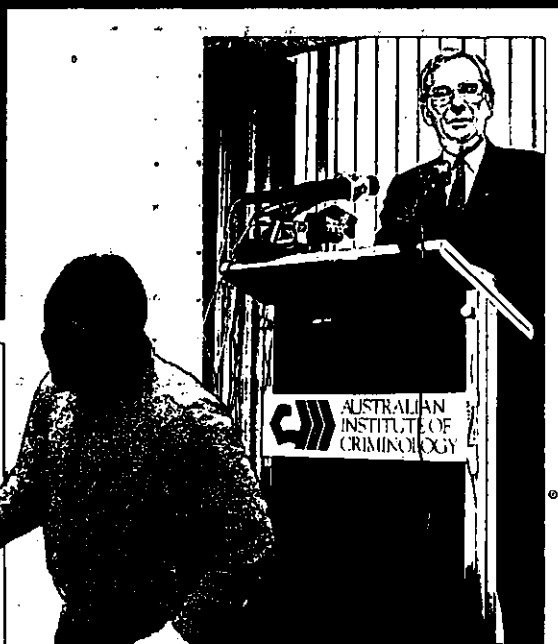


# CRIMINOLOGY AUSTRALIA

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Volume 1 Number 4  
APRIL/MAY 1990

**VIOLENCE:**  
Seven  
articles from  
the National  
Conference  
on Violence

UN Drug Treaty

Indian  
delinquency

Indonesian  
criminology





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**Volume 1 Number 4**  
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*Criminology Australia*  
Australian Institute of Criminology  
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# VIOLENCE

## Governor-General: Change attitudes

His Excellency, The Honourable Bill Hayden, Governor-General of Australia, opened the National Conference on Violence. An edited version of his remarks follows.

**C**an I say how pleased I am to be here with you today to give the opening address at this National Conference on Violence?

I say 'pleased', but of course none of us can take any pleasure in the subject you are here to discuss over the next four days: namely the extent of violence in our society, its causes, its effects, its characteristics among both perpetrators and victims, its response, and the policy options available to treat offenders, protect the victims, and to prevent or control it.

In a world that, one might hope, was becoming much more aware of the consequences and the costs of uninhibited aggression, both economically and in terms of human suffering, I suppose all of us could wish that such a conference were unnecessary.

Yet, as the evidence presented to the National Committee on Violence clearly shows, violence in its many forms continues to manifest itself, to increase with the overall crime rate.

Indeed, with the allocation of more police resources, with changing community attitudes, and an apparent greater willingness to report violence over the past few decades, we are coming to realise that violent behaviour may be more widespread than we might have thought.

In any discussion of violence, of course, it is important not to overstate the position. As most of the literature points out, Australian society as a whole is probably no more violent, and possibly somewhat less so, than it was a hundred years ago.

The homicide rate, a statistic whose definition has remained fairly constant, after falling in the earlier decades of this century, has risen to about the level it was



in 1900. Internationally, it is about average with other OECD countries, lower than the United States, and higher than Britain.

Research by Dr Sat Mukherjee of the Australian Institute of Criminology, indicates that the incidence of violent crime has remained relatively stable in proportion to the overall crime rate over recent years, at about five per cent of all offences.

In fact, Dr Mukherjee's research suggests that property crimes—fraud, motor vehicle theft, breaking and entering, and larceny—outnumber violent crimes by something like forty to one.

What cannot be gainsaid, however, is that we do live with violence. While it is true that violent crime as a proportion of all offences may have remained relatively stable it is also true that since 1974, Dr Mukherjee's research indicates that some categories of violent crime have risen alarmingly.

Certainly the murder rate has remained fairly constant at about 1.8 per 100 000 population, although I note it varies by region, and in the Northern Territory it is five times greater than that of any other jurisdiction in the country. But on a national basis, in the years between 1973 and 1987, the incidence of reported rape increased from 6 to nearly 15 per 100 000 population, more than double.

The robbery rate rose from just under 25 to almost 50 per 100 000 population, again double, and the incidence of serious assault quadrupled, from about 20 to over 80 per 100 000. Clearly, on this basis alone, public concern about violence in society, and not just in the media, would seem to be well-founded.

It is true of course that the situation is rather more complex than these bald figures would suggest. They do require a certain amount of interpretation. After all, if the incidence of violent crime has remained stable in proportion to all offences, how do we explain the rather extraordinary increases in these categories?

A number of reasons have been suggested. First is the fact that over the past few decades, more resources have been given to law enforcement, and the recruitment of more police generally leads to an increase in recorded crime. More police mean more arrests, and one must add, more statistics. Second, there is the difficult business of definitions. I am aware of the subjective judgements involved in distinguishing between serious assault and, say, common assault. I am aware too that in a bar-room brawl, the difference between victim and offender is sometimes a question of who landed the heaviest punch first!

The past few years have seen very significant changes, largely prompted by the women's movement, in the definitions of rape and sexual assault, for example.



Members of the National Committee, Anne O'Byrne and Robert Page, are introduced to His Excellency, the Honourable Bill Hayden by Professor Chappell at the opening of the conference.

There have been some changes in the law, in legal and police procedures, in support programs, and I believe in general community attitudes as to what is acceptable behaviour, so that women may be more likely to report cases of sexual assault than they were in the past. The same may also be true, say, of child abuse, where reporting is now often mandatory, and domestic violence.

**'Change the law, yes, but also change fundamental human attitudes, through education, through lifting public perceptions and raising the level of awareness everywhere.'**

So that, without underestimating the seriousness of these offences, what we may be seeing is an increase in the rate of reported cases of violence rather than an increase in the actual rate itself.

I realise that this is still a very problematic area, but it does seem to me that even if this were so one could argue, on the basis of the trend in the reported statistics, that the level of violence in the community is much higher than previously thought.

But of all the members of society, the most powerless to protect themselves are children, and if it is possible to construct a gradation of disgust toward violence in the community, I should think that the physical, emotional and sexual abuse of children would surely top the list.

Whether the calls for more severe penalties, for the more rigid application of the criminal law that one hears from many

quarters are the correct response, is something that I know will engage many of you during this conference. But if I may venture an opinion, it does seem to me that a reassessment of some of our most basic social and cultural mores is also essential.

Rather than construct human relationships on the hierarchy of power and self interest, on the 'winners and losers' model that is so endemic in our society, I believe that it is essential to assert constantly the necessity for a much more co-operative, equal, compassionate and sharing view of humanity.

Change the law, yes, but also change fundamental human attitudes, through education, through lifting public perceptions and raising the level of awareness everywhere. Reach down to recover and nurture those caring values we all have, but which are too often lost among the acquisitive and the exploitative.

The subject that you are gathered here to discuss involves some of the worst and most vile aspects of human behaviour, but I am not yet ready to concede that humanity is not also capable of better.



His Excellency, the Honourable Bill Hayden

## After a violent robbery...

The Commonwealth Banking Corporation first turned its attention to the psychological effects of hold-ups on staff in 1983 when the number of hold-ups rose from 43 in 1982 to 119 in 1983; an increase of 160 per cent. Research was undertaken by the Bank's Occupational Health Division (OHD) into the effects of hold-ups on staff members. It was found that almost 30 per cent of the staff interviewed experienced post hold-up reactions lasting from a few weeks to several months and the effects were felt on both their home and work life. OHD was already aware that a small minority of staff suffered after-effects for even longer and became severely debilitated by their hold-up experiences.

