers and, by implication, making moral implications, mediate the final outcome of a 'domestic incident', at times subverting an intended original response or circumventing established procedures. Institutional practice, it must be emphasised, is not to be seen as a function of and having a causal link with the habitus, but rather as a product of the relationship between police subculture and the structural conditions of policing. As noted earlier, a particular advantage of this reconstructed framework is that it is able to accommodate and account for a wide range of police responses to cases of marital violence and yet, at the same time, be able to retain the *uniqueness* of each policing encounter. It, therefore, suggests that the fluidity of police action (or inaction) essentially depends on and is determined by the presence of 'triggering' factors encountered in the field of policing (structural context), which may alter an *intended* (culturally influenced) response. In this regard, two important features of the field are identified: first, the social and political context of policing domestic violence in Singapore—of which a key component is the discourse on the limits of State intervention in marital violence cases and its accompanying 'criminalisation' debate—and second, the structural-legal framework in which police intervention takes place in domestic violence cases. Fundamentally, the contribution of the reconstructed framework lies in its ability to demonstrate the existence of 'police subculture', and second, having fulfilled the first, how it interacts with and relates to the 'structures' in the 'field' to effect a resultant institutional practice in situations of marital violence.

CHAPTER FOUR

BIOGRAPHY AND METHOD

To begin with, I already had some genuine theoretical, moral and political concerns over issues related to the enterprise of policing well before I embarked on investigating police response to domestic violence. To me, police work, policing and *policemen* are not something totally divorced from my biography, and some of my earlier encounters with the police, which had been most unpleasant, could be traced to my juvenile years when I ran foul of the law on several occasions. I was 17 then. Despite the 'not so good' treatment accorded to me for being in their 'wrong' books, I, quite strangely, found the police practical, realistic, competent, humorous, 'macho' and easy-going, and developed a certain affinity with the officers. I was particularly 'attracted' to one who later became a very good friend, especially after learning that I had done well enough in the Cambridge examinations held that year to qualify for a junior college. Over the years, I found myself turning towards an academic interest in the police and began to appreciate the police as a *social group* in their everyday handling of the practical realities that came with their job. It was sparked by the intellectual empathy which sociology advocated, particularly in sociology of deviance, to see cops, like the deviants and other clients they encountered, as being fundamentally benign human beings. They, however, were sometimes driven to drift into undesirable, yet arguably necessary, 'functional' behaviour because of the *structural* pressures of the social system in which they operated. In other words, I learnt that all policemen, to borrow the description from David Matza (1964, 1969), 'were human actors whose subjectivities were to be appreciated, not corrected'. I never knew then that this understanding of the police would later come to dominate and characterise my theoretical reformulation of the concept of police subculture.

Increasingly, my 'fieldwork' with the police intensified during my undergraduate years and I was exposed to various aspects of police work, including police training, investigations, interrogations, and the policing of 'community events' like Thaipusam, Fire-walking and Chingay. The fruit of my amateurish activities and a lot of 'leg work'—a

familiar term used by detectives to describe investigative work—came when I was invited by the Singapore Police Force to present a joint paper on the policing of Indian gangs in Singapore (Narayanan 1993) at a seminar organised by the National University of Singapore. Many of my peers came to me afterwards and remarked that I 'looked' like an officer myself, especially sitting next to a Superintendent of Police. I was even more pleased when a few of the police officers attending the seminar came up to me assuming that I must have been an officer myself before joining the University, as this implied to me that my accounts of police work and culture had some sense of authenticity, or that I had displayed to them a cult of a 'working personality' (Skolnick 1966). Totally inspired (and finances permitting), I was determined to become a criminologist.

I left for Brunel University in the UK in the autumn of 1993 to pursue a Masters degree in criminal justice. Studying criminology in Britain was totally illuminating, especially during the period in which the academic discourse on policing was markedly polarised, politically and analytically. The police were either paragons or pigs; defenders of civilisation or the jack-booted repressive arm of the state, depending on which side of the political/philosophical spectrum one came from. For intellectual and moral reasons, I found such representation of the police theoretically and morally deficient, and was drawn to try and bridge this increasingly gaping chasm. In general political terms, I was inclined towards the left, and shared the many criticisms that were being advanced about the police, especially their use of 'reasonable force' in the conduct of investigations. At the same time, I felt that these activities of the police were vitiated by an utopian standpoint about what was possible, perhaps strengthened by a conceptualisation of the police, for example in Singapore, as 'friends in blue' (Quah & Quah 1987). To me, the police were necessarily 'dirty' workers, in Everett Hughes' phrase (Hughes 1961), doing the tragically inescapable job of managing, often coercively, the symptoms of deeper social conflicts and malaise (Reiner 1998). They were a necessary evil in any complex society experiencing change. This sense of the police as Janus-faced was pithily captured in the title of an article I read by Otwin Marenin, that the police dealt with both '[p]arking tickets and class repression' (Marenin 1983). Both accounts of the police role in modern society as a good tragic hero and as wielders of the State's monopoly of legitimate force were encapsulated in a passage from Weber, which ultimately appeared as the frontispiece to Robert Reiner's *Politics of the Police*: 'He who lets

himself in for politics, that is, for power and force as means, contracts, with diabolical powers and for his action it is *not* true that good can follow only from good and evil from evil, but that often the opposite is true. Anyone who fails to see this is, indeed, a political infant' (Weber 1948 quoted in Reiner 1992).

An insight into (British) policing in a liberal democratic society came when a serving officer with the Metropolitan Police whom I met at Brunel invited me to visit his division in Lewisham in East London. For all practical reasons, I readily accepted the offer although I was cautioned by my other colleagues that I should take up additional insurance cover. I didn't quite understand what they meant until I was 'attached' to the emergency response unit. Lewisham, as I witnessed it to be, was a busy inner-city area rife with a high incidence of interpersonal violence, armed robberies, illegal possession of controlled drugs and racially motivated incidents. As much as I was enthralled by the excitement and thrills that came along with riding in high-powered Vauxhalls (especially during an incident when we had to drive against the flow of traffic to interdict an illegal drug transaction), I was also trying to make theoretical sense of the phenomenon. I was struck by the similarity of the characteristics—a sense of mission, an orientation towards action, use of violence, a cynical attitude towards certain categories of the population, a constant attitude of suspicion, a strong sense of solidarity, and stereotypes of what constitute 'normality' and 'suspiciousness'—displayed by my newfound friends and those I knew back home. I was convinced that there existed a 'cop culture' that must be stable over time and space, especially if it is to be conceptualised as a response to the demands and pressures of police work. Furthermore, if aspects of police subculture, as Manning & Van Maanen (1978: 267) suggest, are 'rooted in the recurrent problems and common experiences of police' and they 'arise as a way of coping with, and making sense of, a given environment', one could expect the occupational culture of policing to be fairly homogenous among officers working in similar structural conditions.

Meanwhile, back in the University, under the propitious supervision of renowned radical feminist criminologist, Professor Elizabeth Stanko, I developed an immense interest in the issue of violence against women by men—the feminist interpretation of spousal violence. A simple theoretical question which she asked then became, years later, a central research concern for my book: Why have years of police reform failed to improve the policing of violence against women? It was towards

addressing this issue that I have attempted to make sense of and link two distinct social phenomena—marital violence and policing—through a (re)conceptualised understanding of police culture.

Beginning of the Research Process

Through informal contacts, namely, friends in the police force, I was able to secure the permission of the Commissioner of the Singapore Police (primary gatekeeper of all research projects conducted with or on the police) to be attached to a police division for a period of three years starting in 1997. Two main factors greatly facilitated the process of gaining permission and subsequent access to the police. First, I was considered by the police as being 'on their side' since my appointment as an academic consultant to their diploma programmes. This role gained much credibility and acceptance within police circles, enhanced by my past involvement with the police. I was to be involved in teaching criminology to the divisional officers and, in the words of the Divisional Commander, to 'intellectualise' the police experience. In fact, the Divisional Commander put up a strong recommendation to Police HQ that I should be attached to his division as a 'resource' person at a time when it was preparing to embark on a new approach to community policing. The fact that I had a Commander who was willing to take me in, arrange a gatekeeper, and open all avenues of access and communication to every department in the division meant that half the battle of doing fieldwork was won. Second, the police regarded me as strictly an academic, seemingly a bird of passage, whose intention was to complete the research and eventually publish in an academic journal.

Surprisingly, the only resistance I encountered was from the rank-and-file officers, not to my presence but to the topic that I have chosen as though *policing* (and) *marital violence* was an oxymoron. Many officers could not understand why I had chosen marital violence and expressed disappointment that my topic was not 'garang' ('masculine') enough. Some even suggested that I should abandon this topic and look at other 'interesting' issues, like organised crime. Theoretically, their reactions had much conceptual value and relevance to the way rank-and-file officers had come to regard their role with respect to marital violence. Methodologically, the process of data collection had, inadvertently, begun.

Observation and the Police

The police are often held to be the most secluded part of the criminal justice system (Skolnick 1975: 14). Like other state institutions and agencies of formal social control, the police organisation erects barriers against prying outsiders and endeavours to present a favourable image of itself to the extent of mystifying and even falsifying accounts for public consumption (Manning 1974). These structural features of isolation and secrecy, coupled with the perceived and intrinsic dangers of police work, help to form an occupational culture that is solidaristic and wary of non-initiates (Westley 1970). The researcher's task thus becomes how to outwit the institutional obstacle course to gain entry and how to penetrate the minefield of social defences to reach the inner reality of police work. Prolonged participation in the social and professional life of the policemen seemed to me to be the most appropriate, if not the sole, method for achieving these ends. This became even more necessary when I wanted to examine the nature of police response to situations of marital violence within a 'naturalistic' setting.

The essence of uniformed police work is relatively solitary patrolling, free of direct supervision, with a high degree of discretion, and with decision-making behaviour that is frequently not reviewable (Punch 1979a). Even though police forces are typically organised along the lines of a military bureaucracy, decisions by street-level officers are usually made with little or no supervision. Quinney (1970: 114) states, 'most of the operating policies of the police are beyond public scrutiny; that is, they are secretive and known only to the police themselves'. Therefore, taking into account the way police work is organised structurally and culturally, only observation, particularly participant observation, could capture the dynamics of police-citizen encounters. Indeed, it could be argued that the theoretical developments in the area of criminal justice, especially those taking shape within the interpretive and conflict approaches to social science research, have strengthened the need for carefully sketched ethnographies of police-citizen encounters. The essential departure of the new theoretical (and methodological) approaches could be traced to the epistemological break, which occurred in the criminological enterprise that sailed under the banners of 'labelling' and 'New Deviancy' theories. It was to make problematic, intellectually and politically, the structure and functioning of criminal justice agencies (Reiner 1994: 707).

There are several reasons why I have chosen participant observation. First, it corresponds directly to the research objectives: How is discretion, as exercised by the officer, structured, situated and mediated within the complexities of attending to a 'domestic' incident? How does the patrol rank-and-file officer interpret the rules, meanings and symbols of policing to make *police sense*—by this I mean the need for the operational officer to creatively convert 'ordinary events' into 'organisationally relevant ones'—of the legal and social environment they police? Methodologically, the use of participant observation overcomes the theoretical deficiencies of the two current perspectives—situational and attitudinal—which have informed criminologists in their conceptualisation of the problem of policing 'domestics' by being able to *explain and meaningfully account for, both decisions to arrest* (position taken by 'situational' theorists) *and officers' avoidance of arrest* (contribution of 'attitudinal' theorists). Second, the exercise of discretion, although central to understanding police work, is both unobservable and untraceable in the statistics that we come to see. Understanding discretion as an intrinsic, yet 'latent', component in the social construction of official statistics requires that its use be witnessed *in situ*. Third, little is known about the phenomenon of police response to situations of marital violence in Singapore because of the relative lack of qualitative research by both the academia and police on the subject. There are three studies (i.e. Choi & Edleson 1995; Tan 1994; Ng 1994) that have addressed the issue of legal intervention in domestic cases but from the standpoint of positivist research methodology. A major limitation of these studies is that data appear primarily in the form of officers' reconstruction of 'appropriate' responses in hypothetically created situations, the validity of which is highly suspect. Because structured techniques of quantitative research methods could not capture the drama of police work and the 'action' that accompanies it, I was inclined more towards observational techniques. Fourth and related to the third, participant observation is most suitable to penetrating the social world of the policemen and documenting their 'backstage' performances (Goffman 1959)—inside the station, at the canteen, in the morning panel, in the police lock-up, away from the public gaze, during 'easing' behaviour, socialising with them when they are not on duty and out of uniform. In the tradition of members of the Chicago School, who were undoubtedly great charters of the streets, I was conscious of the ecological nature

of police work and felt that street-level policing must be experienced and understood first-hand.

The essence of participant observation is the prolonged participation of the researcher in the daily life of a group (although not necessarily *as a member* of the group). It essentially involves the attempt by the researcher to empathise with the norms, values and behaviour of that group, and to 'construct' a social world from the perspective of the 'insiders'. As a result, the researcher becomes his/her own research instrument—for the collection, collation and analysis of data—which is facilitated by the 'intimate' involvement of the researcher with the members of the group. In fact, the qualitative researcher as a *bricoleur* (Denzin et al 1998: 3) uses the tools of his/her methodological trade, deploying whatever strategies, methods, or empirical materials that are at hand (Becker 1989). The choice of which tools to use, which research practices to employ, is not set in advance. The 'choice of research practices depends upon the questions that are asked, and the questions depend on their context' (Nelson et al 1992: 2). Despite the fact that this feature of qualitative research tends to yield high validity, a few of my colleagues who were, not surprisingly, die-hard quantitative researchers, alleged that my research was too value-laden, too subjective, lacked the quality of replicability and generalisability, did not prove anything, produced conclusions that were too trivial, and was not empirical and therefore 'unscientific'. The only defence I could give was that my research problem necessarily warranted the use of the participant observation method for no other method would be appropriate or capable of documenting the ethnographies of police-citizen encounters in 'naturalism'. In fact, the value of participant observation in sociology is its *uniqueness*; consequently, reliability and generalisability in the 'scientific' sense are pointless here. I just hoped then that we could move beyond discussions of this trinity—reliability, validity and generalisability—of psychometry to appreciate carefully done, painstaking long-term ethnographic studies that uncover the meaning of events in people's lives. I shared Valerie Janesick's (1998) lamentation that somehow we may have lost the human and passionate element of research. Becoming immersed in a study requires passion: passion for people, passion for communication, and passion for understanding people. This is the contribution of qualitative research.

Fieldwork: On Police Work

Although the station selected for my research was serendipitous, I subsequently found it a very suitable site for my research concerns. I have to stop short here of describing the characteristics of the police division or its jurisdiction because it might contravene the principles of anonymity and confidentiality which I have promised my informants and the police senior management. On my first day at 'work', I had a brief meeting with the key personnel at the division, including the Commander, over the objectives of my research, the method of data collection, and the duration of attachment. I was introduced by the Commander as a 'professor' from the University who wanted to study aspects of general police work and how that affects the policing of marital violence cases. I explicitly stated that I wanted to examine police response to marital violence incidents and all the officers were subsequently made aware of this. It was made clear then that I was no stranger to police work and that I would be a 'resource' person to the division during the period of research. I was asked to teach criminology as part of their in-house programmes and to develop the 'academic' side of their men. I readily agreed but emphasised that I was strictly a theoretician without any credible practical experience. I displayed the role of an enthusiastic researcher who wanted to make good his lack of practical experience by being with, and listening to, the policemen. I could see that the Commander and the rest of the 'lauchiaos' (a Hokkien word to describe veteran policemen) were pleased at my humility. And this introductory comment always worked, irrespective of the hierarchy I was dealing with. We cracked jokes about the criminals—racial banters, actually—shared a few police terminologies, and then made an appointment to have beers that evening. I had been 'cleared'.

One of the 'lauchiaos', a Senior Station Inspector, whom I earnestly addressed as 'SI', later met me and explained that he was going to take me under his wing. He had easily 30 years of police experience. He became my 'secondary gatekeeper' in the division and was instrumental to developing an acquaintance with all the key personnel in the division. Being associated with a highly respected and experienced officer, accessibility and acceptance—the pillars of any field research—were accomplished with much ease. This proved vital on a number of levels. Communication with the policemen was much easier as I could go to any part of the division, including the 'morning panel', the most sensitive session where cases were discussed. More importantly, such

accessibility meant that I could view the extensive documentary material in the division: radio messages, station diaries, charge reports, telex messages, case summaries, operational procedures, complaints and commendations. Simple gestures on the part of the divisional staff, like creating an office and a car park lot for me, which are usually meant for permanent staff, indicated that my presence was accepted.

The first few days of my fieldwork took place during the day between classes and lectures—by that time I had taken a teaching appointment with the University—and much of the activity was devoted to establishing rapport with the officers and familiarising myself with the environment. I was more concerned to make myself 'available' to the policemen and I thought that the canteen could be an important place to make all the contacts, especially during meal times when officers were more relaxed. The canteen was, indeed, an important site where officers exchanged news of their latest arrests, encounters with hostile suspects, thrills of responding to an 'urgent' case, some sexy women they had met on the streets, and management problems with their bosses. A few of my police friends whom I had taught in the diploma programmes were very helpful in making the informal contacts with their peers. I was often addressed as a 'criminologist' and this proved vital to gaining respect and acceptance from the officers for they came to regard me as someone who understood the realities, practicalities, and problems of police work. This was contrary to what Neuman (1995) has suggested, that the participant observer must be 'naïve' while in the field. Although I could understand what Neuman meant by this, it was inconceivable how a 'naïve' person could 'survive' in an environment where there was no room for mistakes, whether in the capacity of a policeman or researcher. As one veteran officer pointed out to me:

> You see, Gana, in my years of service I have always believed that not everybody *wants* to be a policeman because not everybody *can* be a policeman. To be a policeman, you must have the cutting for it, any Tom, Dick and Harry cannot be a policeman. You need to have a certain style, maybe a certain attitude. To me, you can only teach some people how to become a policeman, the rest must come from them finally. Ah, then the question is whether you have it or not. If you have it, you stay, something is there for you, if not get lost before you get someone killed. One mistake you make during your work, you will get your partner killed, or send the wrong people to jail to be hanged. It's that easy but also that hard.

Similarly, the strong sense of resentment the police community had towards 'civilians' interfering in police work seemed to be accentuated

by a belief that the public, as one policeman succinctly put it, has 'rights but no responsibilities, has egos but no guts'. The resistance of the rank-and-file officers, for example, to the presence of 'young, naïve school girls'—how officers called the counsellors from Society Against Family Violence (personal communication)—teaching officers how to handle cases of family violence should, therefore, come as no surprise. This will be dealt with in Chapter Five in the section 'Changing Police Culture'.

Although I had been exposed to general police work during my stint as a police volunteer and academic consultant, I felt rather ill at ease during the first few days of fieldwork probably because I became too conscious of my role as a researcher, and the divide between the academic and police community. I was trying to intellectualise *everything* in an effort to gather as much data as possible for the research but soon realised that I was doing more damage to the flow of the research, for I was reinforcing the barriers that already existed between the researcher and the members. It took almost three months for me to be able to settle into a routine that helped to facilitate the research. Soon I was making substantial progress into gaining a first-hand understanding of the 'backstage performance' of the policemen, and I am greatly indebted to a Watch Officer in the division for taking me under his watchful eye while preparations were being made for continued attachment to the police division. Having such a close association with the Watch Officer was undoubtedly a great asset because he was technically the Commander-in-lieu, taking charge of *all* patrol officers during his shift,[1] including divisional radio operators (DOR) and Charge Room officers—the three main components involved in operational policing.[2] More importantly, I could reveal to him that I was particularly interested in looking at how police officers dealt with cases of domestic violence, at which he leaned forward and said, 'What a young man like you doing a topic like this... well at least you're interested'. He soon filled a 'Doc' role (Whyte 1955: 291) and planned the data-collection aspects of my attachment.

[1] The Watch Officer commands a team comprising the same patrol officers for a period of time that may range from six months to six years.

[2] Investigators are also available on a 24-hour basis but their role is more reactive. In this regard I have not termed them as 'operational' in the sense of the more routine response and dispatch which operators and patrol officers do.

In deciding to work with one group of officers, I initially ended up doing exactly the same duties they did. However, I had to abandon this practice because I realised that the morning shift (7.30am to 3pm) was both dreary and uneventful. I began to capitalise on the afternoon (3pm to 11pm) and late night (11pm to 8am) shifts. This was because most domestic violence incidents occur—based on previous police records—between 8pm and 2am (although there have been sporadic cases of domestic violence recorded during the morning shift). In addition, joining the officers on their night and afternoon shifts made practical sense as the exigencies of academia, i.e. teaching, administrative work and similar tasks, warranted my presence at the University in the mornings and early afternoons. Doing the night shifts particularly paid dividends in terms of acceptance. In the first place, almost all officers, staff and appointment holders, including most of the Investigation Branch (IB) officers (except those on duty), work office hours and the patrolmen are left to themselves in the evenings and at nights. The fact that as a 'young professor' (as some officers earnestly addressed me), I was prepared to be with them through the night and witness them bearing the brunt of the work on a 24-hour basis doing 'society's dirty work' elicited a positive response from them. I was seen as willing to experience police life 'where it's at'—on the ground.

The classification of a 'domestic violence incident', however, is problematic and has to be unpacked for it raises certain methodological issues. First, from a police perspective, there is no separation between 'spousal', 'family', 'marital' and 'domestic' violence cases, and between these categories and the general category of 'disputes' or 'disturbance' which includes *both* violence involving family (known) members *and* strangers. Thus, a classification of 'family violence' may turn out to be a case of 'disturbance' involving neighbours, or vice versa. The prerogative remains with the police operator in terms of how she (all the operators in the research division were females) classifies a particular episode and dispatches a patrol unit, based on the information exchanged between the caller and the operator. Consequently, classifying a call as 'family violence' or 'dispute' determines whether an 'urgent' or a 'routine' response is needed. 'Family violence' cases procedurally command an 'urgent' response (although the data suggest that patrol officers tend to stage a very 'routine' response). Theoretically, it can be argued that the methodological classification of incidents as 'family violence', 'spousal violence', 'marital violence' and 'disputes' tends to obscure the inquiry into the *gendered* aspect of interpersonal violence

which feminist criminologists strive to achieve. In this respect, my methodological adherence to a police definition has, inadvertently, resulted in the use of *agendered* terms to describe the dynamics of police intervention in interpersonal violence. Second, and as a consequence of the first, not *all* cases classified as 'disputes' (or otherwise) could be observed because it is operationally neither possible nor permitted to attend to 'multiple case sites'. By this I mean that the patrolman technically has no power over which message to respond to because it is the dispatcher who makes such decisions depending on the 'location' of the patrol car in relation to the scene. Third, there is an apparent disjunction between the classification of an episode, for example, as 'family violence' and how it appears in its final form in the statistics maintained by the Crime Clerk of the division. As all cases of 'minor' violence, which may include both violence between strangers and family members, are recorded (for example, as 'Voluntarily Causing Hurt', 'Breach of Peace' or even as 'Police Assistance Required'), the social scientist has no way of determining the content and nature of the incident by examining the statistics. Despite attempts to create a separate monitoring system for all cases of family violence, officers have circumvented them (see Chapter Six). During the period of fieldwork I managed to document 176 'true' cases—by this I mean violence involving spouses—and recorded about 800 hours in the field observing police response to marital violence, police work in 'action', and more generally, policemen.

Most of the officers by then had come to treat me as a 'colleague' (one must remember that collegiality is highly prized among policemen). In fact, my presence with the police scarcely raised comment in the two years of active fieldwork, and I found myself immersing deeper into the role of a participant observer. I began to take people in custody, reasoned with disputants to calm down, frowned authoritatively on subjects, and even 'shot' back at suspects who abused my 'colleagues'. I felt a certain unity with the officers and was prepared to defend them in the face of physical (or verbal) attack. As one officer indicated to me:

> To us every member of the public is a suspect. You never know when he's going to fuck you up. You have to stay alert and exercise care even if the fellow looks harmless.

My willingness to participate in the 'dreary' work of the rank-and-file officers drew me closer to them and I was never left out of the many

parties the officers organised. This ranged from attending their children's birthday parties to 'singing' sessions in karaoke lounges. Thanks to the liberating effects of alcohol which accompanied these social functions, I learnt more about the officers in such contexts than I did while at work. I also realised that I was slowly but surely being drawn into and stumbling onto the informal social structure of the rank-and-file when talks of 'bending' rules, circumventing established procedures, 'saboing' (sabotage) arrogant officers, 'unconventional' practices, and officers' knowledge of key figures in the underworld were openly shared among the officers. On a few occasions, I was also chided by the officers for having chosen domestic violence for my research, who suggested that I should not be looking at these issues as I am 'too young, single and too inexperienced in family life to know such things'. On one occasion, one of the officers whom I interviewed that morning at the station later apologised to me for having given a 'different picture about domestic violence':

> I know I told you that we have this; we have that to deal with domestic violence...that the police is very concerned and that we are taking domestic violence very seriously. The main thing as a researcher you should know is that it is all about family dynamics, it is about man and woman in the family, it is not about the police. Gana, you are still single, but one day, when you marry, you will know that sometimes a woman needs to be punished by the husband, to teach her when she does wrong. Otherwise, they will climb over your head and shit on it. I am sure one day you will remember my words and, in my opinion, the policeman has no business interfering. As a policeman, if I feel like that, how can you expect other ordinary men to like our presence? (Field notes)

Though initially disturbed that my earlier impressions of this officer had been somewhat wrong and misleading, I took heart that at least subsequently I was able to appreciate the gap between *what officers say* and *what officers do*.