It was found by this initial research that employees were not getting sufficient help and assistance from existing community resources. The study showed that those who visited their local doctor often received inappropriate treatment. Most general practitioners are not trained in post-traumatic stress reactions and

- (a) tended to prescribe sleeping tablets, anti-anxiety medication or other sedatives
- (b) tended to give automatic extended periods of sick leave, and
- (c) did not provide appropriate counselling or support.

Sedating medication (or alcohol) can actually delay or complicate recovery and extended periods of time away from work are usually detrimental also. What affected staff needed most—counselling—was not being provided and was not readily available from other community resources. As the result of this initial research, the Bank approved the establishment of a Post Hold-up Support Program which encompassed the direct counselling by OHD psychologists of staff who required assistance; education for all staff about hold-ups reactions with special

attention to training for managers and supervisors on how to manage their staff after the hold-up experience; and continued research into the long-term effects. The program has now been in operation over three years and has evolved over that time to meet better the needs of affected employees.

### Aims and objectives

#### Education:

1. To prepare staff psychologically for the experience by educating them about the facts, not the fantasies, of a hold-up and to desensitise them to the impact of the hold-up.
2. To assist them in anticipating and normalising their reactions and those of others to the hold-up.
3. To prepare them for the experience of acting as a witness against a defendant charged with a hold-up.
4. To train supervisors, managers and all those who have contact with affected staff how to assist in the recovery of their staff.

#### Assistance to those affected:

1. To provide immediate and intermediate counselling and other interventions which are aimed at giving staff practical and psychological support to help them recover from the experience.
2. To acquaint them with strategies that they can use to help themselves and their workmates to recover more quickly.
3. To generate a supportive and understanding environment within the branch to facilitate recovery of those affected.
4. To assess those who may develop long-term reactions, to provide on-going individual counselling and/or to liaise with their other treating doctors.

#### Research:

1. To continue to undertake research studies into the factors influencing hold-up reactions and into the most effective treatments.
2. To continue to evaluate the effectiveness of the program.

The trauma of armed robbery can take months to overcome.



\* Senior Psychologist, Commonwealth Banking Corporation.

## Current operating procedures

In NSW over the last several years, the Post Hold-up Support Program has been operating in the following manner. Notification of a hold-up is received from Security Section and initial details are assessed. Depending on the size of the branch and its location, one or more psychologists will depart immediately for the branch. If for some reason (such as geographical distance) the counsellors cannot attend the branch within approximately one hour of notification, alternative arrangements would be made. These could include: having the zone nurse attend the branch immediately, obtaining home phone numbers of staff and contacting them that evening by phone, or speaking to them by phone at the branch before they depart for home. However, it is our firm view that the counsellors should see all staff before they depart from the branch on the day of the hold-up if at all possible.

On arriving at the branch, the psychologists introduce themselves to the manager and are briefed on further details of the hold-up. The procedures are then explained to the manager and accountant and guidance provided on their own support efforts. All staff are seen individually by the counsellor and their condition assessed. They are given appropriate self-help strategies for coping with their initial reaction to assist them in sleeping well, talking through their experience with their family and friends, and perceiving their experience and their reaction to it in an appropriate way. They are advised that further assistance will be available by phone on a 24-hour contact number and that the counsellors will return to the branch the next morning.

On the day after the hold-up, the counsellors come to the branch and usually address the staff as a group before opening. In this session, we try to develop an atmosphere of support and understanding in the branch that will facilitate recovery. We stress that there will be a variety of reactions within the branch and discuss how staff members can assist themselves and their workmates in making a full return to normal functioning.

After the meeting, the needs for alternative duties or other special arrangements for individual staff members are discussed with branch management. Then each staff member is seen again privately to assess their needs for further assistance. Those who have not been able to come to work are contacted at home and assisted as necessary. Any on-going counselling required over the next few days is done either at the branch or at OHD offices as appropriate.

Another visit to the branch is usually made in the week following the hold-up. Again all staff are seen briefly and their needs for further assistance assessed. If

all are coping well, then the manager would be instructed to contact us if any delayed reactions or other difficulties develop. A final visit is usually made one month after the hold-up to ensure that all staff have fully recovered.

The program is designed to be flexible so that each branch is provided with as much assistance as is needed with the least amount of disruption to the branch as is possible.

During 1988 and 1989 the Post Hold-up Support Program has been implemented nationwide. This was done in response to several factors: (1) the increasing number of hold-ups happening outside NSW, (2) the regionalisation of the Bank's operations and administration, and, most importantly, (3) OHD's desire to ensure that regardless of where in Australia a Commonwealth Bank Association CBA employee experienced a hold-up, they received the same quality of care to ensure a quick and complete recovery.

As part of this effort, OHD initially identified appropriately trained local psychologists who could provide branch visits and counselling to staff. Subsequently in each zone, a team of staff were trained and given responsibility for operating as a Post Hold-up Support Team. The composition of the teams varies somewhat depending on available staff resources and local preferences.

Training workshops have been conducted by the Bank's senior psychologist in all capital cities and in each of the Bank's zones. These workshops were attended by zone Personnel Department staff, zone Occupational Health Division nurses and psychologists (or consultant psychologists), Regional Managers and their 2ICs, security personnel and representatives of the union. Each workshop was designed to acquaint the participants with the variety of trauma reactions, with the methods used by the psychologists for dealing with these reactions and with other issues relating to armed hold-ups; to devise operating procedures for each team in each zone (where staff resources and logistical problems may differ somewhat); and to review case studies based on previous hold-ups.

The feedback from these workshops has been extremely favourable and teams in all areas report that they feel much more confident and comfortable in their role than previously. They report that branches visited by the team have commented very positively on the quality of the assistance provided.

The intent of these workshops was not to turn team members into counsellors but, instead, to ensure that all those who had official contact with branches after hold-ups were aware of important issues and aware of how to assist in the recovery of staff. A preliminary review of the

long-term cases of disability stemming from hold-ups in the past indicates that perceived insensitivity or mismanagement by the branch, the personnel department or the organisation as a whole, was the most frequent issue for these affected staff in delaying their recovery. The training of support teams and other personnel will be an on-going responsibility in order to prevent such cases in future.

## Preliminary evaluation

The cost in human suffering to employees exposed to the trauma of armed hold-ups is unmeasurable. However, the costs to the Corporation in other ways can be objectively monitored.

Compensation costs are only one aspect of the costs related to hold-up trauma. If an employee is adversely affected by the hold-up, the cost of any medical treatment or time off work is covered by Workers' Compensation. The amount of sick leave taken for illnesses not directly related to hold-ups is also normally increased in the months after a hold-up. This is due to the well-documented effects that trauma and stress have on the immune system making a person more susceptible to colds, flu and other illnesses. Costs of transfers and the costs of replacing staff who resign after hold-ups must also be considered. The present evaluation covered compensation costs and other sick leave. The other factors mentioned will be assessed in later research.

Our initial attempt to assess the effectiveness of the Post Hold-up Support Program involved a comparison of hold-ups in NSW in 1985 (before the program was in operation) with hold-ups in NSW from July 1987 to October 1988 (when the program was operational in its present form). Individual hold-ups from those periods were assessed and matched as closely as possible on factors such as the type of hold-up, size of branch, number of staff affected, etc. In all, 30 hold-ups from 1985 and 36 hold-ups from 1987-88 were included. A total of 214 staff members affected by these hold-ups were included in the study. See Table 1.