Given this, keeping in contact with the officers by way of interviews, especially during the writing-up phase, was very helpful in 'tying up loose ends'. There was no attempt at a random sample and I simply selected people I knew doing patrol work or who occupied important organisational positions both within and outside the police division. Therefore, there is no attempt to generalise the findings but to provide in-depth insights not only into the rank-and-file response to marital violence but into the life-world as experienced by the policemen themselves. As Punch (1979a) noted, in the closed social world of the police,

interviewing strangers could be a futile and frustrating business, and attempts to interview patrolmen outside my usual circle of friends were usually unsuccessful. Yet I enjoyed the occasional 'holiday' from the pedantic and unreal world of the University and the host of academic rituals that came along with it—books, papers, seminars, markings, examinations, and being in the sociology department, the sedentary pontification on the ills of the social world. Working with the police took me out of the University and into the entrails of society (I am certainly not an armchair sociologist!), where I was able to witness incidents from birth to death, from bliss to pandemonium, and from the 'respectable' to the marginalised. My fieldwork with the police will certainly remain the most passion-filled period of my life.

Comments

I would agree that the problems encountered in researching the police overlap, to a considerable extent, with the dilemmas found in most fieldwork studies, although one could argue that there exist certain features that are peculiar to the police, such as danger, shift work, visibility of uniforms, authority, monopolists of legitimate force, and the ethical ambivalences of witnessing police work in 'action'. My research on the police provided an added dimension on two aspects. First, I am the first academic to be granted permission by the Singapore police to be attached to a police division although I had to give an undertaking to absolve the police from any responsibility in the event of a 'mishap'. Second, academically, the use of the participant observation method was a welcome breakthrough in punctuating the 'methodological monotony' which has hitherto characterised the development of sociological criminology in Singapore (Narayanan 2000), by injecting the qualitative sociologies of phenomenology, interactionism and ethnomethodology (Jupp 1989). Yet despite the methodological liberation, there were limitations, heightened especially by ethical/personal considerations. I would like to raise a few here.

Throughout the period of fieldwork, there was always a recurring question-mark on the extent to which my presence as a researcher affected or modified the behaviour of the policemen, both on and off the beat. My response is to seek shelter in Becker's (1970: 46) belief that people do not keep up such an act for long and that what they are engaged in is often more important to them than the fact that

an outsider is present. Punch (1979a), in his study of public-police encounters in Warmoesstraat in the Netherlands, discovered that the policemen on the beat did not have the time to 'adjust' to his presence but to react instantly when it came to actual confrontations with the public. I also noticed that my everyday presence in the division made my appearance too commonplace for officers to take notice of or for them to adjust their actions. However, the danger was that the more the officers accepted me, the more I was expected to *become a colleague*. Certainly in my willingness to be accepted by the officers, I at times perhaps over-identified too readily with them and this doubtless endangered my research role—for the policeman's world is full of opportunities for one to 'go native'. 'Native', indeed, I became. I found myself chasing after speeding vehicles, pulling alongside them and gesturing, authoritatively, to the motorists to take heed of the speed limit; reprimanding motorists who parked illegally and warning them that I would 'take action'; intervening in quarrels occurring between total strangers in coffee-shops and forcing them to strike a compromise. One University colleague once became upset and cautioned me that I could be 'going native' when he saw me chiding a motorist for having parked illegally and obstructing the traffic. It made me wonder if I was becoming the 'thin blue line' myself.

More importantly, I have a suspicion that my presence as a 'detective' could have altered the consequences for some of the victims and suspects of marital violence cases, which raised serious ethical problems and left me wondering if I had done a greater disservice to the victims by 'blocking off' possible avenues of help which they would have otherwise received if not for my presence. Inevitably, I was drawn into some form of participation and had to decide for myself where the border of legitimacy lay. I also realised that the advocation of the practice of 'informed consent' (Punch 1998)—revealing your identity as a researcher to the observed—could not have worked in the context of my field research for it may have destroyed precisely what I wished to observe in 'naturalism'.

There also existed a potential dilemma of witnessing deviance either on the part of the suspects or, indeed, on the part of the policemen. Would it infringe the research role if I had to assist in an investigation, or intervene in an inquiry on behalf of my colleagues when a suspect alleged assault while in police custody? Was I to feel obliged to testify against policemen who had been observed to violate the due process of the law? As a researcher, do I have the right to privileged information

or immunity from the law (for not disclosing a crime is an offence in Singapore)? As Punch (1979a) noted, the sociologist has no right to privileged information and may have to be prepared to suffer, perhaps more from guilt than anything else, for protecting *his* members. This leads to a more general ethical issue raised by Becker's (1967) query: 'Whose side are we on?' In researching the police, I clearly have come to, in Muncie & Fitzgerald's (1981) phrase, 'humanise the deviants' which is characteristically the philosophical and intellectual position taken by all sociologists generally, and particularly by sociologists of deviance working within an interpretive and naturalistic perspective. Following that tradition, I see policemen as being driven to drift into 'deviance' because of the *structural* pressures of the social system in which they operate. This has somehow made me moderate my earlier 'leftist' impression of the police. The product of which is that I have offered a theory of police culture that is *appreciative*, rather than condemnatory, which has been previously the case especially among feminist criminologists when it comes to explaining police (lack of) response to situations of domestic violence. By exposing and explicating a system of rationality (and constructed 'morality') that seems to *facilitate* police response to domestic violence, the data has been instrumental to reconceptualising police culture (habitus) as a *response* to, and having a *relationship* with, the structural conditions, i.e. political, social and legal context of policing (field).

There is often no definite end-point to field research, although as a general rule the researcher can make preparations to exit the field when he/she is able to discern a recurring 'pattern' with regard to the research objectives. Although in total I spent about 24 months attached to a division, clocking about 800 hours in the field, data collection was by no means restricted to this period. In fact, data collection and analysis began the day I conceived the research problem and the 24 months stated here refer to the period of intense participant observation work. This is particularly so if one were to recognise that theory formulation and data collection are in constant interaction throughout the entire project. Teaching and administrative obligations restricted a sustained participation and this may compare unfavourably with classical ethnographic research such as Whyte's (1955), where the author devoted four years of research to Cornerville. Nevertheless, the participant observation was essential to penetrating police culture and capturing the dynamics of police response to domestic violence. Immersion in the field also provided a degree of life experience that

is lacking in most academic environments—what I have termed earlier as 'sedentary pontification':

> Policemen work at the nerve-edge of society, where control is exercised, where sanctions are applied, and where crises are resolved. They inhabit profane areas of society, where good citizens fear to tread, and face situations where the buck can no longer be passed on. Encounters become instant morality plays with the abstract values of our civilisation—justice, liberty, equality before the law, etc.—being daily redefined in unedifying and irresolute conflicts accompanied by blood, blasphemy and violence. The magic and the mundane, the routine and the ritual, the sacred and the profane mingle in police work into a blend irresistible to the hackneyed plots of television serials and, less conspicuously, into rich and fruitful material for the study of social interaction. (Punch 1978: 18)

Participant observation enables one to go behind the public front of a conspicuous service bureaucracy to witness the 'backstage performance' when the actors are off-stage, not performing to a public, and not peddling stereotyped scripts for the benefit of bystanders. In essence, the appeal of fieldwork is that it is concerned with real people and that real confrontation with people, in all their baffling complexity, is a welcome antidote to a positivist model for the social sciences.

CHAPTER FIVE

REFORMING THE POLICING OF MARITAL VIOLENCE: MISSING THE MARK?

Policy reformers and feminist groups have recommended and adopted many strategies for improving the policing of marital violence. The problem of 'improving' policing marital violence is conceptualised by police reformers as one of changing the practices and community responsiveness of the police in situations of marital violence. The need for reform—primarily the result of the confluence of political, legal and feminist pressures over the perceived inadequacies of the criminal justice system—was particularly intensified by the evidence gathered from Berk & Loseke's (1980) study of police response in Santa Barbara County, which showed that the police appeared to arrest everyone *but* domestic violence assailants. The inconsistency and unpredictability of the type of intervention employed by officers in situations of domestic violence further contributed to legislative changes. Parallel to these developments, especially in North America, was the advent of legal and criminological research linking the criminal justice system to the problems of policing domestic violence, and 'legitimising' or 'withdrawing' support for certain police and legislative policies (see, for example, Sherman & Berk 1984). The emerging approach to the reforming of policing domestic violence is premised on the basis that the rank-and-file response is 'out of line' with accepted normative standards of policing. The cumulative impact of some of these findings is to assist in the development of a research consensus that police response to domestic violence does not conform to the reasonable expectation of *proactive policing*, essentially defined in terms of its *pro-arrest policies*. The development of the history of policing domestic violence and some of the landmark research have been discussed in Chapter Two.

The purpose of this chapter is to examine critically the strategies that are typically advocated or introduced to reform police culture (habitus) in an attempt to 'improve' police response to marital violence. The typology used by Brogden & Shearing (1993: 96) depicting the two traditional approaches to reforming police culture is useful here. The first perspective emphasises legalist or rule-making devices as a

means of controlling police discretion, while the second, the cultural perspective, depicts an attempt to change police culture directly, and from the 'inside'. The latter perspective, according to Brogden & Shearing (1993), involves, first, 'taking the police to the community' through 'positive' recruitment and training, and second, 'bringing the community to the police' via constructing unmediated links between the police and the wider community: this includes many of the initiatives under the umbrella of 'community policing'. The problem of transforming the policing of marital violence, as indicated earlier, is conceptualised as primarily one of changing the practices and social responsiveness of the rank-and-file police to situations of marital violence. In Singapore, the 'orthodox' approach to transforming the policing of marital violence concentrates on the work of both 'rule-makers' and of 'culturalists', and these will be examined in the following sections. It is interesting to note that the organisational and, to a considerable extent, legislative changes that relate to policing domestic violence in Singapore have been introduced and interpreted as part of a broader police mandate to 'professionalise' a police force that will be responsive to community concerns about domestic violence.

It is equally interesting to note that a survey of parliamentary proceedings, ministerial speeches, official police records, police journals, newspaper articles, crime exhibitions and other sources connected to the policing of domestic violence did not, explicitly or implicitly, suggest the inadequacies or inappropriateness of police intervention. A plausible explanation for the relative 'silence' over this issue, especially if one were to compare the public outcry over perfunctory interventions of the police in domestic violence cases in countries such as New Zealand, Australia, North America and Britain, could be attributed to the nature of the paternalistic and authoritative Singapore State, which has consequentially, come to shape the official (State) discourse over the policing of domestic violence. It necessarily follows that any examination of police response to domestic violence must incorporate an analysis of the State and its discourse over the functions of the police as far as they relate to domestic violence. The need for a reconceptualised understanding of rank-and-file police culture, as discussed in Chapter Three, points to the importance of taking into account institutional practice (police response) as a product of the relationship between police subculture and the structural conditions of policing, of which the State's role is one.

Legalist Paradigm

The legalist approach maintains that police failure to act according to expected standards is the result of an absence of appropriate directives governing police conduct. This has been accentuated by the discretionary powers which rank-and-file police possess, and by police practices which operate in conditions of low visibility, and which are, therefore, far removed from official scrutiny. The way to confine police discretion is either to impose rules where they do not exist or, alternatively, to specify in more detail the course of action where the general rules of police work do not cover the peculiarities of particular situations. Fundamentally, rule-making strategies seek to constrain the opportunity for rank-and-file officers, and the sensibilities associated with them, to shape the character of police work. In general, rule-making involves the making or changing of *internal* or *external* rules (Brogden & Shearing 1993: 107–22).

Internal Rule-making

The principal and almost universal internal rule-making device has been that of police professionalism (Brogden & Shearing 1993: 107). Internal rule-making, through the professionalisation of policing, is perceived to be a solution to the problem of perfunctory interventions of the police in domestic violence cases, and is intended to make the police organisation more responsive to such cases. Professionalism, as an internal rule-making device and as a highly prized police virtue, attempts to resolve the malignant influence of police culture by providing for an alternative set of goals, means and values to those of the occupational subculture, assuming thus that officers would now take attending to domestic violence cases more 'seriously' and elevate it to the ranks of 'real crimes'. As Brogden & Shearing argue, professionalism tends to 'contribute to dispassionate policing because it establishes standards and directions for police discretion' (1993: 108). Essentially what this means is that being accountable to the law and the law alone, in practice, comes to mean being answerable to a professional 'sensibility' that can be fostered through training—an issue that will be examined in the section on 'community initiatives'.

Besides the more immediate concerns of legislators, senior police managers and women's groups to address the problem of policing

spousal violence in Singapore, the need to 'professionalise' the police force coincides with a worldwide disillusionment with the paramilitary model of traditional policing.[1] Where traditional policing emphasises arrests and charges, fast cars, and random stops and searches, the new vision of policing is one of being accountable to the community and establishing a partnership with the community in policing (Moore 1992; Skolnick & Bayley 1986; Sparrow, Moore & Kennedy 1990). In Singapore, the major organisational manifestation of police professionalism—the blueprint for the future of policing—was outlined in the 'Mission and Shared Vision of the SPF' by Police Commissioner Khoo Boon Hui in 1997. It was not one of piecemeal tinkering with police practices or police image, but a radical, dramatic departure from traditional policing:

> We are a police force that inspires the world. We are the premier public service organisation in Singapore. Our dynamism and professionalism are the hallmarks of excellence. We are a force for the nation, helping to build Singapore into our best home . . . We are united with the community in a strong common purpose. We care for the community that we work in and with. We have a clear, shared understanding with the community of what our respective needs are. In doing so, we share quality partnerships with the community. (Singapore Police Force Annual Report 1997–98)

Recognising the problem of domestic violence in Singapore and the lack of proper intervention strategies to deal with it 'professionally', a *Manual on Management of Family Violence* was jointly prepared by the Police, Ministry of Community Development (MCD), Ministry of Health (MOH) and the National Council of Social Services (NCSS) in 1996.[2] This manual was intended to incorporate the procedures of the police on the handling of cases of family violence by focusing directly on professional forms of control, such as developing a system of internal rule-making and drawing attention to the importance of professional ethics and accountability. The manual establishes the directions for police action in cases of domestic violence in four areas: (a) cases lodged through

[1] Reliance on police patrols, rapid response to calls for service, and retrospective investigation by a team of specialised officers involve the use of police resources after the commission of a crime or an offence being disclosed. Crime surveys conducted in the UK have also revealed that a high proportion of crimes are never reported to the police and, of those that are reported, a further proportion are 'de-crimed' and not recorded by the police (Bright 1991). Only about one out of every four crimes is eventually represented in the official statistics (Mayhew et al 1988).

[2] This could well be assumed to be the first operational, organisational manual specifically governing the policing of domestic violence in Singapore.

'999' calls; (b) a report lodged at a Police Division or Neighbourhood Police Post (NPP); (c) a report by the Medical Officer of a hospital; and (d) referrals by Voluntary Welfare Organisations (VWO). The following sections are extracted from the *Manual on Management on Family Violence* (see Figure 2).

(a) *Cases Lodged through '999' Calls*

In cases reported through '999' calls, the patrol officer responding to the case will determine whether a seizable offence[3] is disclosed. If it is, the officer will secure all evidence at the scene and arrest the perpetrator if he or she is *still* present (emphasis added). The duty investigation officer (IO) will be notified and will proceed to the scene to conduct investigations. If the case is classified as a non-seizable offence, the patrol officer will inform the victim to proceed to the police station or the nearest NPP to lodge a formal report if the victim wishes. The officer will also give a copy of the medical examination form (NP 306) to the victim to seek medical examination. The officer will also advise the victim that he/she may seek redress by filing for a civil suit (application form NP 301) at the Subordinate Courts against the perpetrator.

(b) *Cases Lodged at Police Division Headquarters and NPP*

The officer on desk duty will interview the victim and record the brief facts of the case in the police report (NP 299) and the duty investigation officer (IO) will be notified to conduct investigations. The victim will be given a case card, which would indicate the IO in charge of the case (the IO on duty will usually take on the case), report number, and the classification of the case. The officer will also give a copy of the medical examination form to the victim and advise the victim to seek medical attention. Alternatively, the officer will advise the victim of other forms of assistance available at the various Family Service Centres (FSC) and shelter homes.

(c) *Cases Reported by Medical Officer of a Hospital*

In cases where the victim has sought medical treatment at a hospital without lodging a police report, the attending medical officer will inform

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[3] A 'seizable offence' refers to any offence under the Singapore legislation for which a police officer can arrest without a warrant. A 'non-seizable' offence is any offence that would require a warrant of arrest before the police officer can effect an arrest. The powers of arrest are vested in the Criminal Procedure Code.

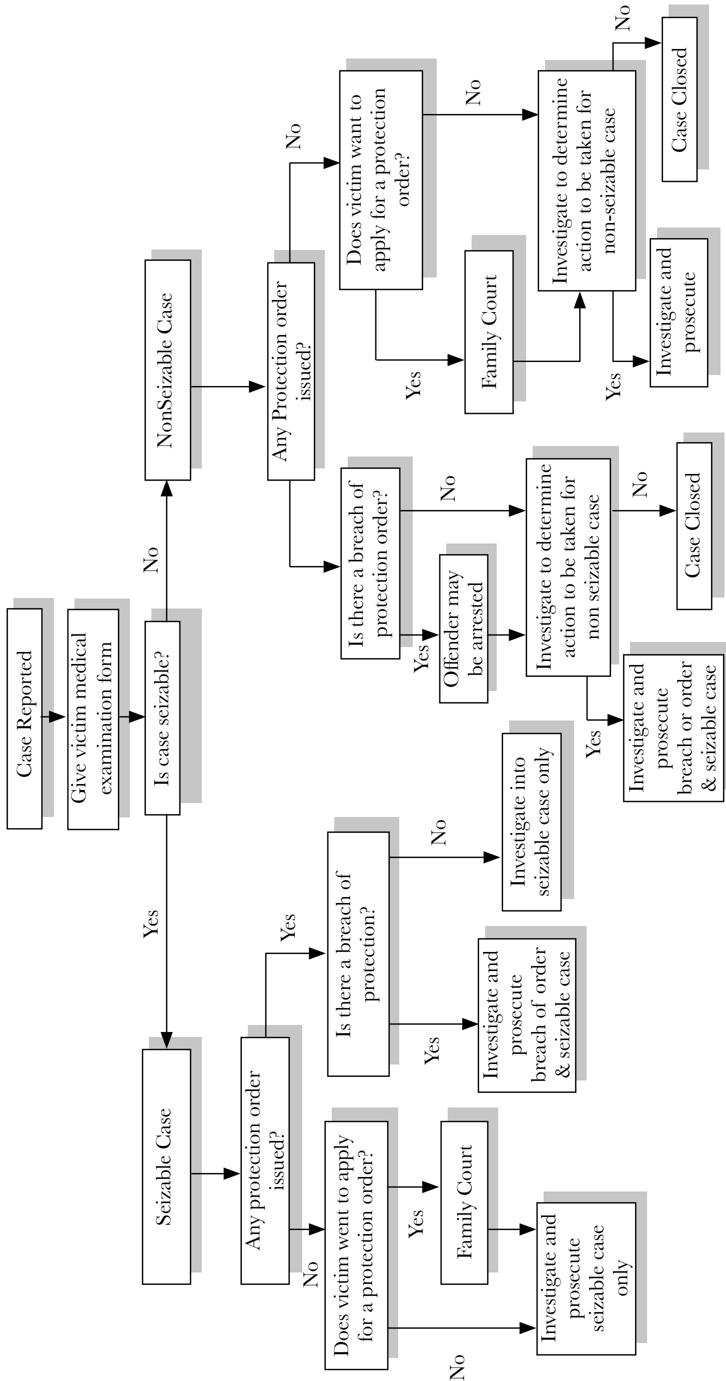

Figure 2: Management of Family Violence Cases

the duty officer at the hospital police post. In private hospitals where there are no police posts, the medical officer will contact the nearest NPP or the police division concerned. Patrol officers will attend to such cases and ascertain the facts of the case thereof. The case will then be referred to the relevant police division concerned for further investigations. The duty officer at the hospital police post will adopt the same procedures as the officer at the police division HQ or NPP. The police report will be referred to the police division concerned for further investigation. During the course of my fieldwork, no case was reported via this avenue.

(d) *Cases Referred by Voluntary Welfare Organisations*

Where the victims seek assistance from the Voluntary Welfare Organisations (VWOs) without lodging a police report, the social worker will refer the victim to the police. The officers handling cases referred by VWOs will adopt the same procedures. The referral process and subsequent police handling of domestic violence cases will be charted in greater detail later in the section on 'bringing the community to the police' of this chapter.

Data from the research clearly point to a pattern of rank-and-file police circumvention of some of these operational procedures and organisational recommendations of the police executive as far as the formal processing of complaints of marital incidents are concerned. Importantly, the data depict the process by which 'domestic messages', through a network of 'negotiated screenings'—from the entry of the call into the police system to the formal intervention by the patrolmen—are determined by a series of classification processes that quite effectively but invidiously act to evict domestic calls from the police system. This translation of domestic calls for assistance into objects for policing is illustrated in the next chapter.

External Rule-making

Directly linked to professionalism as a device for limiting police discretion and constraining police culture is external rule-making, which includes legislative reform, reform of complaints system, and the establishment of monitoring schemes such as lay visitors or other interventionist auditing systems (Brogden & Shearing 1993: 120–2). A key example of such a strategy to deal with the problem of policing domestic violence was the Amendments made to the Women's Charter (Chapter 353) in the Singapore Parliament on 1 May 1997.

The Amendments, among others, included a new section (Part IV 'Protection of Family') in the Charter to provide protection for family members. The application of a protection order is now extended to other family members including former spouse, father, mother, father-in-law, mother-in-law, siblings, relatives and incapacitated persons besides the traditional categories of spouse and children. The definition of 'violence' is also broadened to include intimidation, continual harassment or restraining someone against his/her will. Significantly, a breach of the conditions of any of the Protection Orders (PO)—Personal Protection Order, Personal Protection Order with Exclusion Order and Expedited Order[4]—is now a seizable (arrestable) offence (except for failure to attend compulsory counselling sessions, which remains a non-seizable offence).

It must be noted, however, that the reclassification of violation of a PO as a seizable offence is not to be interpreted as a move aimed at criminalising domestic violence *per se*. What is meant by this is that the legal source of criminalising and, hence, the exercise of arrest in a case of marital violence is still to be found in the generic category of 'Hurt' provided for by Section 323 (Voluntarily Causing Hurt) and Section 325 (Voluntarily Causing Grievous Hurt) of the Penal Code. In other words, a violation of a PO by the abuser—this makes it a seizable offence for which the police can arrest without a warrant—does not follow from any specific domestic violence legislation. The reclassification of the violation of a PO is arguably a response to an *act*, which in the view of the court, amounts to a 'Breach of Court Orders' rather than a move to criminalise 'domestic violence'. The function of the Amendment, as far as this aspect is concerned, is to remove the discretionary powers of the rank-and-file officers by directing them to arrest the abusers whenever there is a violation of a PO.

For the policemen on the ground, however, it was business as usual. Interviews with the patrol officers revealed that they simply did not ask if there were any POs taken against the abuser nor did they pursue

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[4] These are the three types of protection orders. A Personal Protection Order (PPO) serves to prevent the respondent from using or threatening to use violence on the victim. An Exclusion Order serves to prevent the respondent from entering the shared residence. The application of a PPO and Exclusion Order usually takes one week to process. In circumstances where the court is of the view that an immediate protection is warranted for the victim, an Expedited Order (EO) will be issued to the victim on the same day of the application. The EO is valid for 28 days, after which the victim would have to apply for a PPO if required.

cases where there had been clear breaches. Interviews with patrolmen suggest that the circumvention was in response to the statutory removal of their use of discretion. For many patrolmen discretion is the staple of police work and is what 'makes a policeman *a policeman*' (personal communication). As one officer remarked to me:

> Basically, the people on top and big guns outside think that they can tell us what to do but you know, they will never dirty their hands . . . for one they don't know about police work! No officer can operate without discretion . . . without the flexibility which police work requires . . . They think that they can dictate things to us by giving us no room to manoeuvre . . . well, I tell you, they are so wrong because they don't know about police work . . .

In any case, the decision to invoke the powers of arrest in cases of violations of POs was not a straightforward one for the patrolmen. For example, although legislatively the Amendment removes the legal space for exercising discretion as far as it relates to the violation of POs, police officers are still empowered organisationally, as the new manual on policing family violence (CP 75/4 53 dated 5 May 1997) states: 'though the police is given the powers of arrest under the new Amendments, *discretion* and *sound judgment* should be exercised when deciding to effect an arrest or not' (emphasis added). This guideline became a source of confusion to many officers on the ground, to the extent that they dealt with it by relying on their age-old response: calm the man down, advise him to take a 'breather', and restore order—techniques which could well be traced to the seminal study on police intervention by Raymond Parnas (1967).

Ideologically, defining and delimiting police response primarily in terms of policing the *violation* of protection orders (instead of policing the *violence*) in cases of domestic violence tends to propagate knowledge, particularly among the rank-and-file police, that victims who seek protection orders (PO) are 'genuine' victims and, hence, should be accorded the necessary protection. This is because, as a Watch Officer remarked:

> . . . these women had tried to help themselves by doing something about the situation . . . In my view, policemen are like god . . . we help those who help themselves . . .

Police intervention, concomitantly, legitimised the separation of victims into two dichotomous categories: those deserving and those undeserving of police protection. Despite evidence to suggest that a victim tends to

apply for a PO only after being victimised on four or more occasions (*Sunday Times*, 4 October 1998), the majority of officers still rely on the PO issue to gauge the seriousness of a domestic case—or even to acknowledge it as *an* organisationally relevant incident (as documented in the next chapter)—before deciding on the nature and content of intervention.

The issue also assumes importance in the investigators' deliberations over the classification and prioritisation of offences during the morning panel—christened by officers as the 'morning prayer'[5] when offences disclosed in the last 24 hours are discussed. The morning panel is also when the Head of Investigations—usually the second in command of a police division—makes appropriate recommendations to his investigation officers to take. A key requirement for cases of marital violence to be deemed strong enough for criminal prosecution, or to be referred to a Deputy Officer-in-Charge (DOC) of a Neighbourhood Police Post (NPP) for follow-up action, is to establish how serious the victim is about pursuing the case against the abuser, often measured in terms of the number of times she had called the police in the past, and whether she had sought a PO against the alleged respondent. This semi-legal requirement (application for a PO)—fuelled by social distinctions of class, race, age and geographical location (extra-legal factors)—assume greater salience within institutionalised decision-making than the legal elements of seriousness of injuries sustained by victim and/or presence of offensive weapons at the scene. How these factors—legal, semi-legal and extra-legal—come to shape a particular police response to an episode of domestic violence will be illustrated in the next chapter.

There is also evidence to suggest that attempts to remove any discretionary powers from the patrol officers lead to some form of resistance on their part. It can take many forms, such as arresting both the husband and wife especially when they have accused each other of assault, and referring the case to the investigator on duty to sort out

[5] This was the most sensitive session in the investigators' course of duties. It was only after much assurance and mediation that I was able to get into their closed-door sessions. I came to understand why this was when I realised that the morning panel is essentially the arena where plea bargaining is struck, offences are upgraded and downgraded, 'appropriate' actions are debated, aspects of police 'deviance' exposed and where the influence of the police occupational culture is epitomised. In other words, discretion is the order of the day. I began to realise how naïve senior police executives, and how superficial some of their rule-tightening, are when they sought to control and contain police discretion.

the matter, thus displacing the burden of establishing the facts of the case from the patrol team to the Investigation Branch. The 'passing on of the domestic violence baby', as one informant put it, from the patrol officers to the investigation officers is the cause of much tension between the two groups of officers:

> SIO [Senior Investigating Officer]: These idiots got all the discretion but no . . . they must report to us, even for very minor things like slapping, pushing . . . In my view, I know I can safely speak for my colleagues at the IB [Investigation Branch], these things need not be reported to us. The patrol officer can always relay to the Ops how minor these things are so that we need not move in. We are already so busy and on top of this, we must interview these people who want to fight all the time and do nothing else.

But to the patrolmen, this is one way of 'covering himself', as one patrol officer remarked:

> Nowadays, we must be careful because all these women have become very educated that they want to play you out. They call us and then quietly tell us that they call us because they just want to frighten their husbands. These people just want to make use of us. Never mind, if we can help, we help. But the problem is, if don't take action and just inform the Ops room that it is minor, and if something happens to the victim or her children, then we all die . . . we must play safe . . . Anyway it is the job of the investigators to do it, the book says so.

Rank-and-file police cultivate strategies of resistance in order to increase their sense of control at the bottom of the police hierarchy. As Reuss-Ianni & Ianni found out from their experience with the New York Police Department:

> The street cops who are still into the old ways of doing things are confused and often enraged at the apparent change of the 'rules' of the system. So they fight back in the only way they have at their disposal: foot dragging, absenteeism, and a host of similar coping mechanisms and self-defending techniques. (1983: 270)

Weaknesses of the Legalist Paradigm

The rule-making approach assumes that police organisations are bureaucratic and mechanical (Morgan 1986; Sheptycki 1993), so that changes in police practice can be brought about by changes in rules imposed from the top or from an external body. The problem, as Friedrich (1977) explains, is that many advocates of this form of rationalisation

of policing practice either implicitly or explicitly operated within a 'machine model' of the police organisation. This comes in two variants, either 'legal' or 'organisational', and at times, a mixture of the two. The legal variant holds that changes in the law automatically translate into changes in policing practice. The organisational variant takes the view that changes in policy at senior levels in the police organisation will result in changes in police practice 'on the ground' (Sheptycki 1993; Wilson 1968). The problem of conceptualising the police organisation as a 'machine' is that it negates the fragmented nature of the police organisation and the multiple hierarchies that exist in *the* organisation. Studies of police organisations have clearly documented police bureaucracies as an 'embodiment of contradictions' (Chan 1997: 54). Although police organisations assume the appearance of a quasi-military, hierarchical rank structure that is based on rules and orientated towards command, the exercise of supervision over 'ground' officers is extremely limited because of the structural conditions in which police work is located (Van Maanen 1983: 277). As Friedrich (1977: 96) points out:

> Policemen work in the field, usually alone or with a single companion, out of sight of their supervisors. The decisions they make are 'low visibility ones', seldom coming to the attention of their supervisors. Only when a policeman does something special are his actions likely to become visible to his superiors above him. His actions or inaction may, for example, generate a citizen complaint or his ticketing record may reveal a low level of effort. But in most cases what he does is not known to his superiors, particularly in his decision not to invoke the legal process. Thus, the control which command personnel can exert over officers in the field is limited.

As in other complex organisations, researchers have found that with police officers, 'it is the immediate work or peer group and not the larger organisation that motivates and controls the individual's behaviour' (Reuss-Ianni & Ianni 1983: 251). Despite the weakness of the 'sociologically impoverished conception of organisations as machines' (Brogden et al 1988), legalistic approaches towards police reform remain a popular option. Failures of rule-tightening measures are often met with further calls for rule-tightening.[6]

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[6] The way the Singapore Police Force responded to delimiting patrol officers' use of discretion in handling cases of domestic violence by making it compulsory for the patrol officers to record and report all actions taken at the scene to the Investigator in the form of a case card is one such example. Counter-responding to this move, patrol officers simply tended to classify incidents as No Offence Disclosed (NOD) or as Police Assistance Required (PAR), thus negating the need for case cards.

Perhaps the problem is not with the *lack* of a framework of rules and regulations governing police conduct, but rather with the *way* formal rules themselves are organised. The argument here is that *formal* rules by their very vagueness and elasticity—therefore requiring the use of discretion—permit rank-and-file officers to rely on the *informal* rules of their peers rather than on the norms of the police executive in order to situationally define and interpret an event. The discordance between 'law in books' and 'law in practice'—which comes to be defined as 'police deviance' or 'police discretion'[7]—is, therefore, not to be understood as an aberration of formal law but a manifestation of it. In other words, police deviance/discretion as a cultural manifestation is enabled, rather than constrained, by law. Law-in-books, it is argued, far from preventing police aberrations, provides for police deviance/discretion by permitting police who deviate from the values of 'professionalism', to operate within the law. As this officer summed up:

> We cannot police by the book . . . what the academy teaches us are basically for our general knowledge, to be familiar with the framework of the law. We have to pick the relevant legal stuff within the framework to apply accordingly in different situations . . . and you must learn not only how to apply, but when to apply, on whom to apply and how to justify your actions. In other words, you must use your discretion . . . some people may not be happy with you when you use your discretion saying that you didn't do this or should have done that but to me when I use discretion, I'll make sure that it is within the law . . . actually quite easy to do . . . this is one of the beautiful things about police work. Any officer who cannot or don't want or don't know how to use discretion, I will tell them that they are not fit to be police officers . . .

The occupational culture, accordingly, does not deviate from the standards of legality but fits within the legal requirements. In other words, occupational culture works in tandem with the law (Brogden & Shearing 1993: 112).

In Singapore (and even in the most liberal and democratic of societies), the mythical *Ways and Means Act*—a testimony to the discretionary powers of the police, particularly that of the rank-and-file police—is often invoked to demonstrate the elasticity of police powers. Although

[7] The distinction between 'deviance' and 'discretion' is unclear. It essentially depends on who is defining and interpreting a particular police action. The fascinating feature of police work is that *any* police action can be *retrospectively* (or even *prospectively*) justified, even in the use of physical or lethal force because the law *does* provide for the discharge of such force.

the constitutional and organisational changes such as those reflected in the *Manual on the Management of Family Violence* were aimed at delimiting the legal space for the discretionary powers of the police, it is not possible to eliminate it entirely. Data indicated that policemen on the ground can actually rely on the framework of law to retrospectively (and even prospectively) *justify* a particular course of police action, whether in the event of under- or over-enforcing the law. The manner in which police officers go about documenting events in their pocket diary—an official document which can be admitted as evidence in a court of law in Singapore—attest to this feature of police work. Patrol officers from the same patrol unit would usually meet at the canteen after their shift duty to 'synchronise' their interpretation of the day's events, paying particular attention to details such as time, place, suspect's demeanour, course of actions and potential witnesses to protect themselves from the perpetual threat of public and managerial scrutiny.

Two existing powers from the Criminal Procedure Code (CPC) governing the enforcement of provisions under Section 323 (Voluntarily Causing hurt) and Section 325 (Voluntarily Causing Grievous Hurt) of Chapter 224 of the Singapore Penal Code, provide a specific exposition of the present discretionary space as they relate to the policing of domestic violence in Singapore. For example, the fact that most domestic violence cases are classified as 'non-seizable'—for which the policemen cannot arrest without a warrant—is clearly a result of police officers merely satisfying the requirements of the law. The data reveal that the bulk of all family violence cases tend to fall within, or could only justify the definition of 'voluntarily causing hurt' because of the way the 'grievous hurt' clause is framed (see Chapter Three). For example, for a case of violence to be classified as 'grievous hurt', the victim should have suffered, among others, a permanent privation of sight or hearing. As one senior staff sergeant of a patrol unit exclaimed:

> Most domestic cases *had* to be non-seizable . . . I mean 323. It cannot be 325 because if it is 325, then the woman could never have been able to call the police . . . the injuries will simply be a bit too much for her to walk to the phone and call police. (Emphasis added.)

Non-action of the police could be attributed to the problem of classification of the law rather than a problem with the malignant influence of the police occupational culture. Police officers are quick to point out that they *lack* the powers of arrest when it comes to policing domestic violence:

> The victims don't understand that I cannot arrest the husband *by law*. I tell them to make a police report at the NPP and then file a magistrate complaint and go for medical check and give them the forms.

On the other hand, it is equally conceivable that the police, empowered by the *Ways and Means Act*, are able to arrest anyone if they so wish, albeit within the definition of the law. As one officer remarked to a disputant who ignored police warnings to 'behave':

> You don't play games around with me. I can take you in any time under any charge. You think you know the law, is it? You think I cannot charge you for assaulting your wife, is it? I can easily arrest you for breaching the peace and obstructing police duties...

Investigators and prosecutors rarely challenge a patrolman's definition of 'obstruction' or 'breach of the peace'. In the case of domestic violence, the police have also created a special category—essentially a police category—known as the 'Serious Non-seizable Offence' for the purpose of prosecuting cases that fall between the non-seizable and seizable classifications. For instance, this classification is invoked when the 'the bodily hurt which causes a spouse to be unable to follow his/her ordinary course of pursuits for more than 3 days but less than 20 days; or when a spouse is hospitalised for more than 3 days but less than 20 days as a result of the hurt inflicted' (CP75/4 53 dated 24 March 1997). In such a case, the police will take up a summons case on behalf of the victim.

However, no one case was 'officially' investigated under this category during the course of the fieldwork, although most cases of domestic violence could have easily and legally fallen under it. Nonetheless, this category serves an important purpose in bestowing on the police initial powers of arrest and detention of 'suspects' but short of prosecution. Usually, the suspects were released after 'spending time' in the police cell.[8]

Data also revealed that there is a tendency for senior officers themselves to tacitly support deviations from professional codes. The manner in which domestic violence cases are invidiously but formally and legitimately discharged from the 'police system' by the senior ranks themselves lends support to rank-and-file insistence that attending to

[8] Singapore law allows for the detention of a suspect in a police station for not more than 48 hours. But the IO can apply for an extension for another 48 hours from a Magistrate.

domestic violence cases is not an appropriate police duty. This perception is further reinforced by pragmatic concerns among patrol and investigation officers that the 'professional' handling of domestic cases is not met with 'professional' recognition by the police force. Organisationally, police intervention in cases of domestic violence and the 'successful' diffusion of violence do not secure any form of recognition or merit from the police management. As a senior rank-and-file officer of 22 years summed up the views of his colleagues:

> Now everyone is talking about violence in the homes, violence between spouses. Some are saying that the police are not doing enough or that we are too insensitive. How else can we be? You see, attending to one case can take us about 20–30 minutes, you know hearing all their problems and quarrels, and sometimes the women, especially don't want us to go away fast. Very frustrating and it takes a lot of skills and patience to handle a domestic case . . . But you see, we get zero points by attending to domestic cases even if that means saving the woman or her children. Compare this to a case of robbery or burglary; even conducting roadblocks . . . if you are lucky you can get as many as 50 points which will count for your promotions. So at the end of the day, if you are attending a domestic case, all our efforts will go unrecognised from your commander right up to HQ level.

More realistically, for professionalism to be effective as a device to govern police conduct, it must resonate with rank-and-file experience, both formally and informally, and not be imposed from the top. As Chan (1997) noted, professionalism must be connected to the operational reality of policing, be relevant to the specificity of policing, and be experientially based. Attempts on the part of the police elite to initiate organisational changes or implement legislative requirements are easily subverted by officers on the ground when these changes do not meet with rank-and-file experience.[9]

Changing Police Culture

Disillusionment with the legalistic approach to reforming the police has been responsible for a growing interest in the second approach—changing the police culture. Police culture as an impediment to police

[9] What some of these changes did not take into consideration was the potential of the human agency to socially construct the police records. 'Objective' recording techniques are more often subverted as 'evidence' of police competence and 'arse-covering' resources than as a tool for delimiting police discretion.

responsiveness to wider community concerns is perceived by both outside commentators and the police elite. Brogden & Shearing (1993: 96) observe that when rules are not congruent with practice, rank-and-file officers often find ways to 'ingeniously' bend the rules while not breaking them. Therefore to change police practice, as Brogden & Shearing suggested, 'an attack on the police occupational culture is necessary' where the rule-making approach to police reform be complemented by strategies to change police culture from the inside (1993: 97). Similarly, Reiner observed that 'key changes must be in the informal culture of the police, their practical working rules' (1992: 232) before initiating police reform. This is to be achieved by redefining the police mandate and instituting new forms of accountability to curtail the imperatives of police culture.

There have been two approaches that police reformers have traditionally sought to change police culture (Chan 1997): first, by 'taking the police to the community' and second, by 'bringing the community to the police'. In Singapore, the first approach focuses exclusively on training strategies (although recruitment,[10] which forms part of this approach, will be discussed in the context of international research), while the second typically involves 'community policing' innovations. Collectively, changing rank-and-file culture for the purpose of reforming police response to situations of domestic violence means changing the predisposition of police recruits and the senior rank-and-file towards domestic violence.

Training

The push towards professionalisation of the police force in Singapore led to many changes in the area of police education[11] and training, especially with the restructuring of the Training Branch at Police HQ and the Police Academy into one department—TRACOM[12]—in 1997.

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[10] Although there is no attempt on the part of the Singapore Police Force to institute recruitment strategies that would increase, according to this 'orthodox' position, the community and social responsiveness of the rank-and-file officers, this feature of changing police culture will be discussed in the context of changes initiated elsewhere internationally.

[11] The Singapore Police Force jointly launched its first academic course, Diploma in Police Studies and Security Management, exclusively for its officers with Temasek Polytechnic in 1997. I have been involved in its organisation and teaching since then.

[12] TRACOM (Training Command) is responsible for formulating training policies and plans for the SPF, as well as for directing and co-coordinating all training activities of the SPF.

It made substantial revisions to its training curriculum; setting up training branches in every division and moving away from a focus on operations towards a wider educational base as part of its Continuing Education Scheme. Through the establishment of the SPF Intranet, there was an increased emphasis on effective skills in training in the area of communication, and incorporating technology in fighting crime and incident management, with all Fast Response Patrol Cars (FRC) being fitted with laptops.

However, there is no apparent change in the instructional and training manuals for police recruits in terms of their handling of domestic violence cases, despite 'innovative' schemes such as the Domestic Violence Project being implemented at the various land divisions in Singapore since 1995. TRACOM Instructors continue to rely on the generic category of 'interpersonal non-criminal disputes'—which remains the only instructional source—for the management of domestic violence cases.

Interviews with officers also revealed that recruits are often told to exercise discretion, which, to many, meant the exercise of non-legal intervention in practice. Family violence remains an order-maintenance issue rather than a criminal one for the police. As a probationary Inspector who had recently graduated from the Academy remarked:

> When I was in PA [Police Academy], I always had the impression that the instructors were ambivalent about how we should go about handling the issue. Sometimes my peers would make fun of them, too, saying that they themselves do not know how to handle family fights. Most of the officers were very ambivalent. There wasn't any consensus as to how we should handle and intervene. Most of them are saying that yes, domestic violence is a problem but none would say that we must arrest. But one thing I know is that I must exercise a lot of discretion because it is a domestic case. In other words, I got the impression that it is of no value to arrest the perpetrator in a domestic. I am beginning to realise now that I am doing patrol.

This 'dictionary knowledge' (an aspect of habitus) held by officers with regard to domestic violence becomes an impediment to intervention aimed at changing police practice from *outside* the police organisation. One such intervention was the training programme initiated by the Society Against Family Violence (SAFV) in 1997 which aimed at providing officers, in the words of a counsellor with SAFV, with 'special training and special knowledge to respond more effectively to domestic violence cases'. These sessions offered by SAFV became part of in-house and in-service training curricula of various land divisions.

SAFV designed its training package based on its recommendations that 'the police officer takes *control* of the situation when he arrives at the victim's household, *investigat*es if grievous hurt has been committed and *delivers* the information to the parties involved whether as victims, perpetrators or witnesses' (SAFV, Police Training For Management of Family Violence).

While the intentions of these training initiatives of SAFV are laudable—it was the first training programme in Singapore to specifically address the issue of police intervention in domestic violence cases—there is evidence to suggest that the effect of training on the rank-and-file officers is often undermined by the reality of police work and the 'common-sense' orientation of police occupational culture (Brogden et al. 1988: 32–3). The 'step-by-step' prescription offered by SAFV was interpreted by many officers as a direct interference in their police mandate, and what officers termed as 'their bread and butter', referring to the daily realities of police work. Consequently, some rank-and-file officers, especially the 'lauchias' (veteran officers), developed strategies that enabled them to effectively 'side-step' the 'step-by-step', by appealing to the exigencies of each domestic violence situation as being 'unique'. As a station inspector recollected his experience with the SAFV:

> These people [referring to SAFV counsellors] come here and very keen to give us 'lectures'. Some worse, they think that they can come here and teach us what to do. I will tell them to 'get lost' from my turf. I have been a police officer for the past 26 years and these 'kuching Kurats' [people who are considered insignificant in society] want to teach me how to do *my* job? You see, these people know nuts about police work... they are telling *me* and *my* guys how to classify seizable and non-seizable crimes, telling us how to establish eye contact, how to gain entry, what to look for, how to talk to the victim, how to deal with the offender and on and on. Really ridiculous, I hate people who just walk into *my* division and start preaching to *me* that I must do this and I must do that. I take *my* responsibility to teach *my* guys. If they think it is so easy to handle domestic disputes, then ask them to wear the blue uniform. I am telling you, each and every situation a policeman encounters is very different. It is *my* duty to teach *my* guys how to handle them. Otherwise they will be goners. (Emphasis added.)

In general, training and education must be seen to be relevant to police operations, and pitched at a practical rather than an abstract level. In other words, they must correspond to the realities and exigencies of police work. My observations of training sessions conducted by SAFV suggest that they did not reveal anything more than what the policemen

on the ground already knew. At best, they highlighted and reinforced the contradictions and tensions which had historically characterised the police role and response in domestic violence situations, as the following exchange between a patrol sergeant and a SAFV counsellor revealed:

> Counsellor: You as police officers must be sensitive to the victims' needs and expectations. You must be firm and be impartial and must take control of the situation immediately.
>
> PO: What should we do when victims ask us to limit our action or when they withdraw their report?
>
> Counsellor: You should establish first whether there is a crime or not independent of what the victim wishes for.
>
> PO: If there is a crime?
>
> Counsellor: Then you should arrest.
>
> PO: In your definition, what would you consider as a crime?
>
> Counsellor: Not in my definition but in the definition of the law.
>
> PO: Well, for only seizable crime we can arrest. The rest of the case, in fact the whole bulk of them will be referred to the IO or AIO. But let's say there is a seizable crime and we must arrest right?
>
> Counsellor: Absolutely.
>
> PO: Then why are you talking about the victim here? There is no need to talk about the victim, right? Since we must arrest in all seizable cases. As far as I am concerned, if there is a crime I will arrest. And I have been asking my PCs to do that.
>
> Counsellor: But you see, most wives want an end to the violence but this does not mean they want to put an end to their marriage. Police officers must check if the victim has carefully considered her decision.
>
> PO: Why should we check if there is crime committed? Aren't you contradicting yourself? Furthermore, aren't you naïve about separating her decision to stop the violence and putting an end to her marriage? You see, if I arrest the offender and put him under 325, he will get at least six months [in prison] and, therefore, I have put an end to the violence *and* the marriage at least temporarily, maybe permanently. Because I think any man will not want to live with a woman who has sent him to jail.

The exchange between the officer and the counsellor revealed key issues that need to be considered in the present analysis. First, rank-and-file officers generally despise 'non-police' people, or persons who do not display the capacity to understand the intricacies and exigencies of ground police work. Historically and globally, rank-and-file officers are

known to offer resistance,[13] either individually or collectively, to changes brought about by people from the 'top' or from the 'outside', and the resistance was more pronounced in situations where the ground officers perceived that they had not been consulted on policy issues affecting them. Second, and related to the first, rank-and-file officers value the use of discretion in their course of police work and any attempt to remove or delimit its exercise through laws or regulations are subverted, albeit legitimately. Third, it captures the essence of the problem of policing domestic violence by drawing on the discourse on the criminalisation of domestic violence and (versus) the compelling need on the part of the State and its institutions, such as the Family and Community Development Services, of which SAFV is a constituent, to safeguard the institutions of the family and marriage as 'building blocks' of Singapore society. Central to the problem is the dilemma of the extent to which the Singapore State should promote *criminalisation* as a means of policing marital violence.

The Singapore Police Force is not, as a matter of official policy, committed towards recruiting more women officers into the force or towards establishing specialised domestic violence units comprising predominantly women officers (see Sheptycki 1993) to effect a change in the policing of marital violence. Two explanations as to why there is no such policy are plausible: first, a policy exclusively directed towards the phenomenon is tantamount to the recognition of a 'problem' in the *existing* police system, which the State must avoid. As mentioned earlier, nowhere is the *problem of domestic violence* equated with a *problem of policing* when it comes to official discourses on family violence. Second, from a feminist perspective, historical documentation of government and police resistance to women police demonstrates how threatening the idea that women with authority could be to the dominant class of men and to a male-dominant police force (Radford 1989: 43–4).

Although no female officer was assigned to the patrol unit in the research division to ascertain whether her presence might have produced an untypical response to marital violence, the literature nonetheless suggests that there is little evidence to indicate that changes in recruitment

[13] As mentioned earlier, resistance can assume many forms ranging from face-to-face confrontations, circumvention of existing rules and regulations, albeit legally, to more subtle methods like 'acting blur' (which means pretending not to have taken notice of existing requirements).

and employment patterns would produce a significantly different style of policing. Police culture appears to be largely resilient to changes in recruitment patterns (Brogden & Shearing 1993: 100). The evidence from Western police forces suggests that unless significant numbers of personnel are recruited from other than the dominant groups, their inclusion is likely to have a minimal effect on the prevailing culture. Heidensohn (1992) notes that the limited progress made by women in law enforcement is a result of the continued covert and overt resistance by their male colleagues, which is compounded by the nature of policing and the occupational culture. Heidensohn (1992: 67–8) states:

> ...debates and conclusions about both are highly relevant to our purposes; after all, what police officers are supposed to do, what they actually do, and how they do it are highly germane to questions about whether women are proper persons to be police officers, while notions about the macho occupational culture of policing are crucial to problems of harassment, obstruction, and the progress of women in policing as well as to the experiences that women, and others, have as victims of crime or otherwise as the 'consumers' of the criminal justice system.