Table 2 shows that the hold-ups could not be matched exactly and that in order to have an equivalent number of officers in each group, more hold-ups from the later period had to be included. However, it is clear that there are more hold-ups of what is usually considered the 'more

Table 1

	1985	1987-88
Total number of hold-ups in study sample	30	36
Total number of officers in study sample	107	107

**Table 2**  
Type of hold-ups in study sample

	1985	1987-88
Attempted hold-up	0	1
Snatch and grab	1	1
Lone bandit—no weapon sighted	7	9
Lone bandit—weapon sighted	10	8
Armed gang hold-up	12	17

traumatic type' (armed gang hold-ups) in the 1987-88 group. If this introduces any bias in the data, it should weigh against a positive result for the program rather than for it.

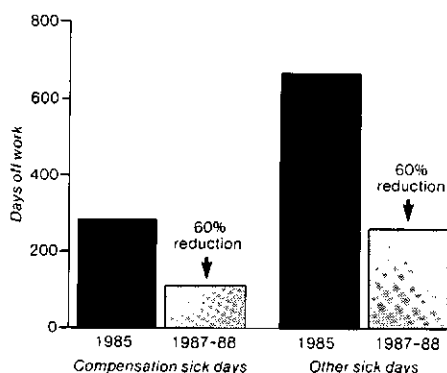
In each group of officers, there was one case which required extended time off from work and developed long-term difficulties. The officer from the 1986 group was off work for 102 weeks and was ultimately ill-health retired. The officer from the 1987-88 group had been off work for 25.6 weeks at the time of the evaluation but has now returned to work. To ensure that these two long-term cases (which were very atypical of the entire sample) did not unfairly bias the results, both cases were removed from the analysis.

When the number of compensation sick leave days and other sick leave days within six months after the hold-up were compared for the two groups of officers, there is a clear reduction in both types of lost time between 1985 and 1987-88. See Table 3 and Figure 1. The group who had assistance from the counsellors (1987-88) had a reduction of approximately 60 per cent in the number of days off taken due to the hold-up and

**Table 3**  
Time lost and compensation costs after hold-ups for officers in the sample

	1985	1987-88	% less
Compensation sick days due to hold-up	281	112	60%
Other sick days within six months of hold-up	668	265	60%
Compensation payments (medical expenses and disability payments)	\$18488	\$6326	68%

**Figure 1**  
Comparison of days off work for study sample



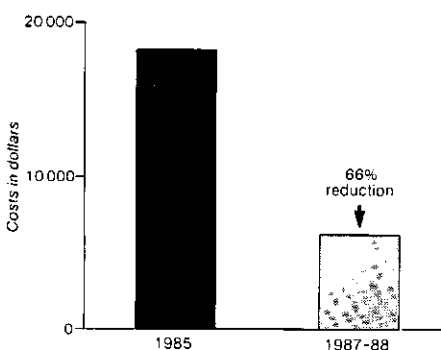
in the other sick days taken in the six months after the hold-up compared to those who did not have counselling (1985).

Table 3 and Figure 2 show that the compensation payments were reduced by 66 per cent for officers who received counselling. This is as expected since the largest portion of the compensation costs are the disability payments made to officers who are unable to work. These costs do not include the cost to the organisation of providing relieving staff to those branches whose staff are unable to work or lost productivity due to being under-staffed, etc. In addition, there is no adjustment for the different value of the dollars in 1985 and 1987-88. Bank economists suggest that if this were taken into account the true cost differences would be even greater by approximately 15-20 per cent. When officers who had time off due to the hold-up are compared across groups, another interesting difference appears. More officers in 1987-88 had one or two days off work but many more officers in 1985 had long periods off work, ten days or more. Another factor here may be that in 1986 short absences after the hold-up were often given as 'special leave' by branch management. In 1987-88 even short absences of one or two days resulted in compensation claims.

Several shortcomings of the methodology must be discussed before final conclusions can be drawn. It is possible that factors other than the Post Hold-up Support Program intervention which differed between 1985 and 1987-88 may have influenced these data. We have attempted to examine these possible factors individually and are convinced none of these would have acted in favour of the above results.

For instance, the climate regarding workers compensation probably did differ over these years. It is the view of those expert in the area who were consulted that the trend over this period has been for workers to feel that there is less of a stigma associated with filing compensation claims than existed in 1985. In addition, in 1987-88 it was not

**Figure 2**  
Comparison of compensation costs in study sample



possible to get a full reimbursement of medical costs incurred for any reason from either Medibank or the Bank's health fund so that there would be greater incentive to use workers compensation in order to get full coverage for expenses for treatment after hold-ups. The Bank's own figures for compensation costs show relatively stable costs over this period for other types of claims unrelated to hold-ups.

From the results above, it seems clear that the Post hold-up Support Program is being very effective in reducing compensation costs and lost time after hold-ups. Unfortunately, our internal accounting procedures do not allow us to provide detailed costs for this period for the OHD personnel involved in Post Hold-up Support since this is only one of their many duties. Such figures will be available in coming years but it is clear that the costs of providing the service are minimal compared to the savings. In addition, a detailed review of all of the long-term cases of disability stemming from hold-ups is under way. This study will try to isolate factors which may predict long-term reactions so that more active intervention can be made to try to prevent them. Lastly, a controlled trial of a specific treatment approach for employees who have developed fears or phobias of the counter, the branch and/or of crime victimisation is also under way.

It is important to remember, however, that the program is not trying to reduce costs at the expense of the staff. On the contrary, our view is that the compensation cost reductions and other sick leave reductions reflect the fact that the program has successfully reduced the amount and degree of distress suffered by staff after hold-ups.

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# Research into racist violence



Photo Tony McVie, Gebe and Western Weekly

Conducting an inquiry into racist violence is fraught with difficulties of silence, fear, secrecy, apprehension and problems of defining and identifying the behaviours in question.

Devising the research program to accompany the National Inquiry into Racist Violence was challenging. Calling for submissions and analysing both them and the evidence from the public hearings was the obvious first step.

Racist graffiti at the Homebush/Strathfield Uniting Church.

Throughout this process, there was a need to constantly explain what was meant by racist violence, as per the terms of reference of the Inquiry. Racist violence is defined as violence that results from racist attitudes or beliefs held by the perpetrator.

Many people were reluctant or unable to lodge a submission. People were often afraid to present evidence at a public hearing. A comprehensive outreach campaign was aimed at encouraging people to give information to the Inquiry about their experiences.

Moreover, a great deal of ground work

had to go into preparing people to give evidence at hearings and even on the day, with cameras whirring and a crowd of people, some people changed their minds and withdrew. But we know from the Redfern hearing that this is a powerful part of the Inquiry and people who would otherwise not make a submission must be coaxed and cajoled into presenting the facts about what has happened to them.

Even though they were offered suppression of their names and details, or even an in camera session with the Hearing Commissioners, many victims were reluctant to speak. For this reason meetings have been held with community groups to collect information about individual incidents.

\* Director of Research, Human Rights and Equal Opportunity Commission

## Questionnaires and surveys

Because of the difficulty associated with getting people to make submissions to the Inquiry, a number of research projects were designed to tap community experiences and opinions in a non-threatening way. The major aspects of these projects are:

- (a) the distribution of questionnaires designed to be completed by ethnic community organisations (33 returned to date), Aboriginal organisations (5 returned) and Migrant Resource Centres (15 returned);
- (b) the distribution of questionnaires designed to be completed by individuals through phone contacts (7 returned) and through group sessions conducted by Group Facilitators of the Office of Multicultural Affairs (169 completed forms returned); and
- (c) the distribution of one page 'incident' sheets through community workers, 13 returned (2 Aboriginal and 11 from people from ethnic groups).

The questionnaires from the Office of Multicultural Affairs sessions show a high rate of incidence of racist violence attacks: two-thirds of the interviewees reported various incidents.

In addition, the Office of Multicultural Affairs has supplied the Commission with a total of 50 reports: 43 reports of individual group sessions (covering 587 people) and an overview report from each state and the Northern Territory. The group facilitator sessions consisted of relatively small groups, mostly between 10 and 15, of people from the same ethnic background. People were able to discuss their experiences in languages other than English in this non-threatening environment: many of the incidents that they discussed had never been reported to police or other authorities.

Another step has been the administration of a survey in a couple of parts of Sydney to get more detailed information on the extent of racist violence and the types of violence involved. The survey will comprise 54 households in Campbelltown and a further 54 in the inner city.

The household interviews are being conducted through local bilingual community people. The information is being supplemented by in-depth interviews with key people in the neighbourhood—police, school principals, shopkeepers, bus drivers and health and community workers.

This survey revealed very graphic information about the impact of racist violence on the lives of some people. For example, an El Salvadorean woman related how a gang of teenage boys had been attacking her home during the last year. They had broken the windows twice, set fire to the doorway and lit a fire under

the house. Further, they had hurled rocks and rubbish at the house while abusing them with terms such as 'bloody wogs'. Their van had had bottles thrown at it and on one occasion was smeared with human faeces. The woman was attacked in the local shopping centre by a bunch of teenage Anglo-Celtic girls who struck at her legs with a stick and pushed her head. The family had had other incidents including missiles being thrown at them, the car alarm was constantly set off and they were subjected to obscene phone calls in the middle of the night.

The woman has reported some of these incidents, the attacks on the house and the car, to the police. She has supplied them with the address of one of the alleged perpetrators. To date, to her knowledge, there has been no follow-up action by the police.

The Inquiry has also initiated six projects to tap the experiences and views of Aboriginal communities which otherwise would have been unwilling or unable to approach the Inquiry. These projects were carried out by Aboriginal people in all but two cases. Each project focussed on a particular region (Geraldton, the Pilbara, Adelaide, Bourke/Enngonia, the hinterland of Cairns and parts of the Northern Territory) facilitating the formation and expression of views and experiences. The reports will be used by the Inquiry in estimating the extent of racist violence.

Further research relating to Aboriginal people was initiated after evidence was submitted to the Inquiry, at both hearing and in submissions, that many of the attacks upon Aborigines were perpetrated by police. A study has been undertaken of Aboriginal-police relations and the measures taken by police forces in Australia to counter the racist tendencies of some police officers and to ensure that racist attacks do not occur. The measures being taken are being evaluated for their overall effectiveness. The methodology involves collecting statistical and qualitative data about complaints made by Aboriginal people concerning violence on the part of police.

## Conclusion

The two most crucial questions that must be addressed, the extent of racist violence and strategies for dealing with it, can only be answered from a careful consideration of all the material. The former question poses the most difficulties in terms of research because of the problem of 'silent victims' and the lack of mechanisms for recording racist violence.

The question of strategies for dealing with racist violence is no less difficult. This issue will tax the intellect, vision and courage of the Commissioners as they attempt to find solutions to a problem that has plagued Australia since the first white settlers arrived.

# VIOLENCE

*Commissioner Palmer delivered a paper: 'The Role of Law Enforcement Agencies in the Prevention and Control of Violence'. An edited version follows.*

Law enforcement agencies, without doubt, have a critical and central role in preventing and suppressing violent crime. However, I would like to stress from the very outset that I do not for one moment consider that law enforcement agencies are the panacea for crime. Far from it.

My paper argues that crime, including violent crime, is a problem for which the community must accept primary responsibility. That is not to say I am attempting to delimit the role of law enforcement agencies in the fight against crime. What I am trying to convey, however, is that there must be a fundamental re-orientation of policing if we hope to have a significant effect on the incidence or prevalence of crime in society.

This 'revamping' will, of necessity, entail greater community support and involvement in policing issues, *plus* a multi-agency approach.

In my view, other aspects to the re-orientation of policing will be the marked growth of crime prevention strategies (particularly 'integrative' strategies as opposed to 'defensive' strategies) (Van Dijk 1988) and increased attention being given to the welfare of victims of crime.

With regard to crime prevention, much has already been done in relation to defensive strategies both in a technical and social sense. We have already witnessed an enormous growth in the use of locks, bolts, security screens, burglar alarms and video surveillance. In addition, social measures such as Neighbourhood Watch, Safety House and the use of private security personnel by commercial enterprise are relatively commonplace in the Australian community. However, more needs to be done in relation to both

# Police powers and control of violence

victim support and providing facilities, leisure activities, employment prospects and educative opportunities for youth at risk, particularly along the lines of the French Bonnemaison approach.

As King has pointed out, the 'main planks' which have provided the solid basis to the Bonnemaison program of social crime prevention are:

- ☐ a clearly conceived youth policy aimed at providing training programs and eventual employment;
- ☐ a policy of integration, but not assimilation, towards immigrant communities;
- ☐ offering a wide range of activities to youth, especially those from deprived backgrounds;
- ☐ the avoidance of criminal prosecutions as the only or most favoured way of dealing with juvenile crime;
- ☐ a widely applied policy giving young people responsibility in order for them to develop a sense of achievement and a positive self-image; and
- ☐ taking an analytical approach to crime prevention by basing preventative action on careful analysis of crime causes within specific geographical localities.<sup>2</sup>

Programs such as School-Based Community Policing, the Drug Abuse Resistance Education (DARE) Program, Junior Police Rangers, Blue Light Discos, whilst most worthwhile, need to be evaluated and new programs specifically aimed at delinquent youth need to be established. Suitable juvenile diversion programs should be instituted and more responsibility should be given to local communities for local crime problems 'Fight Crime' Committees and Community Consultative Committees should be established for this purpose.

Law enforcement clearly needs the unequivocal support of victims of crime and the public at large. Police cannot

deal with violent crime if it is not reported to them in the first place.

Despite the new approach I have advocated, which involves greater community involvement, multi-agency networking, greater emphasis on crime prevention and increased support for victims of crime, some traditional policing functions and strategies still have a role to play in the future.

For example, the gathering, analysis and exchange of intelligence and modus operandi information and the use of forensic science technology will continue to be integral to future criminal investigation—perhaps more so with the development of DNA profiling, the installation of automated systems such as the Automated Fingerprint Identification System (AFIS) and the creation of information data bases such as the Australian Drug Data Base.

A greater exchange of intelligence between jurisdictions will also assist in the detection and apprehension of the mobile criminal. The National Police Research Unit (NPRU) has just recently researched the feasibility of the USA's Violent Criminal Apprehension Program (VICAP) for Australian police forces.<sup>3</sup> It has recommended that such a program be established under the auspices of the Australian Bureau of Criminal Intelligence (ABCI) in Canberra. The Commissioners of Police are currently considering this proposal. If established, VICAP will greatly assist in identifying serial crimes and tracking down mobile offenders. The use of criminal profiling is also being considered.

Certainly, better investigative methods and techniques will assist in clearing up reports of violent crime. In addition to better training for police, procedures such as case screening and the formation of multi-disciplinary task forces will increase police efficiency and effectiveness.