While disagreements may exist about the types of cop culture, its sources and its varieties, there is, nonetheless, a prevailing consensus that it exists and that one of its major characteristics is the significance of gender to it. It is this which makes Young argue that women cannot be assimilated into it (1991: 193):

> Women who do breach the boundary to penetrate this masculine world can only ever be partially successful and will often have to subsume 'male characteristics' to achieve even a limited social acceptability.

Perhaps the best-known and most widely cited study in terms of how women cope and adapt to a male occupational culture is Susan Martin's observational account of women on patrol in Washington, DC. Women, Martin argues (1980: 157):

> ...are excluded from the information exchange network and informal social life... Policewomen's behaviour is circumscribed by the stereotyped roles in which they are cast... which reminds women that as females they are sex objects, vulnerable to harassment, yet held responsible for the outcomes of the interaction.

Martin's (1980) study, consistent with other research on the reactive strategies of women in law enforcement (Heidensohn 1992; Jones 1986; Young 1991), reveals that women police officers in a largely male-dominant force and operating within a masculine occupational culture tend to adopt either overtly POLICE(women) or (police)WOMEN definitions.

POLICE(women) focus on law enforcement, rather than service, show a high commitment to the job, even criticising fellow female officers with males. Their careers are more like those of their male peers in that they wish to do specialist work and be promoted. PoliceWOMEN, on the other hand, emphasise the feminine; women who see themselves as fulfilling the more traditional expectations associated with service roles (Martin 1980). At the extremes of adaptation, therefore, women become either 'defeminised' or 'deprofessionalised'. Defeminised women see themselves as 'different from other women; they become super-efficient, as good, or better than their male colleagues so that their competence comes to mask their femininity' while 'deprofessionalised women do not compete with male colleagues, but accept subordinate status and concessions granted to them' (Heidensohn 1992: 85).

Remmington (1981) in her observational study of Homicide and Sex Crimes detectives, found, rather paradoxically, that despite the 'apparent' assimilation of women officers into the masculine ethos, their policing styles were distinct from those of men. She remarks (1981: 200–1):

> Policing has had its effects upon the women who have joined the department...it can reach into all aspects of their lives...Despite their inability to be assimilated into the group by the males and despite their own recognition of inadequacies in their job performance, the acculturation of the women into the policing world has caused modifications in their attitudes, behaviour, and social relationships.

She draws a picture of women officers who, in a sense perhaps, resemble Martin's police(WOMEN):

> Women do not generally patrol in the same way as male officers. Many of the reasons for this may be in the protective attitude and behaviour of the male peers who rarely permit them to police alone. But several women were observed who deliberately drove slowly to a potentially violent call. No female observed ever tried to find law-breakers, by driving down dark alleys in the hope of locating some criminal activity for example. (Remmington 1981: 199)

What the prevailing evidence seems to suggest is that police culture does not change significantly just because more women are recruited. Still, as Shepytcki's (1993) study showed, domestic violence units as well as many other police units staffed by women, are accorded low organisational priority in terms of logistical, financial and manpower support. They are considered low status, have low privileged roles by both the informal and formal occupational cultures, and tend to be

marginalised from the 'total' police system (Smith 1989). In exploring the perspective of male officers towards the role of women officers in domestic violence units, Walklate (2004), for example, notes that there is a sense in which the separation of this work, staffed by female officers dealing with female victims, can potentially sustain the view of the work of women officers as valuable but not as 'real police work'. She notes (2004: 15):

> Policewomen deployed in this way are faced with a daily round of definition and redefinition of their work and their role in the face of what is taken to be the well-documented norms of 'cop culture. The dilemma this presents can be experienced at a personal level in the tension between policewomen's own commitment to that culture (wanting to arrest the perpetrator) and the demands of their specific role in a DVU (to support woman in her chosen course of action).

In a similar vein, Cashmore (1991) documents the finding that curbing police racism, for example, by employing blacks in what were previously predominantly 'white' American police forces has had a negative consequence. Blacks, in accepting police employment, assumed a commitment to the police institution and the *status quo* while absorbing the 'working personality' of white officers. Holdaway (1991, 1995), too, has shown that police officers recruited from minority ethnic groups to join British police forces tend to accept racist jokes and banter as inevitable and part of the occupational culture. As Cashmore (1991: 107) states:

> ...but what has been the effect on the rest of the black population? It has been to exact compliance, to stifle political activism, to facilitate control.

Towards Community Policing

The second method of changing police culture typically involves the building of direct links between the police and the community. This includes many of the initiatives, both police and non-police based, under the rubric of 'community policing', such as the institutionalisation of Neighbourhood Police Posts, Neighbourhood Police Centres, Resident Committees (RC), Citizen Consultative Committees (CCC), Town Councils, and Neighbourhood Watch schemes. Implicit in this method of changing police culture is that 'if the police culture is subject to continuing encounters with community sensibilities, it is liable to undergo a positive modification' (Brogden & Shearing 1993: 103). Accountability to the local community is also supposed to influence the

occupational culture by providing 'an alternative reference group, away from the immediate work-group influence of police peers' (Brogden & Shearing 1993: 104).

The adoption of community-based and community-focused policing (SPF Annual Report 1997–8) is by far the most significant ideological shift in the history of Singapore policing[14] (Narayanan 1999) as well as in many police forces worldwide (Moir & Moir 1992). The fundamental idea behind community policing is that effective working partnerships between the police and the community can play an important role in controlling and preventing crime (Moore 1992; Skolnick & Bayley 1986; Sparrow, Moore & Kennedy 1990). This calls for a reconsideration of the police role in developing and strengthening community *institutions* as a means of preventing crime (Shapland 1988). Community policing as an organisational strategy represents a shift by police organisations from centralised, functional organisational structures to decentralised geographical structures that encourage closer links with local communities (Moore & Stephens 1991). The SPF, instead of relying on the various police land divisions, decentralised its functions and activities through the Neighbourhood Police Post (NPP) system. Formed in 1983 as an attempt to replicate the successful Japanese model of community policing based upon the *Koban* system, the Singapore NPP system is a kind of 'mini-police station situated in the heart of a neighbourhood and catering for the welfare of about 30,000 residents' (Quah & Ong 1989: 275–6). Fundamentally, its main objective is to improve police-community relations and to prevent and suppress crimes by means of public support and cooperation. It also involves the formation of NPPs and the reorganisation of police patrols especially those on foot, bicycles and motor scooters which are found to enhance both public security and accessibility to police services.

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[14] Apart from developments in the political, economic and social arenas that allowed SPF to settle into a more preventative and deterrent mode of law enforcement, the trend towards community policing by the SPF can be explained by three other major factors: first, the success of the SPF in curbing the activities of the secret societies and in minimising the problem of police corruption in the 1960s and 1970s, both of which enhanced its public image; second, the emergence of new towns throughout the island which forced the SPF to abandon its former method of random motorised patrolling and replace it with 'vertical policing'; and third, the need to introduce community policing flows from the tacit recognition of, if not a worldwide disillusionment with, the limitation of traditional-reactive policing—typified by random patrol (Kelling et al 1974), rapid response (Scott 1980; Spelman & Brown 1984) and retrospective investigation (Greenwood, Chaiken & Petersilia 1977)—in the prevention and control of crime.

In this respect, some observers (e.g. Moore 1992; Stenson 1991) note that the concept of community policing involves changes to conceptualising police legitimacy with regard to its functions. The justification for policing is not only its capacity to reduce crime and promote security, but also its ability to meet the *service* demands and needs of the community in ways that result in community satisfaction and community *neighbourliness*.

Evidence of a willingness to change the policing of marital violence from a 'community policing perspective' could be traced to the experimentation of the Domestic Violence Project at a Land Division in April 1995. The project, which was jointly administered by SPF and Ministry of Community Development (MCD), marked the first concrete and 'visible' move by the SPF to address the problem of marital violence in Singapore. This objective of the project was to create an elaborate network comprising the police and social service agencies to enable victims of marital violence to seek 'ready' assistance of their Neighbourhood Police Post officers in lodging a police report at the nearest NPP.

Under this 'facilitated complaint and referral system' (see Figure 3), the NPP officer, in common with other officers in the Police Land Divisions, decides whether the offence committed by the assailant is seizable or non-seizable. If a particular domestic incident is classified as seizable (for example, if the perpetrator had threatened the victim with an offensive weapon), criminal proceedings will be initiated against the offender. If it is not, the victim in such a case together with those referred to NPPs by Land Divisions through the Spousal Violence Referral Form will be informed of the various services provided by Family Service Centres (FSCs) and Voluntary Welfare Organisations (VWOs). Some of the services include: (a) providing conflict resolution through counselling for both the victim and the perpetrator; (b) legal assistance; and (c) providing seminars on family matters such as parenting skills and communication skills (personal communication).

The Deputy Officer-in-Charge (DOC) of NPP would fax a copy of the Referral Form and the police report to the FSC, which would be matched with the NPP concerned. The 'matching process'—devised by the Ministry of Community Development—basically links an NPP with the nearest FSC. The DOC of NPPs monitors all cases of spousal violence in his jurisdiction and reports to the Chief Investigation Officer (CIO) monthly on the progress of each case. For cases that are referred to the FSCs, the social worker in charge of the case submits the Report on Outcome of Intervention (I) at the end of the first counselling session with the victim.

At the end of the initial session or not later than six months from the date the case was referred to the FSC, the social worker at the FSC works closely with the NPP officer on any one of the two options available—to prosecute the offender (a criminal perspective) or to monitor the victim's progress (a social work perspective)—before submitting the Report Outcome of Intervention (II) to the Head of Investigations (HI). A significant development in the implementation of the Domestic Violence Project is the 'widening' of the socio-legal control mechanisms to address the problem of marital violence, and the empowerment of Family Service Centres to act as official 'gatekeepers' of cases of domestic assault that enter the criminal justice system.

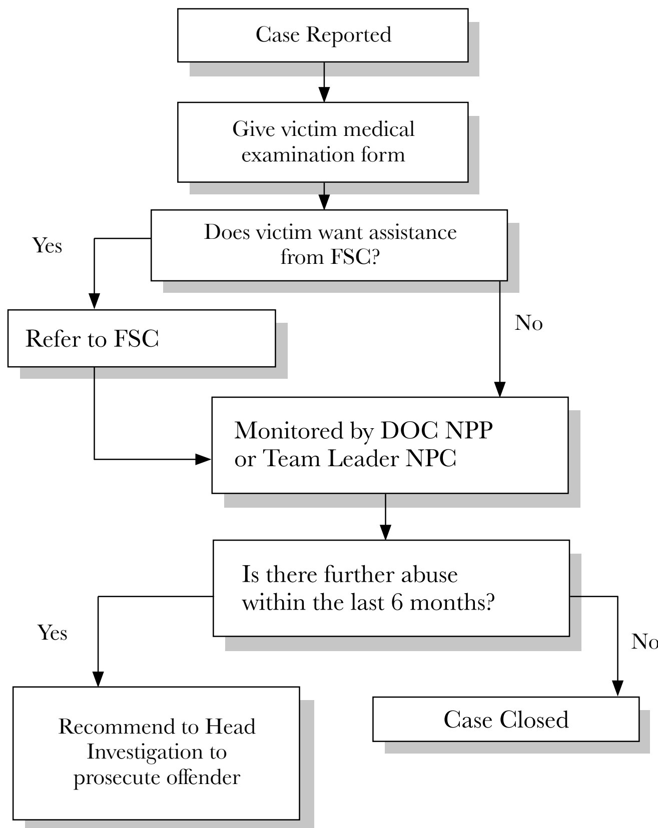

Figure 3: Facilitated Complaint and Referral System

Note: 'DOC'—Deputy Officer-in-Charge; 'NPP'—Neighbourhood Police Post; 'NPC'—Neighbourhood Police Centre; 'FSC'—Family Service Centre

Despite the apparent 'widening of the net', the number of domestic violence cases that enter the criminal justice system for the purpose of prosecution remain few, at least at its front end represented by the police. Thus, although the number of protection orders issued by the Family Court to victims of family violence has steadily increased from 978 in 1995 to 2,019 in 1997 (police records), this is not to be equated with the total cases of family violence entering the police system. The number of protection orders issued by the judiciary is not a statistical representation of, or correlation with, the *total* volume of cases that enter the criminal justice system because there is persuasive evidence, based on the data, to suggest that a majority of the cases has been effectively diverted from the 'police system'. Further, the increase in the number of protection orders could also be explained by the establishment of the Family Protection Unit (FPU), which formed part of the apparatus of the Family Court. The FPU, which was established in the aftermath of the Amendments to the Women's Charter in 1997, could apply for protection orders on behalf of the victim even without a police report being made by the victim. Consequently, this alternative process of gaining protection orders effectively bypassed the front end of the criminal justice system and the 'mediating' influence of the police occupational culture.

This, however, has a negative impact on the police's treatment of domestic violence cases as more officers began to rely on the 'success story' of the Family Court (*The Straits Times*, 9 September 1998), and diverted cases away from the police system by encouraging victims to approach the FPU directly. This circumvention strategy was very popular among the rank-and-file officers because it fit well into their cultural disposition towards family violence, as well as serving to form a collective rationalisation that the police are not an appropriate agency to intervene in cases of family violence.

Weaknesses of Cultural Change

The cultural change approach to reforming the policing of marital violence lies in its emphasis on restructuring and delimiting the (deviant) practices of the rank-and-file police subculture so as to make them more congruent with official policies of the organisation. However, what it fails to take into account is that *a* police subculture arises in response to the structural conditions of policing, and to the structural

contingencies police officers face 'as a way of coping with, and making sense of, a given environment' (Manning & Van Maanen 1978: 267) in the face of recurrent problems and common experiences (see Chapter Three).

Thus, it follows that if (deviant) subcultural practices are developed by street-level officers as a mechanism of coping with the demands, uncertainties and exigencies of police work, changing the police organisation through recruitment or community policing is unlikely to have any effect on the intervention style of police officers in situations of domestic violence. As discussed earlier, there is little evidence to indicate that changes in recruitment and employment patterns produce a significantly different style of policing, as police culture appears to be largely resilient to these changes. Similarly, improved training in itself is ineffective in addressing subcultural practices unless a substantial, structural transformation of the nature and character of police work accompanies it. This, however, is easier said than done. In the case of policing marital violence, evidence from the research suggests that the subculture is too resilient to be significantly modified in this way. Any initial impact of '*classroom*' training offered by SAFV is lost very soon after the patrolmen take to the '*streets*' as officers come to rely on their subculture, for 'cues' to guide action.

Even the building of direct links between the police and the community through the establishment of the 'facilitated complaints and referral' network which formed part of the community policing initiative, failed to produce any change in the style of policing. Officers from both the Land Divisions and the DOC NPPs often paid lip service to the Domestic Violence Project despite its attractive rhetoric. To many officers, the 'network' arrangement became yet another avenue for 'dumping' spousal violence cases and for 'de-criming'. During the course of my fieldwork, only five cases were referred to a Family Service Centre (FSC) by the division (research site) although on an average, it handled about 70 'family violence' cases a month. Although DOCs NPPs are required procedurally to follow up on non-seizable cases referred to them by divisional Investigation Officers (IOs), this was never practised. Neither was the progress of individual cases communicated to the divisional Chief Investigation Officers. Data suggest that this 'de-criming' process can be primarily explained by the 'time lag'—which could take more than 20 days at times—that existed between the receipt of a case by DOC NPP from the division and the initial contact made by the DOC NPP with the victim. This had an adverse effect on many victims seeking

official help. At times, this 'delay' was deliberately manufactured by DOC NPPs to prevent the entry of a case into the Domestic Violence Proforma, the official document for the recording and monitoring of spousal violence cases maintained at NPPs:

> DOC NPP: Sometimes, we should not 'go in' [investigate] immediately because we as police officers have a moral responsibility to give some time for the victims to think about their husbands, their family, their police reports and the consequences of their action should we decide to charge the husband. I call this a 'cooling off' period. Personally, I will give them about 20 to 30 days before talking to them and asking them about their decision. True enough, all the victims whom I have come across said that they wanted to give their husbands a second chance.

This 'cooling off' strategy is also a viable 'non-criminal' option for the DOC NPPs to take because it enabled them to avoid the 'paper work' of liaising with a social worker stationed at the FSC. For example, one of the main problems cited by officers was the difficulty in contacting a social worker as all the FSCs in the jurisdiction operated between 8am and 6pm. As this officer said to me:

> ...with the new arrangement, we are to look for an FSC to place the victim for the night especially if she wants it. At the same time, we can also refer the case to the DOC NPP for his monitoring of the case...we can hit two birds with one stone. But the main problem is that all the FSCs are closed when most family violence cases occur, that is between 8pm and 3am. Now, how on earth are we to look for an FSC...sometimes we can ask other FSCs in other divisions to help but they have their own problems. Some more, not all FSCs have social workers and then the wild goose chase starts all over again...I tell you, it is very tiring to do this kind of work!

Why Missing the Mark?

This chapter challenged the strategies that have been typically advocated or introduced to reform the policing of marital violence in Singapore. The typology used by Brogden & Shearing (1993) depicting the two traditional approaches to changing police culture is useful for the present analysis. It is resonant with the thrust of the book that the problem of policing marital violence needs to be located within a reconceptualised understanding of rank-and-file police culture. As the data revealed, each approach is found to be less than adequate. For example, rules and regulations imposed from the top of the police organisation and by

those from outside the organisation are easily ignored and circumvented by street rank-and-file officers. Also, strategies aimed at changing police culture through training and community policing lose their relevance once officers are faced with the reality of police work and when officers are found in the informal company of their peers. It thus follows, as outlined in Chapter Three, that attempting to change the policing of marital violence is not a matter of adopting either one or the other of these approaches. Rather, police reform must necessarily take into account both the cultural (habitus) and structural (field) aspects of the organisation of policing, and the dynamics in which police culture relates to the political, social and legal context of policing marital violence in Singapore. The contribution of the reconceptualised understanding of police subculture is that it treats subculture (habitus) and structural conditions of policing (field) as being in a *relationship*, thus interactive and dynamic. The essence of the reconceptualised understanding of the problem of policing marital violence therefore lies in its conviction that changes in policy towards marital violence have no apparent effect on police practice unless these changes are accompanied by changes in the cultural assumptions held by rank-and-file officers of their role towards marital violence, *and* in the political, social and legal context in which the policing role is located. In other words, an analysis of police reform requires that cultural influence be set within a historical, socio-structural and legal context. It depicts that the stock of cultural knowledge has to be interpreted and made organisationally relevant before an institutional practice can be staged or retrospectively justified, depending on 'encounters' in the field of policing. By subscribing to a conception of active social agents, the reconstructed framework takes into account the use of discretion—signifying agency—and demonstrates how rank-and-file officers working within a particular field of policing develop, reinforce, transform, and even resist subcultural practices as 'triggered' by events in the field of policing. The documentation of the process through which domestic calls for assistance are translated into objects for policing is illustrated in the next chapter.

CHAPTER SIX

THE OPERATIONAL POLICING OF MARITAL VIOLENCE: A VIEW FROM THE STREET

This chapter examines the formal processing of marital violence incidents as accomplished by institutionalised policing. The description of the process through which domestic calls for assistance are shaped and translated into relevant categories for appropriate police responses was facilitated by the use of participant observation. Through the eyes of the participant-observer, pertinent questions are addressed: How is discretion, as exercised by the patrol officer, structured, situated and mediated within the complexities of attending to a 'domestic' situation? How do the patrol rank-and-file officers interpret the rules, meanings and symbols of policing to make *police sense*—by this I mean the need for officers to creatively convert 'ordinary events' into 'organisationally relevant (or irrelevant) ones'—within the requirements of the legal and social environment they police? The sociology of policing marital violence, thus, must explicate and expose the organisational structure and processes that enable the transformation of data drawn from 'talk', such as telephone calls to the police, into a nexus of shared meanings in order to insure appropriate, context-sensitive, yet a collective organisational response to a domestic incident. The connection between the receipt of a message (and hence the coding of an event as 'organisationally relevant') and actual police response is also reflective of the relationship that exists between the *habitus* and *field*. The framework also recognises the interpretive and active role of the rank-and-file officers in *enacting* an *environment* (Weick 1979) appropriate for police action. The ethnographic fieldwork reported here is an attempt to explicate the phenomenological grounds employed by organisational members to constitute calls as instances of categories for practical policing purposes (Garkinfel 1967). Importantly, a particular contribution of the fieldwork data lies in its descriptive analysis of how 'domestic messages' for police assistance received at the Divisional Operations Room (DOR), through a network of 'negotiated screening', are determined by a series of classification processes that effectively evict domestic calls

from the 'total police system'. The multiple points of exit within the police system facilitating this process of eviction should not miss the attention of the careful reader.

The Central (Legal) Categories for the Operational Policing of Marital Violence

The First Stage

The classifying of calls for assistance to the police begins with the initial call to the police dispatcher stationed either through the Divisional Operations Room (DOR) or at the main Command Operations Room (COR) at Police Headquarters. These calls come in either to the 999 emergency number, the police Land Division or directly to the Neighbourhood Police Post (NPP) in the vicinity. This initial stage, as Manning (1983: 174) characterises it, is one in which 'a world of events perceived within the primary framework of the experience of citizens is selectively sampled by police calls'. When the incoming call is received 'messages are classified and framed as relevant to police attention; and imaged as events based on sets of tacit expectations. Only messages accepted or seen by the organisations exist for the organisation as potentially valid work' (Manning 1983: 174). 'Call screening' in domestic violence cases, as Manning (1992: 41) later suggests, is a 'natural response whereby police departments selectively sift out frivolous, inappropriate, or undesired calls, and assign priorities to those remaining, delineating specific responses, if any'.

Upon receipt of a call, the police operator has to make a decision, quite independently and instantly, about how to classify the call. If relevant to 'policing', the call is more finely delineated. For the present research, the generic classification of 'disputes'[1] was used to determine the sampling frame since the author has attempted to define 'marital violence'—the focus of the research—in the widest possible sense in order to capture the widest range of variation for the purpose of gathering data. 'Disputes', from a police definition, include violence between spouses, ex-spouses or other family members, disputes between

[1] Police operators categorised all cases of family, spousal violence under the generic category of 'disputes'. However, since 1997 with the Amendments to the Women's Charter, a few police operators have begun to use the category 'family violence'.

flatmates, lovers or ex-lovers, as well as strangers. Occasionally, disputes between neighbours are also classed in this category. The need to adhere to a broad police definition of 'disputes' was thus precipitated by the need to maintain a record of *all* disputes, which incorporated incidents between family members *and* strangers. Incidents involving couples who shared some form of intimate acquaintance as spouses, 'steadies'[2] and ex-spouses who were in the process of seeking separation or divorce but were still sharing the common matrimonial home, constituted the majority of the cases in the sample, accounting for 176 out of the 220[3] cases of 'disputes' that entered the police system during the period of research.

Once the call for assistance is received and so classed within the 'police system', a sequence of decisions with regard to its classification has to be made before it can be exited from the system. Usually, a reason for 'purging' an incident from the system has to be recorded by the operator in the incident-recording book but this practice is not always adhered to. Interviews with operators indicated that many incidents were 'handled' by the operators themselves by way of defining and re-defining a 'domestic incident' until it was 'decriminalised' or 'no-crimed', thus becoming a non-relevant category for police intervention.

Apart from the 'no-criming' process, it is equally interesting to note that police dispatchers, as a matter of operational requirement, insist on establishing the name of the caller, contact number of the caller, the caller's relationship to the disputants and the residential address of the unit where the call was initiated. The recording of these facts in the Log Sheet serves two purposes: first, it allows the police operators to establish the identity of the caller so that the caller can be approached later as a witness if the police need more details regarding the case; and second, to determine the authenticity of the call and caller before 'booking' the case into the system. This is primarily done by comparing the contact number provided by the caller with that which appears automatically in the police message system. Any discrepancy in the information is treated as a 'nuisance' call and evicted from the police system immediately.

[2] This category includes violence between boyfriends and girlfriends, people of the same gender, i.e. gays and lesbians, and cohabitees.
[3] This is a problematic category. See methodology chapter (pp. 75–76).

Yet, more significantly, in a bid to over-zealously determine the authenticity of the call before discharging police resources, it is fairly evident that a bulk of *potentially* criminal cases of family violence are evicted from the system because of an absence of 'reliable witnesses' to the *alleged* incidents. A pertinent reason for this exclusion is that members of the public other than the disputants themselves, usually neighbours, as the data indicate, disseminated most messages of family violence to the police. In these cases, the neighbours did not want to be identified and this had an impact on the nature and type of intervention that officers employed in situations of domestic violence.

The second decision to be made by the police operator is whether there is a need to dispatch a Fast Response Patrol (FRC) unit to the venue. According to Operations Room officers, this is a fairly standard response. However, a senior staff sergeant assigned to the Operations Room stated that although in '99 out of 100 cases he would recommend his staff to send a unit to the address' (field notes), he cited some exceptional situations in which he might consider otherwise. In these instances, he stated that he would advise his staff to 'slow talk' with the caller, especially if the caller is the victim herself or an interested party in the dispute. During these interactions, counselling or referral help was given to the victim over the phone without assigning a unit.