With regard to training, police must be trained to detect the 'warning signs'. As was highlighted in a recent study of homicide in New South Wales:

*Not all homicides are inevitable . . . There were strong indications that had prior intervention occurred in some homicidal situations, a violent death may have been avoided . . . Clearly, those situations with the most potential for intervention are those in which conflict and tension have been apparent and have escalated over time, and where advance signs or warnings have been given that someone was about to be physically harmed . . . Not uncommonly, these warning signs cross the private to the public domain when health, welfare or law enforcement agencies become involved or alerted to a potentially serious situation . . . The family situation holds the greatest potential for prevention strategies. Domestic violence should be treated as seriously, if not more seriously, than violence in any other setting, in that it has the highest potential for lethal violence. Law enforcement agencies, the judicial system, social welfare, health and education services should mobilise resources and increase their efficiency in relation to the problem of domestic violence.<sup>4</sup>*

Police recruitment and in-service training obviously needs to place more emphasis on the building of conflict resolution, liaison skills and general social skilling. Police, once they have detected the warning signs, must be trained to take the most appropriate action in the circumstances—they must recognise domestic violence as criminal behaviour.

The introduction of the electronic recording (particularly videotaping) of suspect interviews, the continuation of video re-enactments and the videotaping of interviews with victims of child sexual abuse and sexual assault will also enhance police investigational procedures.

□ □ □ □ □

Although a number of strategies clearly exist to assist police in tackling violent crime, there are also a number of factors which operate to impede police effectiveness. One significant factor is a lack of appropriate police powers.

Consider for a moment the following hypothetical scenario.

Police receive a call from a very agitated female who states that an armed robbery is in progress at one of the local banks and that shots have been fired. Police attend the scene and are informed that the offender/s may still be on the premises and that, prior to police arrival, shots had been fired from the bank into the nearby busy shopping mall.

How would police respond to this report of violent crime?

Given that there could well be danger to the public from gunfire, police take action to evacuate the immediate area.

Task Force, who are quickly on the scene, storm the bank and find that the offender/s have fled. A customer of the bank, a pregnant young woman, has

\* Commissioner, Northern Territory Police.

been shot dead. Police are informed by the occupants of the bank that a lone male offender has only just decamped, within the last minute or so, through a side window. The offender has been seen by a staff member to drive away in a white Valiant sedan.

The general area is swarming with police and police quickly establish roadblocks at certain crucial points. A short time later, a male person driving a white Valiant sedan, and in possession of a sawn-off shotgun and a balaclava, is detained. The alleged offender is arrested and taken back to a police station.

At the station, the bank teller who was threatened by the offender tells police that he could easily identify the person responsible because of the person's distinctive build.

Police request the offender to participate in an identification parade. He refuses. No identification parade is held.

The offender is taken to an interview room, treated with the utmost propriety by police and given the opportunity to have any statement he may make electronically recorded. He exercises his right to silence and refuses to answer any questions.

He is taken to the charge room where he is formally charged. Bail is refused by police and the offender is taken straight before a magistrate even though all vital forensic evidence, such as the film in the bank's video camera, has not yet been obtained and examined, and important witnesses have not yet been interviewed.

Bail is refused by the magistrate and the offender is transferred to the remand centre. I have presented you with this scenario to demonstrate to you that until police are suitably equipped with necessary powers, it will be difficult for them to be totally effective against violent crime. On many occasions, they are forced to use bluff and to operate outside the law.

For instance, in most or all Australian jurisdictions police have no specific legislative authority to either establish roadblocks or evacuate in the circumstances outlined. Neither do they have the power to compel arrested persons to participate in identification parades.

In jurisdictions where legislation has not been enacted to overcome the effect of the High Court's decision in *Williams v R* (1986) 66 ALR 385, police do not have the power to detain a person, following arrest, for the purposes of interrogation or investigation. The detainee must be placed at the first available opportunity before a Justice.

Following charge (if the incident had occurred in Victoria), police would not even have had the power to compulsorily photograph and fingerprint the offender.

I stressed earlier in my paper the importance of the public having a realistic appreciation of what police can or cannot do. Many members of the community I

am sure would simply assume that police have powers to perform such tasks as establishing roadblocks, evacuating seriously endangered persons, requiring offenders in serious crimes to participate in identification parades, detaining arrested persons for questioning, and photographing and fingerprinting offenders.

But the problems do not end there. Once the investigation phase is over, the prosecution phase generally begins and a new set of problems arises.

I must admit to having difficulty with a judicial system which often squanders its time arguing fine points of law and which, on occasions, allows the accused—even after confessing to a crime—to walk free on the basis of legal technicality.

The criminal justice system can and should serve us better. There is clearly an argument for a lessening in the arbitrary restrictions and technical obstructions that so frequently impact on the trial process and deny the search for truth. This is particularly so in the area of child sexual abuse.

The community demands and expects the right to be properly protected from people who commit vicious and violent crime. Surely, in the judicial process, the test must be voluntariness and fairness rather than a slavish adherence to technical and arbitrary rules.

As a lawyer, I am not for one minute advocating the abolition of all legal and procedural rules. However, I do believe that much more must be done to ensure decisions of criminal trials reflect more of the truth and less of the legality. It is time that the victim, and the community as a whole, were given due consideration.

In redressing the present imbalance, law reformists must be prepared to reassess such things as the right to silence.

If it is considered that the right should remain, I believe we must assess objectively whether an adverse inference should be able to be drawn by the Court from the accused's choice to remain silent in circumstances where any innocent person would choose to speak.

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In the eight years since I left the New South Wales Department of Corrective Services, I have had extended opportunities to study the Dutch and Swedish prison systems. The first occasion was in 1985 when I studied the Dutch prisons with a brief follow-up visit last year. In 1988 I spent four months studying the Swedish prisons.

No serious observer of those systems could fail to be impressed by the way they have infused civilised values into the familiar forms and practices of the punishment industry. This achievement does not reflect a difference in the seriousness with which crime and violence are regarded by staff. I have yet to meet the prison administrator or prison officer who is indifferent to the threat posed by violent inmates to themselves, to colleagues, other inmates or the general public. The problem is universal but the ways of dealing with it are distinct—and instructive.

Before outlining the nature of those differences, I remind you that our focus today is on the management of violent individuals. This audience does not need to be reminded that brutal prisons produce violent prisoners. What is less clear is whether the uninitiated or the ideologically self-serving understand or wish to understand that in its orthodox and highly authoritarian form—read pre-Nagle in New South Wales—the prison inevitably has been a generator of violence. Holland and Sweden are two countries that understand this fact. The prison systems they have thoughtfully and painstakingly evolved over the past 15-20 years are in many ways an elaborate antidote to the prison's capacity to produce violence and human debasement. The Dutch Government has explicitly disowned the goal of prisoner rehabilitation and emphasises maintaining a necessary degree of order, provision of social opportunities and the minimising of harm.<sup>1</sup> The Swedes are more optimistic

# Violent offenders in overseas prisons

about what can be achieved but still extensively substitute community treatment for prison sentences when the prospective benefits of such treatment are judged to outweigh the advantages of keeping an offender locked up.<sup>2</sup>

The emphasis in both systems on minimising the destructive effects of imprisonment provides the initial clue to their handling of violent offenders. In Australia that challenge generally has been met by the use of regimes which are isolating, ultra-repressive, and intellectually, socially and occupationally sterile. In other words, starting from whatever state standard applies, the prisoner effectively is punished by the withdrawal of the activities and opportunities that ameliorate the destructiveness of the prison. In Sweden and Holland those ameliorating influences are maintained and in some respects intensified. The things that are considered important may be turned up a notch, especially the most crucial of the benign influences, namely, a close working relationship with prison staff.

Involved are a number of implicit assumptions about the nature of human violence:

- ☐ It is harder for one to sustain violence when the likely object of it insists on interacting closely with you in a constructive way.
- ☐ the attention and energies of the violence-prone, no less than people generally, can be caught and channelled into varied and rewarding activities.
- ☐ success in handling aggressive people in a human way is more likely when security rests on the number of staff on hand rather than mechanical contrivances and paraphernalia. The latter shout confirmation of the dangerousness and worthlessness of the individuals concerned (the 'Katingal mentality').

☐ any regime devised for the management of violent prisoners may have limited success in permanently reducing such violence. However, there is considerable scope for souring human nature, for confirming violent tendencies already present or instilling them as lessons learned at the hands of state role models. (Consider the horrendous crimes committed by the graduates of Grafton and Katingal in New South Wales.) The outlook of the Dutch and Swedish authorities is 'We may not necessarily make them better, but we certainly are not intent on making them worse'.

These views regarding the nature of violence have fashioned the maxi-maxi

Dr Tony Vinson



security units that I have studied in recent years. Places like Kumla and Hall in Sweden and the high security section of the The Hague prison in Holland. I should like to show how the principles and assumptions I have described are manifested in the day to day life of these special units. First I need to remind you that the regime of the special units is but a special instance, in some respects a more intense one, of the general approach to prisoner management in both countries.

It should not come as a surprise to learn that in both systems there is no rush to dispose of troublesome prisoners by conveying them to maxi-maxi units at the first sign of aggressive disposition or behaviour. Prison staff in both countries are required to try to understand and influence for the better, the behaviour of those in their charge. In Sweden, that is done within the framework of the personal plan which the law requires be formulated within a short time of the prisoner's admission. Each inmate usually is fully involved in the formulation of his or her personal plan but its implementation may involve a high degree of useful confrontation with staff. This usually is intended to encourage insight into one's behaviour. Hence the following staff comment to a woman prisoner during one of my visits:

*I'm afraid once again you're trying to take a short cut. You're denying the need for concentrated effort in overcoming your problems, the same problems that have brought you in here on several previous occasions.*

Perhaps contrary to popular expectations, the Swedish authorities do not allow everyone the luxury of 'Going to hell in their own way'.

Precisely the same kind of personal questioning cum-confrontation is practised widely throughout the Dutch system. Because prison officers everywhere are entitled to protect their own skins and not to have to be on the receiving end of sustained insults, the questioning may well follow a 'cooling down' period during which the prisoner is confined to a cell. With the backing and counsel of an all important 'work team' and professional staff, the prison officer may then challenge the basis of unacceptable behaviour. If the facts warrant it, the officer will attempt to point out the general patterning of such behaviour to the prisoner. This process may occur before or after the inmate is released back to the general prison community.

**'The outlook of the Dutch and Swedish authorities is "We may not necessarily make them better, but we certainly are intent on not making them worse".'**

\* University of New South Wales

Of course, not everyone responds positively to such reasonableness. The now ingrained belief of staff within both systems is that by conveying the expectation of normal, reasonable interaction—what one Dutch superintendent called the 'as if' principle—such behaviour is invariably elicited. On the rare occasions that it is not, then the first priority is to control the prisoner. Persistent aggression will be met with equally stubborn and prompt self-protection. Then it is back again into the cell or transfer to a maxi-maxi unit. There is even provision in both countries for a prisoner, for a period, to be strapped to a bed. This measure is used most infrequently and only when the inmate represents a severe threat to himself or staff.

I hope that mention of these legitimate but ultimate measures of self-protection does not obscure the main counter-violence stratagem employed by the Dutch and Swedish prison systems. Violence withers when it is denied the nourishment of counter-violence, when an atmosphere of normalcy is not allowed to be subverted by individual aggression.

Moreover, the Swedish system demonstrates in a most remarkable way that once these attitudes are institutionalised amongst staff, they are adopted by a large proportion of the prisoners. As my schedule of visits to

twenty Swedish prisons proceeded I began to note the frequent reference by both staff and prisoners to a symbol intended to distinguish the civilised standards of their prison from those of a more violent and unruly institution. 'This is not Kumla (a maximum security gaol)'; 'We don't have Kumla types here'—a reference to both staff and inmates. In the high security Osteraker prison inmates and staff explained that at the first sign of aggressive, standover tactics, a prisoner would be confronted and told that 'such behaviour belongs in the Bunker maxi-maxi unit in Kumla, not here'.

Kumla was not among my sample of institutions yet it seemed imperative that I should gain an understanding of a prison held in such fear by staff and prisoners alike. I had always believed that the cultivation of an aura of 'toughness' about particular institutions was likely to bring out the worst in fearful staff and truculent prisoners. Was I on the verge of discovering that the relaxed and constructive atmosphere of the rest of the prisons was purchased at the price of a black hole, the Bunker of the Swedish prison system?

The Bunker was structured in a way that enabled the nine inmates to be divided into three groups of constantly varying composition. The groups rotated through recreation and educational activities. The number of security staff

**'Persistent aggression will be met with equally stubborn and prompt self protection. Then it is back again into the cell . . .'**

approximated the number of inmates. Work took place in a small factory with prisoners working alongside staff at a range of manufacturing tasks. The personal interactions were informal and direct and the relaxed atmosphere was no different from the other institutions that I had visited. Indeed, there were even some young students acting as summer vacation relief staff on duty in the Bunker on the occasion of my visit. Nevertheless, the institution was serving its purpose of providing a high degree of surveillance and control of a potentially aggressive group of prisoners without inciting violence or imposing needless stress or strain on staff or inmates. The system's general violence antidote had been intensified to the benefit of all concerned. The picture matched what I had seen eight years earlier at the less celebrated but similar Swedish maxi-maxi unit at Hall.

My Dutch example is the maximum security prison in The Hague, described as an 'end station' of the Dutch penal system. Its inmates include people who have assaulted or threatened staff, proved incapable of living in large prison

**B**ernie Matthews, in his paper 'Classification G—Intractable. The Prison Perspective on Violence' reflects on the Australian situation as he knew it pre-Nagle.

The former Superintendent of Grafton Gaol made the following admission to the NSW Royal Commission into Prisons during 1978:

*From the time I returned to Grafton in October, 1943, until April, 1976, from my observation, it was the feeling of all prisons and, indeed, the instructions given to all junior officers by their seniors, that the only way of controlling intractable prisoners was physical violence and the fear of physical violence. Evidence given to NSW Royal Commission into Prisons by ex-Superintendent of Grafton, Eric Cameron Frame. Trans. page: 3481.*

Ex-Grafton prison guard, John Pettit, was a little more illuminating with his evidence:

*There was a reception committee procedure for all intractable prisoners received at the gaol. The committee was comprised of select officers, who would wait in a wing to receive the prisoner. I was mainly on patrol duty, and not chosen for the job. The usual procedure was that the prisoner was first stripped*

*and searched, he was assaulted by the reception officers. Sometimes three, four or five of them, would assault the prisoner with their batons to a condition of semi-consciousness. On occasions the prisoner urinates, and his nervous system ceases to function normally. After the flogging, he was assigned to a cell to recuperate. When he has recuperated, he was then marched back to A Wing and there, depending on what he was sent to Grafton for, he is placed in the special yards or taken back to his cell and beaten again. This reception procedure for intractables was standard in the three years I was at Grafton Gaol. I had frequently seen 'tracs' in the showers after their reception and I frequently observed multiple bruises from neck to knee and also numerous welts and abrasions. I also observed the occasional black eye. During the time I was at Grafton the doctor (I think Prentiss) would not examine these prisoners until the bruises had healed. Sometimes it was about a week or so after a man had been received into the gaol before he saw the doctor. Evidence given to NSW Royal Commission into Prisons by ex-Grafton prison guard, John Pettit. Trans. page: 3147.*

I was transferred to Grafton as an intractable prisoner on four separate occasions during 1971 to 1975 and in

that period I watched what happened to the men around me. The most recurring factor I saw was men return to prison for more violent crimes after their release from prison.