Operators also acknowledged that at times, for example, when officers are required to police large-scale public events, the shortage of men on the ground prevents an immediate response. The police Land Divisions have to match resources to cover competing demands, and public order maintenance received higher priority than any kind of private trouble. This problem was a pertinent issue in the research site as the division had only seven Fast Response Cars (FRCs) for immediate and urgent dispatch, and one NPP patrol car for more routine response. A major irony in terms of police response to situations of family violence, as I found, was that all cases of 'family violence', if explicitly defined by the caller[4] as such, were classified by police operators as 'urgent' according to Police Standard Operational Procedures (SOP). Yet when it came to actual intervention, patrol officers adopted a very 'routine' response: 'cool off' the situation, hand out the relevant forms to the victims, warn the perpetrator and leave the premises for the next 'job'.

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[4] If the caller or the police dispatcher classifies the call as 'general dispute', the police operator will recommend a non-urgent response.

Although cases involving violence generally have priority over reported incidents like burglary and robbery, this is primarily confined to violence between strangers (or disputes in public places) which commonly occurs at coffee shops in Housing and Development Board (HDB) townships. It is evident that police operators tend to prioritise a case of burglary or robbery, or even a reported case of simple theft, over a domestic violence incident in 'progress' because attending to a domestic case simply has no real organisational value or significance to the responding policemen.[5] As I indicated in the previous chapter, attending to a 'domestic', even if this results in the successful diffusion of a *potentially* fatal episode, secures no merit point to the individual patrolmen. From the perspective of the patrolmen a 'reported' burglary is no different from a burglary in 'progress' because the *search* for the *unknown suspect* is viewed by the officers as constituting the essence of police work, and perhaps contributing to sustaining a *subculture*: a sense of suspicion, mission, thrill and solidarity in the face of the *symbolic assailant* (Skolnick 1966). In fact, it can also be argued that the policing of marital violence becomes essentially a problematic category for the police because the protracted and complicated situation in which the violence takes place between *known* individuals makes it difficult to identify an *offender* and *victim* from the perspective of the policemen, and as defined from an orthodox criminological-victimological perspective. This has an effect on police intervention usually resulting in delayed, routine response. An officer exclaimed:

> Every time the same things happen. Husband beats up, woman cries, children cry. When you intervene and try to cool things down for them, they want to shout even louder, trying to get my attention. Sometimes, it's so sick that I have to do this but I have no choice because I have been dispatched to attend. Sometimes, if my sergeant is cooperative, we will purposely want to slow down before for things to be okay...then it becomes much easier for us. You see, in a domestic situation, let me tell you there is no wrong or right, guilty or innocent. Wife pressing charges against the husband? That cannot happen! No such thing in marriage! Most of the time, I just have to depend on my conscience and experience to strike the right note with them.

[5] I have intentionally used gender-specific category of policeman to signify that policing is essentially a gendered masculine activity sustained within a predominantly male organisation.

This intentional delay in responding to a domestic situation, however, does not fit into the scheme of police work where a high value is placed by patrol officers on achieving a good 'response time', i.e. the amount of time between the call for service being logged and the assigned unit arriving at the venue. The concept of response time has a special place in the lexicon of officers patrolling in police cars. Achieving a fast response time is a primary motivation for the patrolmen and it provides a criterion for judging officers on motorised patrol, particularly in cases of 'public trouble'. A few Divisional Commanders in Singapore have actually incorporated it as a 'performance criterion' for patrol units. In practice, response times are variable, but 3–15 minutes is considered average (*The Straits Times*, 17 November 1998). However, there were instances when officers responded to domestic violence situation within 10 minutes of receiving the call from the Operations Room, but achieving the good response was due to the patrol officers' perceived need to 'finish the job' expediently in order to be ready for the next one:

> Sometimes, we just go in after receiving message. You see, from experience we will know what to do just by the description provided by the operator. We go in and finish the job. Of course, it still depends on the situation. We have to take this type of cases as a matter of routine.

This haste has negative consequences for the handling of calls for service, and as Holdaway (1983) noted, the concept of 'response time', therefore, has the potential of exacerbating tension in police-public encounters especially if members of the public or particular groups come to regard the delay in police response (or the police's enthusiasm to discharge the case prematurely from the system) as being discriminatory.

The Second Stage

The second stage of operational processing begins with the arrival of the patrol officers at the address. Although many researchers have come to regard it as the start of a distinct category of operational intervention by the police, these researchers (see, for example, Sheptycki 1993; Buzawa & Buzawa 1993; Choi 1989) have, however, failed to document what goes on in the patrol car in the intermediate period between the receipt of a message and the arrival of the police at the dispatched address. This intermediate period is characterised by a form of 'methodological exercise' in response to the analysis of the context-based nature of the interpretation of calls to the police (Manning 1988). Interpretive work by the police dispatcher and subsequently by

the dispatched patrol officers is particularly important when everyday 'talk' has to be rapidly transformed into socially acceptable and credible knowledge before the 'talk' can be coded as an 'official information' or 'message' in police files, forms or records. This is an important process because shared meanings with regard to the content and context of a particular marital violence situation are an essential precondition for sustained collective police action. Importantly, patrol officers themselves, based on the data provided by the operators, tend to create an 'image' of a domestic situation through a process of social mapping, making specific assumptions about the causes of domestic violence with regard to the race of the disputants, their housing type and the area in which the disputants live, the extent of possible injuries suffered by the victim, the emotional and physical state of the disputants (i.e. drunk or angry), and past history of violence. This process of creating a theory of a domestic violence situation, often facilitated by knowledge of past experiences and police 'canteen stories', collectively pre-packages and determines the type of police intervention even before the patrol unit reaches the scene.

The following exchange between a patrol sergeant and the author is illustrative of how officers on patrol categorise the causes of marital violence with reference to race:

> Team Sergeant (TS): Can you make a guess why these people are fighting about?
>
> Author: I don't know, I am new to all this...
>
> TS: Let me tell you...I have been in this line long enough to make an intelligent guess...so far I have been right...sometimes you know things can get mixed up, but rarely. But overall I can tell you if Chinese families it must be gambling and financial problems, for Indian families it is the drinking problem...Sometimes I think they can be very violent too. But again, I see you I don't think you're very violent. For Malays, it's everything...children not studying well, father in DRC [Drug Rehabilitation Centres], mother not around, incest...
>
> Author: What do you do on these occasions?
>
> TS: What can I do?

The construction of police definitions of marital violence centres upon a notion of police competence that departs from traditional assessments of police performance and efficiency. In the absence of a 'no crime' situation which is characteristic of most marital violence cases and, therefore, with no prospect of making arrests or 'clearing' cases—traditional

indicators upon which police competence is measured—patrol officers devise an alternative 'performance gauge'. This essentially takes the form of assessing the 'time lag' between the arrival at and departure from the scene, in that 'anything more than 20 minutes' to 'handle' a domestic situation is deemed as the police officer having lost control over the situation and is interpreted as 'poor performance' by peers (personal communication). This, according to a Station Inspector, might reflect negatively upon the patrol sergeant as an 'incompetent instructor'; however, such assessments are confined to the informal network structure. There were also occasions where trainees and newly passed-out constables were 'put to test' by their sergeants on how well they executed this whole exercise, with the emphasis primarily being on the time taken to establish control over the situation.

An interesting phenomenon uncovered through interviews with patrol officers, particularly the more senior ones, was the occasional circumvention of radio messages and police dispatch procedures when patrol units were dispatched to attend to cases of domestic violence. This circumvention, guided by a perception that attending to calls for assistance was an unrewarding task, manifested in patrol officers 'inventing' a potentially 'criminal situation'. This subsequently led to police operators reorganising 'police priorities', thereby resulting in the reassignment of patrol units. This capacity to circumvent official directives is significant in two ways: first, it demonstrates the discretionary powers invested in the rank-and-file police, facilitated structurally by the relative 'invisibility' of their police role, far removed from any form of immediate supervision and scrutiny. Second, it illustrates, organisationally, a system of collective action made possible by collective thinking through the common use of police-defined and police-relevant categories, and the affinity that exists between the shared interpretation of the meaning of these categories and the institutional response. In other words, without a shared definition of what constituted 'real crime', which gains priority over domestic violence, the chain of collective action would be clearly disrupted.

Having documented the dynamic process contained within the intermediate period, the second stage of *operational* policing of marital violence begins with the arrival of the officers at the scene. Officers essentially have to negotiate with the members of the household or with the disputants themselves to gain entry into the residence. This is a problematic and difficult task to accomplish because household members can easily refuse entry to the officers by denying any incidence of

violence. This phenomenon is compounded by the fact that neighbours and members of the public other than the victims themselves, with the former preferring to remain anonymous, initiate most calls of assistance to the police. Confronted with the lack of evidence to substantiate allegations of violence, police officers have no choice but to classify these cases as 'no offence disclosed' (NOD) or as 'police assistance required' (PAR), and are likely to radio in to the operator with the message 'no indication for further police action'. However, data indicated that not all reported cases of disputes classified as NOD or PAR were due to the lack of evidence to substantiate an allegation but, in effect, its use referred to a generic category of cases which were perceived by the patrolmen to be 'problematic'. Clearly, the use of NOD and PAR is a way of circumventing established procedures, albeit within the framework of law that tends to emphasise the need for some type of formal evidence to initiate police-criminal investigations. Procedurally, therefore, the use of NOD and PAR justifies the exit of such cases from the police system.

Data also revealed that the use of NOD/PAR meant one of five things: first, victim refusing to substantiate the allegation; second, no physical evidence or bodily injuries to substantiate allegation; third, not enough evidence to substantiate claim, or it could be an 'exaggerated' version of the episode that led officers to discount the victim's account; fourth, no sign of the suspect or the victim at the reported address, or that the police were unable to contact either of the disputants; and fifth, 'false alarm' where the victim has called the police to frighten her husband with no intention of pressing charges against him. As no records are maintained by any unit at the police division pertaining to the classification of incidents as NOD/PAR, ascertaining the number of cases that entered *and* exited at that single point is difficult. Police definitions and interpretations of a NOD/PAR situation are rarely questioned and there are grounds to suspect that this could be the largest but the most undocumented single exit point from the police system.

It is important to stress that in some instances when the NOD/PAR was used, there was clear evidence of injury. Some officers I spoke to while on patrol were quite candid about this as they felt that they were in no position to help the victims of family violence. Interestingly, many officers indicated that they preferred to apply NOD/PAR when responding to family violence cases because this involved less 'procedural complications' for officers as well as for family members, so that the 'bureaucracy could be kept out from family affairs with a view to

keeping the family together and keeping family disputes private' (field notes). On some occasions, however, this concern of the officers to treat family disputes as a private affair became secondary when officers felt that 'they need to cover themselves' especially if a family violence case was particularly volatile, and if officers perceived that there was a high risk of repeated victimisation. On these occasions, a formal intervention was carried out.

> Author: What made you call the IO to attend to this one and not the ones you attended to earlier?
>
> PO: You see this case is slightly different because she is insisting that I should arrest the husband. She is educated, you know, and she can produce the Protection Order and magistrate complaint in front of me. If I don't take action, and if she complains to anyone, I'll be in deep trouble. Sometimes, you have to play smart depending on the situation.

It was observed that classifying a domestic violence situation as NOD/PAR did not mean that officers on patrol did nothing or that it had no bearing on the situation. In some cases, the mere arrival of officers at the scene was sufficient to calm the situation to the point where the persons concerned were perceived to be unlikely to commit further violence—at least on that night. It was also understood that in many instances, patrolmen, especially patrol sergeants and Field Training Officers, devoted a considerable amount of their time to giving advice to the disputants but without formally acknowledging the situation as an 'official incident'. Interviews with patrol officers and investigators revealed that this is the most preferred method because it generated less paperwork for the officers and required no follow-up action by the NPP officers. As indicated in the last chapter, control, or the lack of it, over the entry of cases into the police system is an issue of contention between the patrol officers and investigation officers. This is because any formal or official recognition of an event as 'family violence' (essentially a police and not a legal category) by the attending patrol officers must be investigated by the divisional officers as the 'incident' would have been 'captured' by the police system. This caused much unhappiness among the investigation officers as investigating such cases, even if they resulted in successful prosecution, gives no real satisfaction and secures no organisational merit for the officer. Moreover, once in the police system only an *appropriate* police action, in the form of a recorded statement from the victim by the IO or an entry into the Domestic Violence Proforma, could legitimately evict it from any of

the exit points of the police system. In view of these 'organisational complexities and bureaucratic requirements' (personal communication), officers prefer to discharge domestic violence cases, in the words of a seasoned investigator, 'without a trace' from the police system.

Conceptually, however, the use of NOD/PAR has no real qualitative difference from, say, an entry made into the Domestic Violence Proforma because a formal record arising from the latter is no more than a paper-generating exercise, having no real consequences for victims seeking police protection. Perhaps it may assist victims to apply for personal protection orders from the Family Court—which again has its own stringent criteria—but the victim must display, constantly and consistently to the satisfaction of the police and judicial officers, an initiative throughout such a process and beyond, i.e. prosecution of abuser in court (see Chapter Seven). In other words, a formal record with the police does not secure a formal police (or judicial) action unless it is accompanied by a willingness on the part of the victim to press charges against her abuser. This is a pivotal factor in the gate-keeping process of the police system, and to a limited extent the judicial system, sieving out 'problem' cases from 'credible' ones and, in the process, identifying 'undeserving' victims from 'deserving' ones. The importance of the victim's role remains an integral component in the operational policing of marital violence, and any 'suspicion' of the victim's refusal or inability to substantiate allegations of violence results in the eviction of such cases from the police system, irrespective of the status of the case.

Data reveal that when attending officers intervene in a family violence situation, the patrol officers' first concern is to 'calm the situation down' and 'ensure that public peace is kept' (personal communication). In many instances, the situation was already calm when officers arrived. This, however, posed more of a problem to the officers than might generally be expected because confirming reports of violence became a difficult task since members of the public would have initiated these calls to the police. As noted earlier, directly interviewing the disputants themselves is also problematic as gaining entry without a warrant or without confirmation of a disclosure of crime posed questions for the legality of such police intervention.

If a particular domestic incident is 'in progress' and if restoration of peace is difficult, an arrest—theoretically—could be staged. However, interviews with officers indicated that when arrest was exercised as an

option, officers were less inclined to invoke the legal categories of 'hurt' and instead resorted to using the provisions of Breach of Peace (BOP), Public Nuisance, and Disorderly Behaviour under the Miscellaneous Offences, a fundamental legal precept in dealing with public crime disorder (as opposed to private crime in the case of family violence). Still, there is some ambiguity in the way in which officers understood the meaning of these categories, particularly Breach of Peace. Some officers flatly denied that such a charge could be used in a 'domestic' situation. Others claimed that they would use the powers of arrest invested in this provision—which basically relied on the subjective interpretation of the officer at the event—even if the 'breach of peace' happened in the 'suspect's own living room' (personal communication). There were instances where officers lured the perpetrator outside the front door into the common corridor before effecting arrest under the BOP charge. One Station Inspector stated that from his experience this particular tactic was an effective way of dealing with cases where control of the situation was difficult, when victims failed to substantiate allegations of violence, or 'when you feel like teaching him a lesson' (field notes). However, the use of these categories was mainly reserved for recalcitrants and those who openly challenged police authority.

Suspects brought to the station under these offences were charged the following day so as to avoid the paperwork involved if the accused was to have been offered bail. The investigation officers usually take over the course of prosecuting the case. Exit from the police system is achieved when the 'breach' is dealt with at the courts. This is the only exit point that does not involve the victim's statement—verbal or written—to substantiate allegations of assault. There is evidence of 'collective thinking' here, from the patrolmen to the investigation officers, for no attempts are made at any of the distinct stages to define what constituted a 'breach'. The narrative of a sergeant which indicated the *laissez faire* manner in which a 'breach of peace' was applied in an instance, is most intriguing:

> We were summoned to a case of family violence one night at about 8.30 pm. A neighbour had called in. I was riding with my corporal, aged 24. He is relatively fresh, having passed out from the Academy nine months ago. He has prior patrol experience with another division. When we arrived at the address, the door to the flat was wide open. There were loud exchanges between the couple, and I realised later that they were married to each other. On seeing us, the husband, probably in his fifties, became very annoyed and told us to leave. He kept stressing that

> he did not call the police and called his wife to tell us to leave. The wife did as told. We responded by telling him to keep the peace in an effort to calm the whole situation. The man became even angrier and stated in Chinese, 'What do you know about family problems, you're so young yourself! How can you solve my problems? Yes, I got whack my wife but my wife did not complain, [so] how come you want to be involved? None of your business. This is my house. If you don't go I am going to call the police.' Clearly, it was difficult handling him or the situation as the man did not give any space for us to intervene. We left the residence and went down to the car park. We sat in the patrol car and I know I was not happy at all. We went up again to the unit and asked the man to open the door. He did. We asked him to step outside to answer a few 'routine' questions. As he came out, we handcuffed him for being a public nuisance and for disobeying police orders…

In cases where officers have established control of the immediate situation, their next task is to uncover the details of the incident and 'construct' a case so as to deem it relevant or irrelevant for further police intervention. It primarily involves the questioning of both the victim and the suspect, and other adults, usually in-laws or parents, if they had been present during the alleged assault. The main objective of every patrolman is to determine the nature of the *potential* offence as seizable or non-seizable so that he can initiate arrest. There are four main provisions under which the patrolmen can classify a 'dispute': Voluntarily Causing Hurt, Voluntarily Causing Grievous Hurt, Breach of Peace and Criminal Intimidation. Characteristically, if there had been assault, or evidence of violence, the patrolmen would establish the nature and extent of the injuries/damage inflicted and/or how they were inflicted. As might be expected, officers did not define 'violent' situations in exactly the same way. Neither did the officers adhere to a uniform or standardised set of criteria to determine an offence. Some officers clearly 'would want to see a lot of blood, victim being unconscious or victim suffering a few broken bones here and there' before *contemplating* arresting the suspect. Other officers tended to focus on the circumstances of the attack. For example, several officers noted that for a charge of Voluntarily Causing Grievous Hurt to be used, someone else and not the victim should have called the police 'for the victim would be too sick to do that sort of thing'. Some officers placed a high value on whether children had been harmed during the attack and in two cases which appeared in the course of my fieldwork, officers charged the suspect for grievously hurting his wife (Section 325) although the lesser category of Voluntarily Causing Hurt (Section 323) would have

been more appropriate. In the words of the arresting officer, 'it was to teach the fellow not to touch his children'.

Although police decisions of *arrest* and *non-arrest* are largely congruent with the findings of situational theorists (see, for example, Berk & Loseke 1980; Choi 1989; Bell 1984; Smith & Klein 1984; Worden & Pollitz 1984)—as discussed in Chapter Two those combinations of variables (legal and extra-legal) act to influence a particular course of police action—the data gathered through participant-observation is able to uncover the *meanings* that patrolmen attached to these variables. As much as these meanings are constructed and sustained by police occupational culture, they are equally responsive to 'triggering' factors encountered within the political, social and legal contexts in which they exist, thus explaining the (seemingly) equivocal police response to domestic violence situations. With reference to the few episodes mentioned in the preceding paragraph, the issue of children, for example, being an influence in arrest decisions was more salient when it came to Chinese families.

> Author: Why were children so important to you for you to arrest because I heard you saying to your colleague that it was clearly 323.
>
> PO: Yes, but I cannot 'tahan' [tolerate] when he beats up his children just because he is angry. Okay, you're whacking your wife, it's your business, but don't touch your children.
>
> Author: Is this an important consideration in domestic cases?
>
> PO: Yes, but no also. It depends on the situation. I must make a judgment whether the family is good or not... Sometimes the fight is once in a while and they are quite good actually. Just now the family, I consider quite good: you can see how the wife takes care of the children... the house is very neat... got food at home... Ah, this kind of family I will bring back the husband and warn him not to be funny because it sends a strong message to keep his family in order. But you know what really made me arrest him and to keep him a few hours at the station?... His fucking arrogance! Just because he is educated doesn't mean that he doesn't need to respect policemen. But you know, there are some families where the parents don't give a fuck about the family or their children... This kind of family I don't really care what they do to themselves simply because it is no use talking or helping these people.

Yet some officers, because they perceived some families 'to be in order', preferred to use a non-legal, problem-solving approach. In such instances, officers spent 20–30 minutes 'reasoning' with the abusers, emphasising that they should keep the family together and warning the abuser

to 'love his wife and children' (field notes). The distinction made by officers between 'hopeless families' and 'hopeful families' draws differential response from them. However, the relationship between these categories and police response is not always linear in that 'hopeful' families always elicited a non-legal response while problem families drew a legal intervention (does not necessarily mean arrest), or vice versa. As the above illustration showed, the *eventual* (could be rehearsed or 'situation-specific') police response depended on the context in which police officers operated.

Examining the context in which police intervention occurs (in a way that generates so few arrests) requires an understanding as well as an explanation of the levels of *interaction*—everyday policing encounters—to that of *structures*, i.e. building blocks in which everyday policing is situated. In other words, although police officers exhibit frustrations at having to deal with domestic violence cases and offer resistance to incorporating them into the ranks of 'real crimes', the low arrest rate arising from domestic violence cases could not simply be attributed to the organised (cultural) resistance displayed by officers on the ground. Instead, the fact that the majority of family violence cases are classified as 'non-seizable' is a direct consequence of officers merely satisfying the requirements of the law—that most cases did indeed fall, legally, into the non-seizable category for which the police cannot arrest without a warrant. In terms of the operational policing of domestic violence, the fulfilment of this legal requirement and, thus, classification would explain why in most cases police intervention takes a routinised form. Typically, this involves advising the victim to make a police report at the nearest police post or division in order to file a magistrate complaint and then leaving the scene for the next job. In a few cases, officers left the scene without even questioning the suspect, as interviews with officers revealed that 'there is no point talking to the suspects as it is now all up to the victim to make a police report because without a police report, no investigation can begin' (field notes). It must be emphasised that the processing of a 'domestic violence incident' by institutionalised policing hinges on the issue of whether the victim wishes to substantiate the allegation of assault by making a formal police report. A negative answer would result in the exit of the case at any stage, even if the victim had lodged a formal complaint with the investigation officer at a police division. Some of the officers whom I interviewed stated that the perennial problem of victims declining to press charges against their

abuser husbands could be due to the 'cultural constraints of an Asian society' (personal communication). As one officer remarked to me:

> I think the problem should be more evident and rampant in Asian societies because Asian women are expected culturally to take the beatings from their husbands... In fact some of my colleagues say that their wives actually do not really mind... I mean they will be angry but will soon forget about it because it is their husbands after all. Our culture... our Asian culture plays a part, too, because in our culture women are taught not to wash their dirty linen in public... If she does that it only speaks badly of her...

What happens in these instances is that the victim is asked whether or not she wishes to press charges. In most cases, this was not what the victim indicated and the case was, therefore, either dropped immediately or is 'no-crimed' at a later date after the victim had 'withdrawn the charges'. The author's own perspective on this (as a participant observer) is that this effect comes about because of the manner in which officers, especially patrolmen, marshal the institutionalised categories at their disposal. Of particular importance here, as mentioned earlier, are the categories set up as polarities: 'victim' and 'suspect'; 'innocent' and 'guilty'; 'no-crime' and 'crime'. These terms are, perhaps, familiar to most people, but they perform a special function in the semantic network of policemen. Within the confines of operational response and subsequent processing, and for an incident of domestic violence to be called a 'crime', there must be both a 'suspect' and a 'victim'. However, if the person with injuries in a domestic incident does not wish to step into the labelled box of a 'victim', and from it point an accusing finger at the 'suspect' by initiating a police report, it is difficult for officers to process the incident as a 'criminal' one. To the officers, this amounted to a case of the 'victim failing to substantiate an allegation', an analytical as well as an operational category which functions as a hinge between the polarities of 'victim' and 'suspect', 'guilty' and 'innocent', and 'no-crime' and 'crime', before the case is admitted into or evicted from the police system.

Many officers on and off the beat also commented on the tendency of victims to withdraw charges at the 'final hour', which in the words of an investigation officer, 'leaves a very bad feeling' about these kind of cases generally. In fact, data suggest that even with the Amendments to the Women's Charter, which effectively criminalises the violation of a Personal Protection Order as a seizable offence and thus empowers the police to arrest, officers are less than keen:

PO: All these changes don't really make a difference because in the past we need a victim to make a police report. Once made, we investigate and if there is a case, we put our IPs [investigation papers] for prosecution. But it is always a difficult thing to do because most of the time, the wife will change her mind and want to withdraw. This causes problems because even if we go ahead, the courts will be sympathetic to the victim's pleas to keep her family together, especially if she shows evidence that her husband has changed. Straight away you know that you must withdraw your case.

Author: What about in cases where there is a violation of PPOs? I understand that it is now a seizable offence.

PO: This situation is not as simple as what many people out there think.

Author: What about them?

PO: All these people think that they can change everything by changing the law. They think that more people are going to be charged for assault because we've made breaking the PPOs a seizable offence. They don't seem to understand how people on the ground work.