**Peter SCHNEIDAS:** Product of HM Grafton Gaol 1975. Non-violent offender prior to Grafton. Later charged and convicted for the murder of a Long Bay prison guard. Currently serving a life term.

**Archie McCAFFERTY:** Product of HM Grafton Gaol 1971. Non violent offender prior to Grafton. Charged and convicted of thrill-killings after his release from prison in 1973. Currently serving a life sentence.

**John STUART:** Product of HM Grafton Gaol 1968–69. Arrested, charged and convicted of Whisky-Au-Go-Go fire-bombing in Brisbane after his release from prison.

**James FINCH:** Product of HM Grafton Gaol 1969–70. Arrested, charged and convicted of Whisky-Au-Go-Go fire-bombing in Brisbane after his release from prison.

Of all the prisoners who passed through the intractable section of Grafton Gaol from 1971 until 1976, the greater majority have been returned to prison for increased crimes of violence committed in the community.

communities or engaged in international crime. As is the case in Kumla, there are restrictions on the number of prisoners allowed to be associated in various activities. The concern with security is not without its reasons. There have been attempted escapes and armed incursions in recent times.

The main development strategy in this prison is to move toward more consistently 'human' relations between staff and inmates. Many past tensions and problems are blamed on relations being 'too authoritarian'. It was true, at least in 1985, that some groups of officers disdained involvement in the kind of prisoner welfare work (counselling, home visitation and the like) that is commonplace throughout much of the Dutch prison system. However, in The Hague high security unit officers joined the inmates in sporting and recreational activity. Indeed one of management's main tasks is constantly to remind officers of the need to balance their enthusiasm for such activities with a degree of caution appropriate to the background of the particular prisoners in their charge. As one senior officer put it, metaphorically and literally, 'where did you leave your keys when you played netball with the prisoners?' However, the Australian method of handling violent prisoners by the distancing of guards from guarded and the use of socially sterile regimes has little appeal to the Dutch authorities. The Officer in Charge of the high security prisoners reflected a general belief of Dutch prison officers when he said: 'If you lose contact with the inmates you lose everything'.

Anyone who promulgates the lessons of the Dutch and the Swedes in handling violent offenders has to contend with a frequently raised objection. It is that the penology practised by these two countries only works because their cultures are uniquely supportive of close and civilised relations between guards and inmates. It is a point of view that is difficult to test in the absence of sustained, comparable programs in many other countries, including Australia.

Speaking as someone who has had the extraordinary privilege of seeing both systems from the 'inside', I think that those who emphasise the cultural aspects of the Swedish and Dutch reforms are probably overlooking the ways in which the two systems have been engineered. Time does not permit a full exposition of what that has entailed but in both countries the engineering has had to contend with the resistance of prison officers and prisoners to fundamental reform and not relied on some supposed cultural sympathy for that cause.

I have had direct experience of just a

**'Where did you leave your keys when you played netball with the prisoners?'**

few similar accomplishments in English speaking countries. The Barlinnie Unit in Glasgow and the special Unit within Parkhurst Prison on the Isle of Wight were both functioning successfully when I visited them in 1980. The central feature of both institutions was their reliance on close and constructive relations between prisoners with extremely violent histories and their guards. Although not directly comparable, the Special Care Unit at Sydney's Long Bay was successfully launched on a similar basis in the early eighties.

New evidence from America shows that the Swedish and Dutch approach to handling violent offenders is not limited to a particular type of culture. The experience of the Federal Bureau of Prisons Penitentiary, Lampoc, in controlling tough, aggressive inmates is analysed in a just released book *Warehousing Violence* (Fleisher, 1989).<sup>4</sup> Despite the high proportion of (by Australian standards) frighteningly violent inmates confined within it, Lampoc has experienced few killings. Comparative statistics show that Lampoc's rate of serious violence, including fights and assaults, is the lowest among penitentiaries in the Federal Prison system. There has never been a total-institution lock-down, little destruction of property and no gang warfare. There is no 'black hole', no hard-line guards.

All of this constitutes a problem for those who question the transferability of enlightened prison regimes. Lampoc's institutional characteristics are hard to reconcile with the street culture that has spawned the violent careers of its residents. The same characteristics are hard to reconcile with the sub-culture prevailing in Leavenworth, Marion and the other US Penitentiaries. Rather than resigning themselves to these assumed cultural imperatives, the Lampoc authorities have fashioned what they call an 'organisational culture' (Fleisher 1989, pp. 46-50). This culture applies equally to staff and inmates. It stresses harmony in daily interactions, personal control of emotions and public recognition and financial rewards for hard work.

Open communication is the first and primary means of problem solving, including some negotiated punishments. It also keeps the lid on the penitentiary. The associated social climate 'has encouraged the emergence of a sense of community, as opposed to a mean-spirited, custodial warehouse'. It is possible for staff and inmates to maintain dialogue on everything of mutual concern—including the prisoners' right to appeal to senior and independent authorities to overturn disciplinary, legal and administrative decisions (p. 88). In Sweden I found the officers often helped write out the complaints!

One of the staff with particular responsibility for dealing with the

**'... success is knowing that they can talk to an inmate without being insulted, spat on or punched ...'**

prisoners considered most violent at Lampoc described his job in terms very reminiscent of the Dutch 'as if' principle:

*You behave in a friendly way as you expect them to behave toward you. If they give me a reason to be tough, I will be; that's my job.*

The Warden put it equally bluntly: 'Either we come to work willing to talk to them, or we better be willing to fight them'. Staff who are inaccessible, unhelpful, impatient or deceptive are subjected to censure. A more pragmatic reason for cultivating rapport with dangerous prisoners—an echo of the sentiments of Dutch and Swedish officers—is that this is the most effective way to monitor their behaviour (p. 7).

Depending on one's vantage point, there are many different ways of assessing success in the handling of violent inmates. My studies of the Dutch and Swedish prison systems have largely been through the eyes of prison staff. Those who have been in the job long enough can remember when repressive controls were the only means available for dealing with violent, unruly prisoners. They also remember the emotional stress and physical strain associated with that regime. These officers define success in the same way as their fellow workers in other parts of the world. It is '... walking alone through a cellblock, night or day, and knowing that there is only a slight chance of being assaulted; success is looking forward to each day's work, instead of dreading it; and success is knowing that they can talk to an inmate without being insulted, spat on, or punched' (Fleisher, 1989, p. 38). It surely says something instructive about the Swedish system that in 1987 there was only one case of an assault upon a prison officer that necessitated a relatively brief period of sick leave. Isn't it time that we seriously committed ourselves to instituting a little of the same 'organisational culture'?

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## Primary prevention The 1989 Australian

Since 1939, motorcycle races have been held near the small town of Bathurst in New South Wales, Australia. Periodic outbreaks of violence between crowds and police at this venue of the Australian Motorcycle Grand Prix increased after 1960 when a specialist law and order squad took over the policing of the event (Cunneen, Findlay, Lynch, Tupper & Sutton 1986). The specialist squad exacerbated the violence occurring at the event (Veno & Veno 1989).