Author: What's the difficulty? What's the problem?

PO: Can't you see, although the violation of PPOs is a seizable offence, we simply cannot arrest the suspect just because the victim says so. We must still verify if there is a violation or not. To do that, we must still verify if there is assault or not. You see, we must still establish if there was assault *before* taking the PPO issue [emphasis added]. So, it's square one, isn't it?

Author: Then when do you arrest?

PO: If she can substantiate the violence, if she has a PPO and if she wants him arrested, then I'll arrest. But you see, truly I am telling you, we policemen are the real victims because one or two days later, she will come to the station to withdraw the complaint. Ninety to hundred percent, women are like that... they want us for the time being only. I never took my sergeants seriously whenever they had stories to tell, but now I believe because I have been a victim of many women's conspiracies.

Officers' understanding of the law juxtaposes with the system of institutionalised operational categories of 'victim' and 'suspect', 'guilty' and 'innocent', and 'crime' and 'no-crime', which the police use to process incidents of domestic violence. Interestingly, the use of these operational categories has a moral coating to it. Policing a domestic incident involves the protracted scrutiny of the venue both as a *legal* and as a *social* space—that in addition to fulfilling legal requirements, a moral assessment of the situation and the disputants are considered in operational decision-making. Thus, among other variables,

the disputants' disposition, their occupations, the appearance of the home, the neatness of the children, whether there is dinner at home, and the 'moral' standing of the victim and the suspect are important in influencing a particular course of action. When I asked an officer how important these considerations were to the operational policing of domestic violence, his response was strikingly representative of his peers' views:

> PO: Well, yes... to an extent whether a crime is disclosed or not is important. But a domestic situation is not so straightforward. We, as policemen, cannot take sides. We must investigate not only the crime but also the moral part of the problem.
>
> Author: What do you mean?
>
> PO: Simple, I believe that in a family violence case, policemen must also investigate the moral conduct of the woman. If she's loose, been a lousy mother and wife, never stays at home, wants to enjoy only, can you really blame the husband for the violence? I am asking you who is the victim here?... and who's the offender?
>
> Author: How would you know when you attend to this type of case?
>
> PO: Quite easy, one look at her and the house, we'll know what kind of woman she is. If she's wearing a mini skirt, smoking and been drinking a lot, always cannot be bothered about the family, that's it; we'll know what to do.
>
> Author: Do what?
>
> PO: As much as warning the husband not to repeat the violence, we'll advise her to behave like a woman and to take care of the family before calling us... maybe no problems already!

Police officers facilitated by wide-ranging discretionary powers and by implication, making (moral) judgments, mediate the final outcome of a 'marital incident', at times subverting an intended original response. Below are two such narratives of the officers.

Case 1

> We reached the scene at about 12.30am. As was the case with most incidents, the woman was screaming at the top of her voice. The man was angrily staring at her and was standing near the balcony. He did not say a word to us or to her. We tried to talk to her to calm down, stressing that the noise was disturbing the neighbours and that there were two calls already to the police about them. She did not listen to them and started to abuse the husband in vulgar language, accusing him of calling

> the police so as to embarrass her. In a moment of anger, the husband walked to her, and covered her mouth with his palms to stop her from talking. I intervened and warned him not to touch the wife in the presence of the police for it was clearly a criminal offence. She asked the police to arrest him immediately. The husband ran into the room and showed photographs of her purportedly having an affair with another man. I then told her that I have to bring her back to the station to have her statement recorded because 'she had abused the officers in vulgar language'. I had to do this to teach the lady a lesson.

Case 2

> It was about 8 in the evening on a Sunday. We attended to a family fight reported by the couple's elder son. Before reaching the scene, we kind of 'thought through' the process of intervention. We decided to give them a warning and leave, as there were many cases on standby that night which needed back-ups. When we reached there, the husband was making a lot of noise, throwing all the pots and pans into the rubbish chute because the wife did not volunteer to heat up the food for him, and was completely oblivious to our presence. The rest of family members were too afraid to come to the kitchen. We told him to back off and restrain himself. But the man said, 'You get lost...nobody wants you here. You cannot arrest me, this is non-seizable...You think I don't know the law?...For your information, I am a retired policeman.' When he did not heed our advice to stop being violent, we then arrested him under 'criminal intimidation with a weapon' and took the knife which was lying in the kitchen sink as 'evidence'. He protested violently. And one of my officers then said to him, 'I am sorry, *Encik* ['Mister' in Malay], I think all these years in the police force didn't teach you anything.' We then headed to the division with him.

Police Culture Revisited

Police officers attending to calls for assistance in domestic violence situations process these cases through a fairly rigidly defined set of institutionalised legal categories to effect a response of criminalisation and arrest. For instance, it is clearly documented how important the victims' decisions of 'substantiating allegations' and providing recorded statements are to the operational policing of domestic violence, especially in terms of legally retaining a particular case within the police system. The fact that so few cases of domestic violence cases result in arrest is a consequence of officers satisfying the structural requirements of the law, for most cases did fall into the definition of a non-seizable crime. However, this is not to negate the influence of *culture* in the production

of an institutional practice—the 'canteen' resistance to policing domestic violence by rank-and-file officers is clearly a function of that—but rather to set cultural influence within a socio-structural and legal context. By this, I mean that any facilitation of an organised institutional response must be seen as a product of the *relationship* between *culture* and *structure* with the policeman mediating its final outcome. By doing so, not only an appreciation of the context in which an arrest occurs or does not occur could be made but also of the police use of 'alternative' categories to process cases of domestic violence. By alternative categories, I refer to the authoritative intervention, advice and referral roles (Sheptycki 1993) of the police which typically do not involve the formal categories of criminalisation aimed at arresting the suspect. When anything less than arrest is taken to be a representation of a systematic bias in the application of police power and prerogative (Berk & Loseke 1980: 321), appreciating the political, social and legal contexts would help to rethink the problem of policing domestic violence in Singapore in two significant aspects: the first deals with the issue of culture in the production of an institutional practice as part of the reconceptualised understanding of police culture, while the second outlines the 'institutionalisation' of 'alternative' categories in the policing of marital violence in Singapore.

Whither Police Culture?

As mentioned in the preceding paragraph, the field of policing domestic violence in Singapore clearly dictates a non-arrest outcome for most cases of domestic violence, fundamentally because of how existing legal definitions and classifications of assault cases are framed into seizable and non-seizable offences. As the data indicate, the bulk of cases do fall into the definition of a non-seizable crime of domestic violence for which the police cannot arrest. If structural-legal condition is the reason why so many cases of domestic violence do not result in arrest, what is the value of considering (police) culture (habitus) in the theoretical debate for it has no *real* influence on the police's decisions of non-arrest?

As illustrated in Chapter Three, the role of police subculture in the theoretical equation explaining police behaviour has been historically documented by the now-voluminous literature on the police. The core referents of 'police subculture' are clear enough: its sense of mission;

the desire for action and excitement; an us/them division of the social world with its in-group isolation and solidarity on the one hand, and racist components on the other; its authoritarian conservatism; and its suspicion and cynicism, especially towards the law and legal procedures (Reiner 1992). In common with general sociological definitions of culture, police culture refers to what Manning calls the 'accepted practices, rules and principles of conduct that are situationally applied and generalised rationales and beliefs' (Manning 1989: 360) (see Chapter Three). As Waddington argues, cultural expression, more than 'representing a *de facto* operationalisation of a much broader theoretical construct... *is* a theoretical necessity: for "canteen culture" becomes the explanation of police action' (Waddington 1999a: 288). Reiner (1992: 107) reinforces this view:

> An understanding of how police officers see the social world and their role in it—'cop culture'—is crucial to an analysis of what they do and their broad political function.

Talk and action, as Waddington (1999a: 288) puts it, are related in either of two ways: on the one hand, 'police culture' might be conceived narrowly as attitudinal variables that seek to explain police behaviour. Alternatively, 'police culture' might be conceptualised as a hypothetical construct that lends coherence and continuity to the broad spectrum of police thought and practice. Either way, the concept seeks to bridge what officers say and do privately (usually in the privacy of the police car or the station) with what they do elsewhere (most notably in encounters with members of the public). In this respect, the notion of culture has much conceptual value in explaining police action; but a major problem with building this form of conceptual bridge linking 'talk' (habitus) and 'action' (institutional practice) is the absence of a historical-structural (field) content/component to it. In other words, an almost exclusive focus on culture and action, without an analysis of the structural conditions in which they are so located and take shape according to 'encounters' in the field, is to assume that culture—as a construct and expression—is free-standing. The contribution of the reconceptualised understanding of police subculture is that it treats culture and structure in a *relationship*. The two are interactive and relational. As noted in Chapter Three, a particular advantage of this reconstructed theoretical framework is that it is able to accommodate and account for a wide range of police response to cases of domestic violence and yet, at the same time, be able to retain the *uniqueness* of

each policing encounter. Additionally, through the narratives of officers, one is able to appreciate how the rank-and-file police facilitated by wide-ranging discretionary powers—signifying agency—'mediate' the final outcome of a marital violence incident based on the interaction between cultural influence and structural conditions of policing.

'Crime' Situation (Section 325 Voluntarily Causing Grievous Hurt) but Did Not Involve Arrest

> Chinese female victim was badly hurt. Her jaw was broken and bleeding from torn skin in her leg due to caning with a rattan. There were cane marks on her thighs and chest as well. She was almost unconscious. Husband admitted to beating her up. He was crying and showed taped conversations of his wife [a housewife] with her taxi-driver lover. He gathered that they were having a sexual relationship and decided to confront her. Wife admitted and wanted a divorce. Apparently she told him that she was hoping that she would be found out soon so that she can seek a divorce early. That drove him to beat her up. Our reaction to the incident was that he should 'not lose his temper but try to win back the wife'. We would have easily arrested him under Section 325 (VCGH) but decided to use our discretion because of the moral standing of the woman.

'Crime' Situation—Involved Arrest

> This is the definitive, ideal model. Chinese female was found unconscious and was bleeding from the mouth. Children were crying and we established that they, too, had been abused by their father. We found the upper thighs of the teenage daughter badly bruised. When we found the man too drunk to establish the circumstances of the attack, officers arrested him. He was later charged with Voluntarily Causing Grievous Hurt.

'Crime' Situation—Arrest but Not under Legal Category of Hurt

> An Indian man was found drunk and abusive. He had hit his wife with a beer glass when she told him that he had enough drinks for the day. He had hit his wife using his fist and she was also stripped and made to stand outside their matrimonial home clad only in her sarong. We contacted the neighbour and got a towel for the woman to cover herself. One of my colleagues who is an Indian himself tried to negotiate with the man in Tamil to open the door but to no avail. The man was extremely abusive towards the officer and accused the Indian officer of trying to 'get fresh' with his wife because he was an Indian person. About 20 minutes later, more officers from another team joined in and then finally the man opened the door. Immediately, the officers arrested him and brought him to the station. He was charged with criminal intimidation with an offensive weapon.

'No-crime' Situation—Arrest Involved

> Chinese male had hit his wife with a pair of tongs for failing to heat up the food when he wanted to have dinner. When we reached the scene, the door was wide open and the woman was lying on the sofa. She was frail-looking and appeared very weak. On questioning, the wife did not want to talk and would not substantiate allegations of hurt. The man was in the kitchen and said that he has every right to discipline his wife if she fails to be a good wife. At this moment, the wife told us that it was her mistake not to have heated up the food when he came back home but one thing she could not 'take it' was when he would bring his mistress to the house to spend the night with. When the man, a retired officer himself, told us that it was a non-seizable offence, one of the officers who was very upset with the man's handling of the affair arrested him for causing a breach of public peace, for which we need not rely on victim's testimony. Later, while in the patrol car, we told the man, 'I know this is 323, you know this is 323 that I cannot arrest you for hurt but you know why I arrested you…because I always believe what the Chinese say…not to mix up the wife's love with a mistress' lust. I just wanted you to spend a few hours in the station and think for yourself whether you have done the right thing or not…One more time you try to be funny with your wife, I promise you, you won't get this treatment'.

'No-crime' Situation—Did Not Involve Arrest

This is another model equation. Data indicate that a majority of domestic violence cases falls into this category. Typically, such situations involved, in the definition of the police, 'simple hurt which may include anything from a slap in the face to a kick in the stomach'. Although a 'no-crime, no-arrest' situation might appear rather straightforward in comprehending police decisions of non-arrest, it remains potentially volatile as the particular episode could always easily develop into an 'arrestable' one. The fluidity of police action essentially depends on and is determined by the presence of 'triggering' factors encountered in the field of policing (structural context) which may alter an *intended* (culturally influenced) original response. It is here that the role of agency in the production of an institutional practice, based on the interaction between police culture and structural conditions of policing, is evident.

Theoretically, the reconceptualisation of police culture by employing Bourdieu's distinction between 'habitus' (culture) and 'field' (structure) emphasises that culture is not free-standing. Although culture is a principal guide to action, conveyed metaphorically through police 'canteen' stories, myths and anecdotes, the eventual institutional response must be seen as a product of the relationship between cultural influence

and structural conditions. For example, the widespread sexism found among police officers, which is often assumed to be an expression of their peculiarly 'macho' subculture (Martin 1979; Brown & Campbell 1991), is now documented as the product of patriarchal beliefs embedded in the wider culture emanating from unequal structural relationships between men and women in society (Hanmer et al 1989). This might seem more than an eventful discovery for it has important implications on how police culture comes to be conceptualised, as discussed in Chapter Three. A few points are worth restating here. First, it resolves the problem of the traditionally constructed conceptual link between 'talk' and 'action' by doing away with the homogenous, all-powerful, monolithic and deterministic conception of police culture as dictating institutional practice: 'talk' (subculture) is but one *source* of police 'action'. Second, it subscribes to a conception of an active social agent by recognising the interpretive and active role of patrolmen in structuring their understanding of organisational demands, the legality of the situation and the outcome they ought to produce in *any* domestic violence situation, thus exemplifying the highly volatile, situational and contextual aspects of police work. In other words, the patrolman is the final arbiter or mediator of the cultural and structural influences—that of occupation, organisation and the broader social, political and legal contexts in which the police role is located. While the culture is powerful, it is nevertheless up to the individual patrolmen to accommodate or resist its influence. Fielding (1988: 135) succinctly captured this:

> One cannot read the recruit as a cipher for the occupational culture. The occupational culture has to make its pitch for support, just as the agencies of the formal organisation exert their influence through control of resources. The stock stories of the occupational culture may be effective as a means of ordering perception which maximises desirable outcomes. If they contradict the recruit's gathering experience they are likely to be dismissed.

Third, by depicting institutional practice as a product of the relationship between culture and structure, it allows scope for reforming police culture (habitus), but only if it is to be accompanied by changes in the structural conditions of policing (field)—a theme highlighted in Chapter Five.

Institutionalising 'Alternative' Categories: Authoritative Intervention, Referral and Advice Roles of the Police

The operational policing of marital violence in Singapore has an extended dimension and meaning, in that it has incorporated and institutionalised the referral and advice roles of the police in such situations as legitimate operational categories. When anything less than arrest and diversion from the criminalisation process are interpreted by observers as perfunctory intervention by police (Buzawa & Buzawa 1993), the Singapore experience suggests otherwise. There are a number of factors accounting for the establishment of the extended operational framework to deal with family violence at this point. First, full criminalisation of domestic violence incidents is, indeed, difficult and rare because of the problematic nature of the application of the seizable and non-seizable clause. As the data indicate, most cases do not *satisfy* the requisites of a seizable offence and, hence, arrest. The referral and advice roles of the police are thus developed to absorb cases diverted from the criminalisation process. Second, even if a case is criminalised—followed by the arrest and charging of the suspect—it is extremely difficult for the police organisation to legally retain the case within the police system for the purpose of prosecution because of the uncertainty over its status. Most officers whom the author interviewed were reluctant to apply the full force of the law because of the 'victim's tendency to withdraw charges or failure to substantiate allegations of assault at the last minute' (field notes). This led to officers discharging 'problematic' cases—sometimes it involved throwing out the baby with the bathwater—from the police system (by this I mean the criminalisation process) at the very first instance by referring them to the Family Service Centres. Third, the peace-keeping service role of the police is preferred to criminalisation because of the futility of appropriating 'guilt' and the label of an 'offender' to a family member who is *known* to the victim. Many officers remarked that criminalisation is neither an appropriate nor an effective method of dealing with wife-abusers because 'it leads to the break-up of the family and may only increase the hatred between the husband and wife' (field notes). In fact, a majority of officers mentioned that social service agencies, instead of the police, should attend to cases of domestic violence, to effect reconciliation and integration of the family. Reinforcing this view are the results drawn from a National Survey of the Singapore population which revealed

that a good majority of respondents (45%) 'wanted the police to ask the couple to solve the problem themselves' (Choi & Edleson 1995: 243–58). Moreover, from the perspective of the police occupational ideology, policing domestic violence does not fit into the ranks of policing 'real crimes'. Fourth, and related to the third, the officers' view on the potential threat that criminalisation poses to the family institution is a reflection of the Singapore State's discourse on the moral limits of police intervention in family violence cases. Outlining the police role in safeguarding the family as a 'cornerstone of Singapore society', the Home Affairs Minister (Parliamentary Debates, Vol 65: 116) argues:

> We should not hastily or mindlessly apply the *full intrusive and coercive force of the law* when this may not be the best course of action in the *interest of the family*. (Emphasis added.)

Given the political and social context of policing domestic violence in Singapore, it is not surprising that the use of 'alternative' categories to emphasise the referral and advice roles of the police is preferred to criminalisation. Chapter Three examined in greater detail the political and social context—the field of policing—and its consequences for the policing of domestic violence in Singapore. In the next section, I will document the operational aspects of the use of the 'alternative' categories for cases classified as 'non-seizable', the procedural part of which has been charted in the previous chapter.

Referral and Advice Roles of the Police

These two roles of the police are frequently conflated. The use of these categories became increasingly formalised after the implementation of the Family Violence Referral System where the police established a network system with Voluntary Welfare Organisations (VWOs) islandwide since 1996 to refer victims of family violence to any of the State-funded Family Service Centres (FSC). However, this should not be seen as anything other than an addendum to the formal processing of calls. Fieldwork experience suggests that referral means informing the victim of a non-seizable crime of services available to her, such as at the FSC and shelter homes. Advice is often given to the victim at the time she is being referred. It is most often associated with informing her to make a police report at the nearest police station or Neighbourhood Police Post (NPP). She is also given a copy of the medical examination form (NP 306) to seek medical assistance, and is advised on the existence and use

of protection orders (PO). The latter is available through either filing for a civil suit at the Magistrate Court if the victim intends to seek redress against her perpetrator, or the Family Court, which remains the only source for granting POs to victims of family violence in Singapore.

As I mentioned earlier, one of the greatest ironies of policing domestic violence in Singapore lies in the disjunction between the *classification* of a domestic violence incident as 'urgent' and the 'routine' *response* police officers stage when it comes to operational intervention. This disjunction caused much discomfort to the policemen on the ground, as one officer said:

> I do not know why this type of crime is categorised as urgent cases because we know that from our experience most cases of family violence are indeed non-seizable and therefore it makes no difference. Whether you go to the scene in 3 minutes or 30 minutes you cannot do much. You are still there to perform a very *routine* response, give her the NP 301, NP 306, ask her to report to the police station, which they will never do, and then we fuck off from there. It's a waste of valuable response time and a complete waste of resources. (Emphasis added.)

Data indicate that most cases of domestic violence do not involve referral to an FSC or the shelter homes. This is because most calls for assistance are lodged through the emergency '999' call and victims rarely make a formal complaint afterwards against the perpetrator, which is an important requirement for the police before the victims can be linked up with a FSC. Hence, this becomes a major exit point of domestic violence cases from the police system as police officers advising victims to make police reports on their own initiative effectively postpone any action they might otherwise take. These cases are either classified by attending officers as 'police assistance discharged' or 'no offence disclosed'.

However, in cases where patrol officers 'sense' that there could be repeated violence or feel 'that something is not going to be right' (personal communication), the victims are brought to the station by the officers themselves to make a police report. Alternatively, patrol officers could radio the Operations Room to request an Investigator's attendance at the scene even if the case has been classified as 'non-seizable'. According to a patrol officer, 'this is one way to cover yourself if things look pretty unpredictable and dangerous' (field notes).

In cases where the victims directly lodge a report (NP 299) at the NPP or police division, the investigation officer on duty—apart from

recording the brief facts of the case—advises the victims to seek medical attention. This means that police investigations into the alleged violence can only be supported (and facilitated) if victims produce the medical examination report. To many investigation officers, 'this is the surest way to ensure that victims are serious about making a case against the perpetrator' (personal communication), and any delay in seeking medical attention or hesitance on the part of the victims will lead to the exit of the case from the system. Once a case has been formally deemed as 'beyond reasonable doubt' by the IO—a term borrowed from the legal doctrine—and admitted into the police system proper, it undergoes the scrutiny of the Head of Investigations (HI) who sits in the morning panel with his team of Chief Investigation Officers (CIOs). The morning panel is an important 'operational' and symbolic' site where the fates of all cases are sealed, and where 'deserving' cases are further distinguished from 'undeserving' ones, requiring intervention from the social service. Whether a domestic violence case deserves to be referred to an FSC through the NPP network depends on a wide range of variables, including the number of times the victim has called the police, past incidents, the suspect's demeanor towards the police, the likelihood of re-victimisation, the victim's 'moral' standing which is usually measured in terms of her occupation, demeanor towards the police, and any violation of expected gender roles, i.e. failing to be a good wife and mother, the victim's contribution to the violence and the presence of children. All these are considered and then classified as 'KIV' (keep in view) or 'referred for further police attention'. 'KIV' cases are 'cold-stored' and may effectively signal an exit from the police system, while the deserving ones are forwarded to the NPP nearest to the victim's residence.

Procedurally, under the referral system, the IO of the Land Division forwards the Family Violence Referral Form to the Deputy Officer-in-Charge (DOC) of the NPP who then makes contact with the victim. The DOC is also required to forward a copy of the form and the police report to the appropriate Voluntary Welfare Organisation (VWO). The social worker from the VWO is required to submit the Intervention Report 1 to the DOC within one month after the initial counselling session, and Intervention Report 11 at the end of the final counselling session with the victim or not later than six months from the date the case is referred to the VWO. The DOC and the social worker are to discuss and agree on the recommendation and follow-

up action before advising the HI whether to close the case (exit the case from the system) or to take up a summons against the offender. The eventual discretion to prosecute the offender rests with Head of Investigations of the division.

The fieldwork experience suggests that the whole referral system hinges on the question of the 'victim's willingness to seek further assistance from the VWO' (Standard Operational Procedure For Management of Family Violence) even if such cases have been 'deemed worthy of police attention by the HI' previously (personal communication). During the period of research, only three victims referred by the research site had sought and accepted the counselling services of the FSC. Interviews with a senior officer at Headquarters revealed that this pattern—that only a small minority of family violence victims eventually seek any form of official help—is representative of other Land Divisions. One policeman remarked that the trend is just a confirmation of the officers' perception of women's indecisiveness:

> I am not at all surprised that so few women come forward to get any help from the family service agency. Sometimes, I cannot understand women: they complain, they cry, make a lot of noise that police is not helping and when we finally come up with the arrangement, they say they don't want to take action against their husbands. You see, a lot of paperwork is involved and a lot of liaison work needs to be done. HI says refer, we refer to the DOC but this must depend on the victims' willingness to be referred to the NPP. Sometimes, victims need help and want to be referred to the NPP but then when it comes to counselling sessions, they say that they don't want help anymore. Just imagine our frustration.

Although data indicate that only a few women have sought assistance from FSCs, there is evidence to suggest that this could be due to the DOCs employing 'delay tactics' in order to avoid the additional paper work that comes with the referral system. As one officer stated:

> Sometimes, I know that women are weak and feel very insecure. I think they are like that by nature. When their husbands hammer them, they want other men to comfort them. When the police tell them that they can talk to a social worker, they readily agree but then later pull back when all the paperwork is ready. Now after being a victim myself of women's fickleness, I decided that I wait for about 10 days before contacting her to see if she wants to see the counsellor or not. True enough most women would say no... They cannot live without men.

Another officer stated how calling the victims at home could be a 'dangerous' affair:

> There was this case from division. I took the file and waited for about six days before contacting the victim to see whether she wants help or not. You know, we have the system where we can attach the victims for counselling sessions. When I call her and ask for her, I think I caused another domestic violence at her house because the man who answered the phone was her husband and he got so angry with another man calling the wife. I explain to him that I am a police officer from the _____NPP but he accused me of trying to tackle his wife when he was not at home...You see he happened to be on MC [medical leave] that day...He even threatened to beat me up and report to my commander about me tackling the wife. You see this kind of fucking case, you get fucked for no reason. You think next time I want to call? No way!

Not surprisingly, the field data suggest that no case was ever reported back to the HI as warranted by the Referral System, and cases referred to the various NPPs 'for further action' effectively signalled yet another exit point from the police system.

Authoritative Intervention

There is yet another police use of an 'alternative' category which has been termed as 'authoritative intervention' (Sheptycki 1993). By this it is meant that police officers intervene in a situation to put an immediate halt to the violence—and to exit the call almost immediately afterwards. This is an important aspect of the police role in these situations, and its role as custodian of the State's ultimate monopoly of legitimate coercion (Waddington 1999b: 31) means that the police have, and still represent the only organised response to domestic violence which has the potential to stage an authoritative intervention. It could be argued that this is central to the police response and, as such, it might be artificial and arbitrary to separate it from the operational processing of domestic violence cases which has been outlined earlier. While it is no doubt true that this is a formal part of 'within-the-job' (Chatterton 1978: 49) and that the 'peace-keeping' role of the police is a long-established one in police history and research (Reiner 1985), it does make sense to maintain the distinction. By doing so, 'authoritative intervention' is seen as a precursor to, and in most cases instead of, a more involved and organised response by the criminal justice system proper aimed at criminalisation.

Documentation of the use of this 'alternative category', although not officially sanctioned by the police organisation nor officially accounted for in police records of any form, is an everyday practice among patrolmen. The difficulty in tracing the frequency of the employment of

this alternative category is exacerbated by police classification of such instances as 'NOD/PAR'—hitherto an official category facilitating the exit of such cases from the police system. 'Authoritative intervention', apart from putting a stop to the violence and restoring order, calls for advice, counselling and warning. The following excerpt is characteristic of this type of intervention:

> It was Deepavali eve. The husband/father/assailant had gotten drunk after having a 'heavy' session in the coffeeshop in the neighbourhood. He started physically abusing his wife for not allowing him to drink at home with his friends. When the officers arrived, the wife was asked if she wanted him arrested since she was the one who had called the police. Her reply was that 'the children will miss him because it is New Year the next day and that he always has been a good father to them . . . the reason why I called you all is to frighten him'. The officers then decided to call him aside and warned him by saying, 'We don't want to come here again, we don't want any more calls. If you think you're drunk go and sleep and don't disturb your family . . . unless you want to celebrate Deepavali in the police cell'. The case was then classified as 'NOD'.

An interesting development, which surfaced from the data, is that the victims who had themselves sought an immediate intervention to prevent an escalation of violence preferred this type of intervention but without compromising the position of their husbands in the family. In the words of a policeman, 'the victims want the cake and eat it, too'. Echoing the views of his peers, an investigator with about 20 years of patrol service stated:

> Most victims of family violence do not want their husbands arrested. I can say husbands because in 90% of domestic violence cases, husbands are the offenders. From my experience, they call us because they want our presence; they want our uniforms . . . because they want us to stop the assault. They want everything, you see, they want the police to threaten their husbands and, at the same time, they want their husbands around, too. I don't blame them for calling us because no one except us has the power to do so. They can call the social workers but you think the social workers can handle violent cases? No way! Because even the most 'garang' [violent] man will drop his balls when they see us. But again, they must also understand our position because we are called upon to attend but when we attend, the woman will say that she only wants us to scare him, sometimes they want us to counsel their husbands and to talk to their husbands. I bet you 90% of cases are like that. I don't mind doing but we got so many cases . . . conservatively a case can take up about 20–30 minutes . . . Worse still at end of the day no case, no recognition from bosses! You see, then becomes very difficult to explain to my younger colleagues . . .

Interventions typifying the authoritative function of the police were recounted to the author by officers many times during the period of research. Certainly, this form of intervention is quite far removed from the operational processing which would gain 'results'—meaning to be organisationally relevant—in a way recognised by superiors. This might explain why many officers have categorised responding to domestic violence cases as a 'lose-lose' situation, something not worth responding to:

> At end of the day, we policemen are the real victims. You get nothing by helping the victims because they just want to make use of you, you get nothing from your boss for taking the wrong action, and then you get nothing for yourself for not achieving anything as a policeman...

Regardless, it is obvious that these authoritative interventions, while built on the police officer's legitimate use of coercive force, are not interventions calculated to produce 'results'; rather, they operate to facilitate an exit from the police system. The use of the 'alternative' categories—referral, advice and authoritative intervention—in situations of marital violence creates a 'paradox' in the processing of these kinds of cases as it seems to 'relocate' the victim back to the same position she was in when she made her initial call to the police (Sheptcki 1993). This 'paradox' is part of the police response to marital violence which is quite systematic and institutionalised, as officers simply tend to advise victims to seek medical assistance and court orders while routinely classifying such cases as 'No Offence Disclosed' (NOD) or 'Police Assistance Required' (PAR). Even where the victims sought protection orders and qualified themselves as 'deserving, serious victims', the problem for policing comes to be centred on the definition of the situation—to ascertain if there was a breach of the order, for which the police may arrest. More often than not, defining a 'breach' is as problematic as the operational response to domestic violence. In the final analysis, the policing of marital violence in Singapore has an extended dimension and meaning, in that it has incorporated and institutionalised the use of 'alternative' categories as a legitimate operational response. The 'alternative' categories of advice, referral and authoritative intervention therefore operate as formal constituents in the lexicon of policing. However, because their application at times subverted, intentionally or otherwise, the enforcement of the categories available for criminalisation, they warranted a separate analysis. The evocation of the 'alternative' categories offers opportunities to ease 'incidents' out of the system in the event that the victim is unwilling, unable or discouraged from substantiating the allegation of assault.

CHAPTER SEVEN

BETWEEN THE DEVIL AND THE DEEP-BLUE SEA: VICTIMS' EXPERIENCES OF POLICING IN MARITAL VIOLENCE

This chapter shifts the focus to female victims of intimate violence. It explores the views of victims of marital violence in terms of their relationship with the criminal justice system, particularly the police. It also seeks to contextualise how such relationships take place within the boundaries set by the authoritarian, paternalistic and patriarchal Singapore State. It examines the neglected questions of why victims of marital violence call the police, and the context in which victims make choices to involve the police. How do victims perceive the utility of police intervention in such instances? What is the real and perceived impact of police intervention on these victims? What are the social and economic consequences for the victims and offenders *following* criminalisation? What other options (criminal or non-criminal) are available to victims of domestic violence?

In exploring these issues, the author draws upon fieldwork carried out between May and December 2003 with several social work agencies and family service centres (FSCs) which are organisationally linked to a police division. Data for the research were gathered from conducting in-depth interviews with female victims of domestic violence at the three but 'interconnected' field sites: the police division proper, social work agencies/victim shelters, and FSCs. It is interconnected because the three sites are organisationally linked with one another and it was usually the police who referred reported cases and victims who had sought formal help from either the social work agencies or FSCs. The reason victims were interviewed at the latter two sites was to capture the perspectives of victims who had directly sought the assistance of social workers and volunteers at the FSCs without being processed through and referred by the police.

During the period of research, a total of 26 of the 35 victims whose cases were dealt by the social work agencies/FSCs were interviewed. The selection of the victims was non-random and they were included in the sample solely on the basis of their willingness to participate in

the study, considering how sensitive this issue is to many of the victims. In situations where the victims were reluctant to talk to a male interviewer (author), the assistance of a female interviewer was sought, although only a minority of victims actually requested one. All the victims interviewed were drawn from combinations of categories as follows: victims who had never called the police but were seeking some kind of assistance and counselling from the social work agencies/FSCs; victims who had been referred by the police to the social work agencies/FSCs within their jurisdiction; victims who had had some kind of prior experience and contact with the police and this category also comprised individuals who fell 'outside' the police jurisdiction under study; and victims who had reported a case of violence to the police but had not since come into contact with the police in the three months prior to when the interviews were conducted. All the victims were asked questions about their experiences of, and the police response to, their victimisation in the context of their expectations of the police when they made that decision to involve the police. In addition to gathering data from the victims, an insight into the perspectives of social workers and volunteers with FSCs was also sought as they were empowered institutionally, following the implementation of the Domestic Violence Project in 1995, to act as 'official gatekeepers' of cases that entered the criminal justice system.

Despite the apparent 'progress' made in the legislative and organisational arena with regard to making the police more 'responsive' and 'interventionist' in cases of domestic violence more generally, evidence from the research indicates that many victims of marital violence—the majority of whom were women—do not seek formal intervention from the police since criminal sanctions are unlikely to help to end the violence. The data thus call into question the value of pro-arrest policies to victims instituted by the Singapore police, which require prosecution decisions to be based on evidential considerations alone. These policies are based, as Hoyle & Sanders (2000) argued on the basis of the British experience, on assumptions about the interests of victims and the best ways to protect them. Data from the research also indicated that policies which seemingly give effect to 'victim choice', on the other hand, are also problematic as they ignore the socio-cultural, economic and legal circumstances which shape and inform constructions of victim preferences. Neither of these positions takes victims' interest into account. Nor do they stem from an understanding of the socio-structural context in which victims experience violence, and continue to experience it, long after a police intervention.

This is because, fundamentally, assumptions made by police reformers and feminist advocates about victims' experiences with the police have been derived from an essentially problematic premise—that domestic assaults should be treated the same as non-domestic ones. What has been obscured in the analysis is the recognition that while the two types of assault are legally identical, they are sociologically distinct. Not only is the aetiology of domestic assault different to that of other violent crimes but the *response* of, and *consequences* to, victims of domestic violence are often also very different.

Conceptualising Victims' Relationship with the Police: The Victims' Choice and Pro-arrest Models

Victim-choice Model

The 'victim choice' model, as conceived by Hoyle & Sanders (2000), is a useful paradigm to conceptualising victim-police relationships as it dictates the majority of outcomes of police intervention in marital violence cases in Singapore. As stated in the previous chapters, the legal categories for the operational policing of marital violence are drawn from provisions available in the generic category of 'hurt' under Chapter 224 of the Singapore Penal Code. Typically, a 'marital violence incident' is classified as either Voluntarily Causing Hurt (VCH) or Voluntarily Causing Grievous Hurt (VCGH) under Section 323 and Section 325, respectively.

Data from this study, as well as previous research (Narayanan 2000, 2002) examining police response to situations of marital violence in Singapore, indicated that the bulk of all marital violence cases did not result in the arrest of the perpetrator at the scene because these cases could not justify the very stringent definition of Voluntarily Causing Grievous Hurt. For example, as noted in Chapters Three and Six, for a case of violence to be defined as 'Grievous Hurt' that will allow the responding police to arrest without a warrant, the victim has to either suffer 'a permanent privation of sight' or 'destruction of the powers of any member or joint', among others (Singapore Penal Code 1985: 102).

In terms of the operational policing of domestic violence, the failure of such cases to fulfill the legal requirement to effect an arrest without warrant under Voluntarily Causing Grievous Hurt would explain why a majority, if not all, of marital violence cases are classified under the lesser offence of 'Voluntarily Causing Hurt', for which the responding police cannot initiate arrest of the perpetrator. As a consequence,

operational response to marital violence takes on a routinised form (see Chapter Six). This would explain the predominance of the victim-choice model in conceptualising the majority of victims' relationships with the police where the victim must display an initiative throughout the criminal justice process to prosecute the abuser in court. In fact, as witnessed in the operational response to marital violence, the whole processing of a marital violence incident as accomplished by institutionalised policing hinges on the issue of whether the victim *wishes* to substantiate the allegation of assault by making a formal police report. A negative answer would result in the immediate exit of the case at any stage even if the victim had earlier lodged a formal complaint with the police. A few victims interviewed agreed that calling the police was of no use to them as the police cannot do much to help. As one victim said:

> There have been so many times the police had come to my house. They don't even speak to my husband and find out about what had happened. Instead they tend to ask me why I have called the police and what do I want from them as though I am the criminal. Even when I tell them that my husband had beaten me up, they said that they cannot do much because they have no powers to do so. So they tell me to make a police report at the NPP [Neighbourhood Police Post], and then go to the hospital and make a private summon against my husband.

The institutionalisation of a victim-choice approach could be problematic on several different grounds. First, it allows individual victims to decide what may be best for them without considering the impact of non-prosecution on perpetrators and victims of marital violence in general. Second, the idea that the police should act on women's choices also presupposes that women could achieve the 'right' decision without accurate information, support and advice. It assumes that the social and structural context in which victims of violence inhabit is conducive to making 'free choice' and that they are able to express their wishes uncoerced—both structurally and interpersonally. Third, the victim-choice approach also exposes women to the manipulation of others—perpetrators, police officers and family members—who might have an in interest in the criminal justice process not being invoked (Buzawa & Buzawa 1990). As Edwards (1989) noted in her research the police, in particular, had used a victim-choice approach as a cloak to cover up their own disinclination to treat domestic violence in the way they treat other crimes.

Pro-arrest Policies

The pro-arrest perspective is conceptualised as occupying a position that stands in contrast to the victim-choice model, being located at the other end of the continuum of police response. A major irony in the case of marital violence, as far as the Singapore experience is concerned, is that a victim tends to lose her choice the moment she exercises it (by seeking a Protection Order for instance) as the 'system' assumes control of the criminal justice process henceforth with little regard for the victim's needs. Nevertheless, as reported in Chapter Two, the shift from discretionary to pro-arrest policies is perceived, among others, to have four key advantages. First, pro-arrest laws would provide more clarity in terms of the police's role in *criminalising* domestic violence (Stanko 1992) as it would signify the moral unacceptability of male violence against women (Edwards 1989; Stark 1993). Second, the onus of responsibility to initiate arrest decisions is to be transferred from the victims to the police officers on the scene (Beul 1988). Third, it would lead to a more equitable law enforcement system by eliminating discriminatory and exogenous factors (such as race and social class) in determining police intervention. Finally, criminalisation would enable the State to 'intervene, usually by prosecuting, in order to exact retribution, produce specific deterrence and perhaps, treat the offender, thereby reducing further offending in a more constructive manner' (Dobash & Dobash et al 1996).

In Singapore, elements of a pro-arrest policy are embodied in the Amendments made to the Women's Charter (Chapter 353), which came into effect on 1 May 1997 (see Chapter Five). The Amendments, among others, included a new section to provide protection for family members where a breach of the conditions of any of the Protection Orders is now a *seizable* offence for which the responding policemen can arrest the perpetrator without an arrest warrant even if the particular incident does not meet the stringent criteria of Voluntarily Causing Grievous Hurt. The function of the amendment, as far as this aspect is concerned, is: (a) to delimit the discretionary powers of the police by directing them to make mandatory arrest whenever there is a violation of a PO by the person against whom the PO had been issued; and (b) transfer the responsibility of initiating criminal proceedings against the offender from the victim to the police regardless of victim-choice.

This is not simply a pro-arrest policy but a *pro-charge* policy as well, since charges against the suspect are filed immediately upon arrest. An officer remarked:

> I think the amendments are effective as the policy clearly states that the police must arrest the offender whatever the situation is. It not only offers a solution to the problem of police officers *chiam* [a Chinese dialect to describe evasive actions on the part of officers] their way through but it also puts a stop to women's fickleness about wanting their husbands arrested and the next minute withdrawing their complaints which can leave a very bad feeling at the end. With this policy, no one can withdraw or is allowed to withdraw once the charges are filed.

This policy reflects the assumption that arrest and prosecution are desirable outcomes for victims and, therefore, the goal of police intervention. The 'Guidelines for Patrol Officers', issued to all front-line officers following the Amendments to the Women's Charter, stated:

> Police must arrest the perpetrator when it is established that physical violence was inflicted on the victim even though the victim may request that Police do not arrest the perpetrator... Police, not the victim, should decide whether to effect the arrest or not.

While the police aim—to reduce further violence—is appropriate, the method advocated to achieve that aim is not necessarily so. It is based on the problematic assumption of the deterrent effect of arrest in cases of marital violence and that the (temporary) removal of the offender from the scene would satisfy issues of long-term safety and security of the victim. Yet, the empirical data revealed that arrest was still a rare occurrence despite the implementation of the pro-arrest policy as the latter failed to take into account the socio-structural context of victim experiences. A victim who had taken a PO related her encounter with the police:

> ... Yes, I admit that I took the decision to take up the PPO, a close colleague helped me go through the process and apply for one. I just wanted to use it for my own protection without getting my husband into trouble with the law. One day, he came home drunk and was itching for a fight; I can sense it. So what I did was to call the police and tell them the situation was threatening. About 10 minutes later, the police came, asked me whether I have a PPO against him, I said 'Yes', then immediately, they arrested him without saying a word to him. He was charged and produced in court the following day—so I cannot possibly do anything about it—and there goes everything. I lost everything: my husband, my family, my three children's education, relatives' respect, my flat which I jointly owned with him and many more. That decision by the police to take my husband in just destroyed me—forever.

In other words, the non-arrest outcome in a majority of marital violence cases is a consequence of victims' rational decisions—socially constructed by structural and interpersonal features of these women's lives—in not wanting their partners arrested even if they had earlier taken a PO against their perpetrators. This apparent 'non-cooperation' on the part of the victims has a legitimate basis as the social costs of having their partners arrested outweigh, or are thought to outweigh, the perceptible benefits criminalisation might bring about (Walker & McNicol 1994). Also, decisions to invoke criminal proceedings (or not) are not formed in the abstract—they are rationally exercised in the context of women experiencing male violence where the controlling behaviours of men are endemic to these women's lives.

Despite this recognition, the pro-arrest approach assumes a perspective that victims of domestic violence have little agency, and that the police and policy-makers know what is best for them. As Hoyle & Sanders (2000) suggested, based on their British experience, it seemed presumptuous that policy-makers or even feminist advocates who have been successful in having pro-arrest policies instituted could easily determine what is best for, or in the interests of, a diverse group of battered women. It is as much a conceit as the theory of deterrence in this area, which assumes that both violent men and victims of violence are a homogenous group with identical and identifiable needs. It is this 'diversity' issue that the following section addresses.

Experiencing Violence and Involving the Criminal Justice System: A Victim's Perspective

There is persuasive evidence, based on the empirical data gathered, to suggest that women who experienced intimate violence did so in the context of coercive relationships where they were systematically subjected to what Hoyle & Sanders (2000) describe as 'controlling behaviours'. These controlling behaviours of their partners ranged from brutal violence to the subtly psychological and emotional, although the latter often preceded physical violence and almost invariably continued even when the perpetrator had started to engage in physical abuse (Dutton 1995). Psychological control, in fact, is a more severe and long-term form of abuse than physical control (Easteal 2003). As one woman stated:

> At first he was such a nice guy, the best guy in fact. Things changed about a year after my marriage. No, till today he hasn't hit me, not

> even once... I mean he has pushed me and shoved me a few times but I take the blame for that because usually I am the cause of it. In terms of physical violence, not much but I must tell you that he has me in his palm and controls me. He tells me what to do—what I should wear, how I should talk, how much I should talk, not too much or too less, how long I should be on the phone with my sister and mother—the only two people I speak to on a daily basis, what to eat... you know what, the list is endless and surprisingly how little I think about it... silly me!

Controlling behaviours were found to be present in all of the relationships observed in this study. Women were not asked directly about the controlling behaviours of their partners but a majority of them did speak, at some length, about how they subjected them to control and manipulation. Some women spoke of how they were 'trapped' in their very homes:

> I feel real lousy at times... cannot be the person I would like to be. In the morning his mother controls me, tells me what I should be doing and when he comes back in the night, he repeats what his mother has been doing day long—deny me the space I want... I mean why... why do they have to do that... I am also a human being, a person with feelings and likings... I mean, I want to have a life for myself and for my son who is two years old now... (30-year-old victim).

Victims' Encounters with the Police

Of the 26 women we interviewed, only six said they had called the police themselves. This meant that a large majority of cases of marital violence have been reported to the police by individuals other than the victims, usually their neighbours. Data from the police confirmed this trend of reporting which, however, tended to pose problems for police intervention as the officers have to negotiate with the members of the household or with the disputants themselves to gain entry to their residence. This, indeed, is a difficult task to accomplish as household members easily and without any legal ramifications refuse entry to the responding officers by denying any incidence of violence. Confronted with the lack of 'evidence' to substantiate allegations of violence, police officers are motivated to classify these cases as 'No Offence Disclosed' (NOD), an operational category that facilitates the exit of these cases from the total police system (see Chapter Six). As a victim recollected her experience:

> One evening, my husband as usual beat the hell out of me. I couldn't even open my left eye... I remember it was my left... as it was badly bruised. My neighbour, I think so, it must be him but the police will not

> confirm it anyway, had called the police. When the police came, they asked me and my husband who called the police. We both said that no one did—that is the truth. Then the police asked if there is a case of domestic violence. Again, my husband said 'no' and straight away looked at me. The police also looked at me for an answer. I have to say no... what else could I have said? They left after leaving a few forms for us to fill... I will not be here talking to you if I said yes then... I would have been killed by now!

As reported in previous chapters, many officers were quite candid about the use of the NOD category as they felt that they were not in any position to help the victims of marital violence. The disproportionate use of the NOD category would thus explain:

- why marital violence remains one of the most unrecorded (and possibly unreported) of crimes in police statistics. This is compounded by the absence of any specific domestic violence legislation by which the qualitative details of such cases could be captured and processed by the police system. As indicated earlier, all cases of marital violence are 'hidden' within the generic category of 'hurt'.
- the prevalence and utility of the 'Victim Choice Model' in conceptualising the majority of outcomes in marital violence cases.
- why the majority of victims of marital violence found the police intervention unhelpful, inconsequential and irrelevant.

Both categories of victims—the ones who had called the police themselves and the ones who had encountered the police by 'default'—expressed disappointment with the police response, pointing to the limits of its intervention:

> The police just simply will not and cannot do much... these young fellows have a standard response, 'Madam I cannot do this, I cannot do that... this is a family problem'... I find this very strange because you're the police and you're telling us this. I don't want my husband arrested but I wanted the police to talk to him and to tell him to behave... This is the third time the police have come to my house and every time, they do nothing but to give me the forms to take to the police station and hospital.
>
> ...
>
> They say that in domestic violence, the law cannot move in. They tell me that I must act for myself by going to the police, and court and also the hospital. They say that I must then apply for protection order from the court... I have to do everything myself without any police help or even from the lawyers. Imagine I have to go to the police post to make a report against my husband, and then pay about $80 dollars [about US$30] out

> of my pocket to see the doctor, then take off from my work . . . I work as a part-time dishwasher at the neighbourhhood coffeeshop to go to the family court—I don't even know where it is, see the magistrate and get a protection order and then come back to the police to show them . . . Wah! All these things I have to do myself and without any help . . . worse I have to do all these things without letting my husband know . . . I really don't know what to do . . .

A few victims, however, felt that having the police appear at their 'doorstep' was a sign of assurance and, in the words of a victim, 'that there are people out there who care and who give us a listening ear'. They stated that the police presence did have some deterrent effect as their abusers tended to 'behave', albeit temporarily, after a police intervention. As a victim recollected her experience:

> He never once thought that I will acknowledge that he has beaten me up when the police asked me directly in front of him. I could see the shock but also the anger in his face. It took some time for him to adjust to what I did that day and he did not talk to me for almost two months! But not for long, as he went back to his old ways after that. This time I must tell you this, he whacked me challenging me to call the police . . . he said that he too has taken a protection order against me saying that I am mad. I really don't know whether he has one but what I know is that he hasn't changed a bit.

Police officers, although not legally empowered to effect arrest except in cases of grievous hurt, are useful in terms of providing some basic information to the victims as to where they can access help:

> The last time the police came to my house was about three months ago and they know our place quite well because my husband is just a pain to everyone in the neighbourhood. Every time they come, they tell me that they cannot do anything about it. Usually they will advise me to get a protection order from the courts and I really don't want to go to that extent. But this team came the other day and told me that they could help me link up with the social workers if I don't want to prosecute my husband. It was useful as I could confide in them about my problems. One of the social workers even came to my house to talk to my husband. I was so surprised that my husband actually listened to her and he put his best behaviour that day . . . Such a bastard!

Of the 26 women who were willing to be interviewed, all except two did not want their perpetrator-husbands to be *formally* arrested even when presented with an opportunity to do so. One of the two victims who had wanted her husband arrested *and* prosecuted was successful

in her demands as she had a protection order taken against him. Her decision to have her husband arrested was also motivated by the fact that by him incurring a conviction record, she would stand a greater chance of gaining custody of her two children. The other victim who (although unsuccessfully) wanted to have her husband arrested offered retributive rationale:

> I had enough of him, that's it, I wanted him to pay for all those shit things he has been doing to me. I have the PO and demanded that the police arrest him. But they won't… they didn't like the way I talked to them.

It is clear that most of the victims, regardless of whether they had taken a PO, did not want their husbands arrested and formally processed through the criminal justice system. To many women, getting the police involved and having their husbands prosecuted was the 'last thing on their minds' (personal communication with a social worker) although a few women stated that they would have preferred the police to remove their husbands from their homes 'for a while'. For many, this unwillingness to involve the police was the result of controlling behaviours:

> The police several times had encouraged me to take up a PO against my husband but I never dared. I mean, what will happen to me and my children if my husband finds out that I have been to the police and worse, to the family court to complain about him. He will kill us. In fact, he has threatened to throw my children from the 8th floor if I try to leave him.

> It is all my fate that I marry this demon; you will be surprised that it was a love marriage and not an arranged one. Where can I go, the police said that they will help me but I must get the PO first; but how? I don't even have a single cent to take the bus; he controls all the money, where I go, who I talk to, who I see, I can't even talk to my neighbours and I don't have my family either—they disowned me when I refused to marry their choice bridegroom… Simply, he treats me like his slave. It is my fate that I will die in his hands and there is nothing I can do about it… it is my fate…

It is also apparent that a few victims who had taken a PO refused to use it to effect arrest and/or prosecution. There are two main reasons why prosecution may not be pursued by these women. One is that having taken a PO against the perpetrator had achieved the changes which the victim sought in the perpetrator, although in many cases only the physical abuse had ceased. The PO could also serve to place the abuser 'in check', as a victim recounted her experience:

> I mean, he is just too rational; the beatings stopped the day I got the PO. He never raised a finger again. And, of course, the police stop coming to this damn house anymore. Now, he does all other things that will get me upset emotionally and at times spiritually too. He knows that on Fridays I will fast and have only vegetarian food at home and he will purposely get himself drunk, buy pork or beef home and force us to eat and will emotionally blackmail us if we don't and late that night will force me to have sex with him...he is just an animal when he behaves that way. But he is rational; he knows how to get back at me. Anyway, he is an educated man and very knowledgeable about things...he is a lecturer in the polytechnic!

The other reason is that the costs of prosecution outweigh, or are thought to outweigh, its benefits and this is an important step towards understanding why a majority of victims choose to remain in violent relationships. Sometimes, they feared that prosecution would not solve the problem or that it would lead to more retaliatory violence, while at other times they felt that the primary violence was a lesser evil than that which prosecution might precipitate. In fact, many victims spoke of how they felt torn between their desire to escape the violence and their fear of being isolated in the wider world. This is particularly so in cases where the victims had severed their ties with their family as a result of their partner's rudeness and aggression towards them.

> My family stopped calling me for some years now. We meet at the temple occasionally, at times in other relatives' social functions but they have not been to my place for so many years. They can't stand my husband. He challenged my father, my brothers, my brother-in-law—in fact, he accused me of sleeping with them—for a fight and that was the last time anybody came to my house. I really pity my children because they are at times so lonely and I have no support from them. For one, my family is just so fed up that I didn't do anything about the violence...but do what? They want me to stay as a family at all costs and yet complain that I am not doing anything about the abuse...But do what?...How?

Many victims stated that pressures from the family and wider community had prevented them from seeking any kind of criminal justice sanctions or even informal support from the social work agencies. To many victims as well as their families, the police have no role in the affairs of the family—any intervention from the police was seen as a disgrace not only to the family in question, but to their entire ethnic community:

> There was once the police was called in...I believe it could be my neighbour. The police came and left the scene but soon after the police

> left, my parents heard about it and came to my house and apologised to my husband. They said that this action [police intervention] has caused embarrassment to him and to his manhood. They chided me in front of him and make me promise in front of the family altar that I will never disgrace the family and bring dishonour to the family.

Similarly, one of the policemen I interviewed echoed the sentiments of his community:

> We Chinese believe that the moment 'others' interfere in the family and tell people what to do, the man no longer exists... He has lost face in the family, community and society... it will never be the same again. It is better for him to die than to live like that. That's why we Chinese rarely call the police and I can understand why as a Chinese myself.

There also seems to be a cultural acceptance and normalisation of violence—although socially constructed—as a constituent in the everyday lives of 'Asians'. Many victims, interestingly from all the main ethnic groups of Chinese, Indians and Malays in Singapore, viewed the violence they experienced as 'part and parcel' of married life, while others pointed to the need for 'toleration and acceptance' as a 'mature way of handling conflicts' that arose from married life (field notes):

> Every time I call my family to confide in them about the abuse, they tell me that it is really okay to be beaten at times. My father supports him and says that men must release their work stress and that, as a dutiful wife, I must understand and manage the situation. My mother says that she was beaten, too, and prides in the fact that she has stayed in the marriage for the last 37 years and had raised seven children. My father said that he will kill himself if I entertain the idea of divorcing my husband. He says that he cannot bear to see the family breaking up and to see his daughter as a divorcee... You see, in the Indian community a divorcee is like a social outcast... He says that no one in the family lineage has seen or heard a divorce in the family... that will be a great dishonour. I think I have the responsibility to uphold my family's prestige too.

In documenting women's experiences with the police, the data thus indicated that a large majority of victims never called the police and that, even among women who called the police, fear of separation and fear of being isolated in an unknown world dissuaded many from seeking arrest, and dissuaded many more from seeking prosecution. In the following discussion, it is argued that any attempt at understanding the women's decisions to stay in violent relationships is certainly not a manifestation of—as one officer indicated—women's 'fickleness', but rather the result of women making rationally motivated choices in the

context of their lived experiences; choices that are rationally chosen but circumscribed by social-structural circumstances in which they are manifested.

Discussion

In conceptualising the victims' relationship with the criminal justice system, two extreme sets of responses were witnessed. On one end of the continuum, criminal justice sanctions are strictly contingent upon victim preferences to initiate criminal proceedings against the perpetrator and the entire operational response to domestic violence hinges on the victims' 'willingness' to substantiate an allegation of assault. On the other, the victims' rights, needs and preferences are 'usurped' by the criminal justice system, irrespective of the victim's choice, mainly through the institutionalisation of pro-arrest and pro-charge policies.

Neither of these positions, as the data indicated, takes the victims' interests into account. Nor do they stem from an understanding of the socio-cultural, economic and structural circumstances in which the victims experience violence, and continue to experience it, long after a police intervention. These *structural* impediments, at times operating interdependently of one another, fall into three broad categories—legal, cultural and political—that would explain why the large majority of victims do not or could not involve the criminal justice system when they experience violence.

Legal Factors

The legal classification of marital violence into the seizable and non-seizable clause is an impediment to achieving criminalisation. As the data indicated, *total* criminalisation of domestic violence is, indeed, difficult and rare because most cases do not satisfy the requisites of a seizable offence. Therefore, the police could not arrest the offender even if victims wanted them arrested on probable grounds. This would explain the predominance of the victim-choice model to conceptualising the large majority of the victims' relationship with the police where the police typically perform *routinised* intervention. These cases also tended to be classified as NOD. In this model, the victim must display, constantly and consistently to the satisfaction of the police and judicial officers, an initiative throughout the criminal justice process to prosecute the abuser in court. In other words, a formal record with the police does

not secure a formal police (or judicial) action unless it is accompanied by a willingness on the part of the victim to pursue criminal proceedings. This is a pivotal factor in the gate-keeping process of the justice system, sieving out 'problem' cases from 'credible' ones and, in the process, identifying 'undeserving' victims from 'deserving' ones. The importance of the victim's role remained an integral component in the operational response to marital violence, and any suspicion of a victim's refusal or inability to substantiate allegations of violence resulted in the eviction of such cases from the police system, irrespective of the status of the case.

Many victims do not pursue the criminal option because they lack the necessary information, resources and support to go through the process of applying for the PO. As a victim recounted her problems in gaining a PO:

> I am in my forties now—where can I go, where to go, from whom to ask help . . . all these are very difficult issues to deal with. I have a formal education, I have 'O' levels but dealing with the police, the hospital people, the family court officers, magistrate can be extremely stressful, I mean people in my situations are already very stressed and depressed to begin with. When the court officers ask me so many questions about children, when the first violence took place, to remember in detail all the violent incidents, what my husband did, what I actually wanted, why I need a PO and all those things, I bet you will be lost and wanting to come back home . . . I hope they could make the process simpler. I wish I had someone with me. Just imagine the plight of the less educated . . .

Even victims who have had a PO taken against their abusers use it more as a threat than as a means to achieve criminalisation. The victims' reasons for not invoking the criminal justice process include, but are not limited to, the following: fear of retaliatory violence; fear of being isolated in the community; fear of the consequences for themselves and their children; continued love for their abusers; abusers having been good fathers to their children; financial dependence on the abuser; lacking educational qualifications to find a job in order to support their family; fear of losing the matrimonial home in the event the husband is incarcerated; fear of not being able to find alternative home shelters; parental/familial/community objections to pursuing criminal proceedings against partner; lacking a supportive environment to leave their violent relationships; lacking support from the government; and last but not the least, the social stigma of being a divorcee in Singapore society.

Interviews with social workers revealed that the anxiety expressed by these victims do have a rational basis. For one, an important obstacle victims face to leaving violent relationships is the lack of structures of 'help' that would, firstly, allow victims to consider criminalisation as an option and, secondly, to address their needs in the *aftermath* of criminalisation. As it is, victims have no place to seek shelter if they have chosen to invoke criminal proceedings against their husband. This interview with a senior social worker is most telling of the plight of the victims:

> You see, strangely, for a developed country like Singapore, there are only two Victim Shelters in the whole country and they only operate everyday, nine to five. These shelters are all privately run by volunteers, so we lack the funding of course . . . The government, from time to time, will give us some money but these are hardly enough. Because of the lack of funding, we lack the facilities. Each shelter can only admit up to 30 victims and they cannot stay for more than three months . . . they must go after that . . . where? I really do not know . . . Most of the time, they go back to their violent relationships. Also no boy of 12 years and above can stay with their mothers in the shelters, the mother must make the arrangement to leave their older children elsewhere . . . Still the childcare facilities are pathetic here . . . you can see it for yourself . . . And the victims also cannot apply for a rental flat from the HDB [Housing and Development Board—the agency responsible for public housing schemes] which is really very affordable because they can only apply as a total family with her husband's signature on it. So victims cannot simply pack and go. Still if they have another HDB flat, they do not qualify under the rental scheme. If they proceed with prosecution and if the husband gets imprisoned, the whole family stands to lose their current flat because they cannot afford to pay the monthly dues. Now you tell me what can the victims do?

Thus, if the main purpose of making marital violence a crime is to set a moral standard and to reduce future violence, it might be the case that prosecution, in many instances, is not merely unnecessary but actually counterproductive unless it is matched by structures of help in the immediate post-criminalisation period.

Cultural Factors

As the data indicated, many victims do not call the police or support prosecution for fear of being ostracised by their own families and community. A woman's resilience is often measured by her will to stay in the relationship, however violent that might be. Moral objections to victims attempting to involve the criminal justice system were usually

juxtaposed with the social stigma that such an action might bring to the entire family. Interestingly, the sister of a victim remarked:

> I hope she does not take any drastic action against the violence; if she seeks divorce, that will bring disgrace to my family and that will shut any chance of getting a suitable bridegroom for me... The community will outcast us if she plans to divorce her husband... This is a family and we shouldn't walk out like that.

Similarly, the father of a victim mentioned 'how he wished that his daughter is rather killed by the husband than to live with the stigma of a divorcee'. Many women lack the support network to end their violent relationships and many more have lost their friends and family due to their decision to involve the criminal justice system—which is, as the data suggested, a precursor to ending their relationships. As reported in the National Survey of Singapore conducted by Choi & Edleson (1995), a good 45% of the respondents wanted the police to ask the couple to solve the problem themselves.

As stated in the previous chapters, many of the police officers interviewed also remarked that criminalisation is neither an appropriate nor an effective method to deal with wife-abusers because of its potential to 'break up the family' (personal communication). They believe that social work agencies, instead of the police, should attend to cases of marital violence in order to effect reconciliation and integration of the family. Moreover, from the perspective of the police occupational ideology, policing marital violence does not fit into the ranks of 'real crimes' as the voluminous literature on police response to 'domestic violence' suggest (Reiner 1985; Field & Field 1973; Dobash & Dobash 1979; Stanko 1989; Smith & Klein 1984; Waaland & Keeley 1985; Hanmer 1989; Ferraro 1989) (see also Chapter Two).

Why between the Devil and the Deep-blue Sea?

This chapter began by contextualising the experiences of victims of intimate violence—the majority of whom are women—in terms of their relationship with the criminal justice system, particularly the police. It sought to explore the fundamental, but often neglected, questions of why victims of marital violence called the police, and the context in which they made choices to involve the police. In documenting women's experiences with the police, the data indicated that a large majority of victims never called the police and that, even among women who called the

police, fear of separation dissuaded many women from seeking arrest, and dissuaded many more from seeking prosecution. Many of these women felt 'trapped' between their desire to leave their violent husbands, on the one hand, and the fear of being isolated in an unknown world on the other—thus as the title of this chapter suggests, 'between the devil and the deep-blue sea'. Consequently, the chapter also illustrated that the women's decisions to stay in violent relationships was the result of them making rationally motivated choices in the context of their lived experiences—choices that were rationally chosen but circumscribed by social-structural circumstances in which they manifested. Importantly, data from the research revealed that in the absence of structures of help to facilitate criminalisation and to address the victims' needs in the aftermath of criminalisation, pro-arrest policies or prosecution, for that matter, have little impact on the victims' decision to involve the police. As noted in Chapter Three, it is also compounded by a socio-political environment where the authoritative, paternalistic and patriarchal State impedes processes aimed at empowering women victims. In such a climate, criminalisation as an ideological and legally practical tool to deal with marital violence is not only rendered ineffective but irrelevant to the experiences of women in the Singapore context.

CHAPTER EIGHT

CONCLUSION: RETHINKING THE PROBLEM OF POLICING MARITAL VIOLENCE

The findings presented in this book are not entirely new. They reinforce other similar findings arising from feminist and non-feminist projects, as well as those evident in academic and policy-related research, which conclude that rank-and-file police display an almost systemic and institutionalised avoidance of the use of arrest as an option in cases of marital violence. The central research problem of the book has been primarily developed to investigate police response to situations of marital violence and to make sense of why (and also how) the police respond the way they do in cases involving intimate partners. It is hoped that the end-product of such an investigation will contribute to a sociological explanation for, and appreciation of, the reason why years of police reform have failed to adequately improve the policing of marital violence even in the face of new and innovative programmes introduced by police organisations worldwide.

The book highlighted the two major perspectives—situational and attitudinal (cultural)—which have informed criminologists in their formulation and conceptualisation of the problem of policing marital violence, as being less than adequate. It called for an alternative conceptual framework that would be sensitive to both the cultural and structural aspects of policing marital violence. In this respect, the author sees his contribution to the (still-ongoing) debate over the problem of policing marital violence as one linked to theory building. No practical value or contribution of 'innovative' policing methods can be seen as improving the policing of marital violence unless these changes are accompanied by changes in the cultural assumptions held by rank-and-file officers about their role towards policing marital violence as well as changes initiated in the broader legal, political and social contexts within which the policing role is historically situated. For this reason, an analysis incorporating the influence of the State, which plays such an important role in Singapore, is relevant.

Reconceptualising the problem of policing marital violence necessitated a reworking of the concept of police culture by way of using

Pierre Bourdieu's relational concepts of the 'field' and 'habitus', which illuminate the dynamic nature of the relationship that exists between police culture (habitus) and structural conditions of policing (field) in the production of an institutional practice (police response). Police practice needs to be comprehended in terms of the interaction between specific structural conditions of policing and of available cultural knowledge, which integrates past experience and 'canteen talk' accumulated by police officers.

The theoretical contributions of the reconceptualised understanding of police culture, as discussed in Chapter Three, are many. First, it resolves the problem of the traditionally constructed unilinear link between 'talk' and 'action' by doing away with the homogenous, all-powerful, monolithic and deterministic conception of police subculture: subculture *is* but *one* source of police institutional practice. Second, it recognises and accounts for the existence of multiple ('sub') subcultures in any one police organisation since officers in different organisational positions and doing different tasks operate under different sets of 'field' and 'habitus'. Third, it subscribes to a conception of an active social agent by recognising the interpretive and active role of patrolmen in structuring their understanding of the organisational demands, the legality of the situation and the desired outcome in any given structural context—thus exemplifying the highly volatile, situational and contextual aspects of police work. While police culture provides a 'traditional way of solving problems' or a 'learned solution to problems', it is nevertheless up to individual officers to mediate their experiences at various levels of the police-citizen encounter. Fourth, by depicting police institutional practice as a product of the relationship between culture and structure, it allows scope for reforming police culture (habitus), but only if it is to be accompanied by changes in the structural conditions of policing (field)—a theme raised in Chapter Five. Fifth, the reconceptualised understanding of police subculture integrates the two current perspectives—situational and attitudinal—as well as overcomes their theoretical deficiencies by being able to *explain and meaningfully account for both decisions of arrest and avoidance of arrest.* By understanding police response as a process—fluid and, therefore, responsive to encounters—it avoids the pitfalls of portraying institutional response as a product of a deterministic subculture (attitudinal approach) and/or as a situationally predictable activity (situational approach). Sixth, by linking police culture to the structural conditions of policing, the framework is able to accommodate and integrate, methodologically, the level of analysis (and explanation) at three levels: *individualised* police response

(institutional practice), rank-and-file police as a s*ocial group* (habitus) and *macro-structural* features of the 'field'.

Fundamentally, the contribution of the reconceptualised understanding of police subculture is that it treats culture (habitus) and structural conditions of policing (field) as being in a *relationship*, thus interactive and dynamic. In other words, the analysis requires that cultural influence needs to be set within a socio-structural and legal context. It follows that any particular police response to situations of marital violence must necessarily involve an analysis of both police subculture and how it interacts with the 'structures' of the field, which in the present analysis includes the following: the Singapore State's discourse concerning the criminalisation of marital violence and its relationship to the institutions of marriage and family, of which the role of 'women' in the family is a defining feature; the structural-legal context in which police intervention occurs in situations of marital violence; and the power structures of class, race, gender and sexuality.

Recognising the importance of 'structures' of the field as part of the reconstructed understanding of police subculture is the key to understanding why almost more than half a decade of police reform in Singapore (and about three decades since the advent of feminism and feminist concern over male violence against women in the Western world) has not produced dramatic changes in the police response to marital violence and to the welfare of victims of such violence, the majority of whom are women. Two explanations can be offered for this apparent failure. First, reforms have been primarily targeted at changing the habitus police officers inhabit in respect of marital violence without a corresponding (conscious) change in the field, and second, it is not in the interests of a patriarchal and paternalistic state to effect wide-sweeping structural changes that may contribute to a rewriting of gendered power relations in Singapore society (see Chapter Three). While the State, through the organisation of the police and criminal justice system generally, is prepared to offer protection to women, its priority lies in safeguarding the institution of the family in a way that reflects and normalises women's subordinate status in hetero-patriarchy societies (Hanmer & Stanko 1985). The then Prime Minister Goh Chok Tong (1993: 29) clearly endorsed this view when he remarked that women should expect not to be accorded the same treatment as men in a patriarchal society.

By not according a gendered analysis of marital violence and, therefore, of the gendered social relations within the context of the family, questions of power and the systemic exploitation of women are carefully

skewed in an ideological attempt to construct the home as a safe haven (Stanko 1988). Thus, any attempt on the part of feminist groups and organisations to introduce legislative reforms—as in the case of the Family Violence Bill—that does not accept the State's defined role for the family will be resisted by the State.

Given the desire of the Singapore State to promote the family as a 'building block of society', it should come as no surprise that 'radical' police reform policies (such as the mandatory and presumptive arrest policies) do not even enter the debate on local reforms. This also means that feminists who wish to place family violence on the political agenda have to ensure that the issues discussed and measures suggested do not contradict the State's view on the role of the family in Singapore society. The emphasis on working through consensus—which is a key component of Singapore's political culture—also means that strategies undertaken by feminists have to focus on accord rather than conflict. This is particularly telling given the authoritative nature of the Singapore State and its successful use of co-optative strategies to neutralise opposing voices (Chua 1995). For example, the activities of pressure groups, interest groups and non-governmental organisations, all of which speak for some constituency, are restricted by the Societies Act which states that such organisations may issue neither statements which do not represent the interests of their defined constituencies nor statements defined by the State as political. These may range from commenting on government policies to criticising methods of governance. Indeed, the government has clearly indicated that political commentary may legitimately be made only by those who have explicitly joined a political forum, either through their membership of a political party or through a mandate given by the government, for example, through State-sanctioned Feedback Units. Therefore, in the context of policing marital violence, only certain individuals or groups with State-sanctioned access may speak legitimately about family violence and for its victims. This is a strategy of co-optation by the State because once they are given recognition, 'dissenting voices are likely to be more moderate and to respond to the centre of the political spectrum' (Chua 1995: 176).

For the feminists in Singapore, the dangers of ideological appropriation by the dominant political discourse are evident. By accepting the boundaries of the dominant discourse, feminists' ideas about the 'family' and 'women's' location within the family are congruent with the State's conception of the patriarchal family. Feminists are asked to do something constructive for women in Singapore, instead of concerning

themselves with issues of gender inequalities. Abdullah Tarmugi, the then Acting Minister for Community Development, urged the Singapore Council of Women's Organisations (SCWO), in anticipation of the 4th Conference on Women at Beijing in 1994, to take the lead in maintaining the family as an institution since it is in danger of 'losing its crucial place and role', instead of 'dwelling on equalities' (1994: 69). Reforms introduced, either at the legislative or executive levels, in this political climate require careful scrutiny. It is possible to envisage partial reform that ostensibly brings benefits to some women but serves only to secure women more firmly under family control (Hanmer et al 1989: 190). Consequently, this may lead feminists to abandon their philosophical views on *empowering* women as a strategy against male violence and choose *protection* against male violence from the State instead.

Choosing protection, however, subjects women to further abuse. Leaving protection to the State—both as motivator and dispenser of that protection—is equally problematic since it may, through the organisation of the police, set boundaries to what constitutes violence. In responding to women who report of violence, the police are involved in a (social) process of defining which attacks are to be criminalised and made arrestable, and which are to be condoned and 'no-crimed'. The categorisation of violence into seizable (Section 325) and non-seizable offences (Section 323), for example, which informs patrolmen to make an immediate arrest or not, is a classic illustration of how the police make a distinction between violence they deem to be justifiable (especially if it involves a wife's infidelity) and those that are not, and thus as requiring police attention. Additionally, we lack a language to describe or expose police inaction in certain forms of violent episodes as 'lacking' or 'discriminatory' because most of these cases of marital violence do generally conform to the legal classification of a non-seizable offence for which the police cannot arrest without a warrant, thus leading to the decriminalisation of violence in these episodes.

A consequence of this process of defining and categorising violence is the separation of victims into those 'deserving' and 'undeserving' of police attention. As a result, the police do not offer unconditional protection to *all* victims against *all* forms of violence; rather, any protection they offer is conditional upon the victims meeting police notions of 'deservedness' and the circumstances of the attack meeting their definition of 'crime' (Hanmer et al 1989: 6). These categories of 'deserving' and 'undeserving' victims are reinforced by the policemen's understanding of class, race and sexuality. For example, the data

suggested that the police tend to be more sympathetic to Indian women than Chinese women because of the 'strong will of Indian women to stay in the relationships as good mothers and wives despite the whacking they get from their husbands who can be really violent because of their drinking habit' (personal communication). In any case, the State must be seen to accord protection, however minimal and tokenistic, to 'deserving' victims, for example, in the form of offering to clean up 'excess' violence because failure to do so might, in the long run, threaten the preservation of the hetero-patriarchal family. In this way, policing marital violence is also about policing the family as an institution and policing gendered social relations contained within it. It is through policing violence in order to achieve a degree of *general order* that the social divisions of class, race, gender and sexuality—*stratified order*—are reproduced in society (Reiner 1985; Marenin 1983).

This is clearly evident in terms of the operational response to cases of marital violence. The operational policing of domestic violence in Singapore has an extended meaning and role. It incorporates, legitimises and institutionalises 'alternative' categories of referral and advice as appropriate operational categories. This has been motivated partly by the need to divert cases from the criminalisation process and partly by the need to relocate the offender and victim, who have been referred to social workers for 'counselling' through the referral system, back into the family. Both these factors are meant to keep the family unit intact, which is reflective of the State's discourse on the moral limits of police intervention in cases of spousal violence. On ideological grounds, the home retains its appearance of a safe haven, geographically separate from the danger that lurks in the public domain. The reification of the public and the private, as Hanmer et al (1989: 187) argue, is an ideology that explains and justifies the decriminalisation of marital violence. As the data suggest, even if certain forms of violence are to be criminalised in a 'domestic' situation, officers are likely to resort to enforcing public order offences such as 'Breach of Peace', 'Disorderly Behaviour' and 'Public Nuisance'.

A sociological analysis of policing marital violence exposes the dynamics of gendered social relations in hetero-patriarchal societies. It requires an analysis that essentially situates the police institution in relation to the State, and an analysis of the State itself in the maintenance of gender hierarchy. As much as the book exposes everyday practices of the rank-and-file officers and their response to situations of marital violence, it also locates these responses in their political, social

and legal context. 'Innovative' policing methodologies introduced in the current political climate in the name of reform are questionable as they act only to preserve the existing order. Reform, historically, has been a classic method through which the State dissipates protest and criticism without relinquishing control or threatening its power base. Yet the contribution of the reconceptualised understanding of police subculture is that, by depicting police institutional practice as a product of the relationship between culture and structure, it allows scope for reforming police culture (habitus) if it is to be accompanied by changes in the structural conditions of policing (field). In the context of policing marital violence, this requires a rethinking on the problem of family violence and a rewriting of the official discourse on the limits of police role in 'family' violence. It is to be accompanied by an appreciation of the police as a *social* organisation and policing as essentially a masculine activity in maintaining gendered social relations in a hetero-patriarchal society.

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