'Ecological solutions' were imposed in 1975 with the construction of a police compound in the middle of the bikers' recreational area. This resulted in a 100 per cent increase in reported rioting in the comparison periods of 1960-74 and 1975-83 (Veno, Veno & Grassecker 1987). During the latter period, the violence at Bathurst became institutionalised (Veno, Veno & Grassecker 1987; Cunneen et al. 1986).

The response to the increased rioting after the construction of the police compound was to attempt to enforce control over the crowd by the imposition of harsher measures and greater ecological structuring (Cunneen et al. 1986; Veno & Veno 1989). This in turn led to black bans imposed by the Motorcycle Riders Association (MRA) in New South Wales and other influential biker groups. The blackban tactic resulted in enormous gate revenue losses and spectator attendance decreased by 66 per cent from 1985 to 1987 (Veno, Veno & Grassecker 1987).

In early 1988, the State of New South Wales passed legislation devolving the decision making about the Grand Prix event to the local council. In spite of economic loss the Bathurst City Council has cancelled the Motorcycle Grand Prix until further notice. The council stated the cancellation was due to the chronic institutionalised violence.

In late 1988, the Australian Motorcycle Grand Prix was relocated to Phillip Island, Victoria. Subsequently, the senior author

of this paper was asked to be a consultant to the Victoria Police to develop and implement an appropriate policing plan aimed at preventing any violence from occurring at this new venue. The Victoria Police knew of the author's interest in the area from a report which had been published in 1987 detailing a public order policing plan focussing on the reduction of frustration, boredom, crowd rowdiness and alcohol consumption and increasing self-policing (Veno, Veno & Grassecker 1987).

A violence prevention strategy to minimise spectator frustrations and harm associated with excessive alcohol consumption at the 1989 Australian Motorcycle Grand Prix was prepared by the authors. This project was sponsored by the National Campaign Against Drug Abuse through the Health Promotions Units of the Health Department, Victoria. The project was known as the 'social impact study'.

### The violence prevention strategy

The violence prevention strategy was aimed at reducing frustration, boredom, crowd rowdiness, excessive alcohol consumption, etc. and increasing both the bikers' role in the policing of the event and police tolerance to biker activities.

Limitations on space in this article do not allow for a full explanation of the plan. We will, therefore, present five aspects of the plan to provide readers a feel for the full plan.

### Privatisation and evaluation of camping areas

Rather than public camping areas offering poorly equipped facilities, camping areas were privatised to encourage competition between camping areas. Policing of the camping areas was the responsibility of the operators. Operators were advised about self-policing in the biker culture which has been shown to be effective at biker recreational events in maintaining



Harmony at the 1989 Grand Prix.

\*Gippsland Institute



# n of violence: n Motorcycle Grand Prix



appropriate levels of rowdiness and public order (e.g. Veno, Veno & Grassecker 1987). Camping area operators were informed that their camps would be evaluated with respect to facilities and campers' satisfaction (the Health Department's social impact study). Criteria of the social impact study were directly related to minimising frustrations the campers might feel, for example, clean toilets, enough nearby telephones, clearly marked camping areas, fair and reasonable pricing of goods, etc.

## The Grand Prix Rally

A major source of concern for persons attending the Motorcycle Grand Prix at Bathurst was police actions (bookings, searches, etc.) of persons on their way to the event. To minimise this frustration, a rally was organised originating in central Melbourne and terminating at the camping areas. Police assisted in the event by blocking off intersections to give rally bikers the right of way for the entire 80 kilometre journey. Police bikers led the way with lights flashing. As well, police command was notified that the issuing of traffic citations to persons in transit to the

event would be closely monitored by the social impact team.

## Police monitoring and observing

An observer from the social impact study was located with police at the inspector level (operations). The person chosen for this difficult observational task was briefed in the tactics of non-confrontational policing and was intended to influence subtly the decision-making process of the police vis-a-vis response to crowd behaviour.

## Media watch

Given that sensationalist reporting by the media had been identified as a major source of deviance amplification at Bathurst (e.g. Cunneen et al. 1986), it was decided to institute a media confrontation policy. This entailed observers confronting members of the media whenever journalists were observed attempting to stir spectators.

Elizabeth and Art Veno



## 'Bikers are responsible people' press articles on self-policing

To achieve the goals of encouraging biker self-policing, articles were written by the author and his colleagues and published in a wide variety of biker magazines and news sheets.

These articles expressed the belief that bikers did not need any policing at biker events as bikers are responsible people. Dialogue was generated at the MRA clubhouse levels from this action about things which might be done to show the police and the public that bikers are responsible for their own public order.

## Methods

Methods used to determine the impact of the plan were: an observational study utilising 16 observers who were debriefed using a cartographic process analysis technique; a questionnaire study (N = 300); and, post event interviews of local residents and merchants. As well, select actuarials were collected for baseline data and comparisons with another event on Phillip Island (1988 New Year's Eve Celebrations). These actuarials were traffic citations, accidents, major crimes committed, arrests and charges.

## Results

Results obtained at the Grand Prix (which attracted 241 000 people over the three-day period according to police statistics) indicate that the venue was less of a public order problem than the Island's New Year's Eve celebrations (which attract 10 000-12 000 people annually). Statistics indicate arrests were not only fewer for the Grand Prix than the 1988 New Year's festivities; but were also less violent (e.g. fewer assaults).

Ticketing was lower for traffic to the Grand Prix. It was certainly clear from the observational data that bikers did not feel discriminated or targeted by police in their citation practice.

Ten accidents occurred at the Grand Prix and one at the New Year's Eve celebrations. This produces an accident rate lower for the Grand Prix than New Year's Eve celebrations. Post event

interviews showed that 94 per cent of all residents wished to have another Australian Motorcycle Grand Prix at Phillip Island in 1990.

Ratings of Police by spectators and townspeople was overwhelmingly positive.

Figure 1 below presents these ratings.

## Discussion

The social impact was designated official status in the state evaluation process. Government and private agencies are planning to implement the social impact recommendations for 1990.

By all measures and accounts, the violence prevention strategy was effective. It may be that once frustration is minimised and responsibility for good behaviour has been internalised by the crowd, violence will be avoided.

Our study can be analysed in the context of authority. An authoritarian approach to public order increases the hostility towards the police, whereas a non-authoritarian approach creates positive regard for the police. Consistent with Rappaport's (1977) formulations the study has serious implications for understanding the effect of devolving responsibility for personal actions to people rather than imposing an outside force to obtain compliance.

This study has much broader potential application to the reclamation of recreational space in urban settings. Crowd control at public order events is possible if approached with a non-authoritarian orientation. The non-authoritarian option requires all parties to be committed to the goal of having a fun, safe and peaceful event. Government funding of projects to reduce frustration and increase the sense of responsibility of attendees is highly recommended.

Like Bonnemaison (1987), we heartily endorse working closely with vested interest groups to create and maintain a strong commitment to a common goal.

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# VIOLENCE

Since 1981 there has been an active concern in South Australia among health workers, welfare workers, shelter workers, and others about the lack of services to deal with those responsible for domestic violence: men.

A group of interested people formed a Domestic Violence Support Group to develop their knowledge and skills in the area. They consolidated their findings in a book under the name of Domestic Violence Workshop Manual and renamed themselves the Domestic Violence Action Group (DVAG).

It was clear that the first priority was the safety of women and children, with the second area for attention being the perpetrators, for the men were the problem: their behaviour had to change if violence was to decrease.

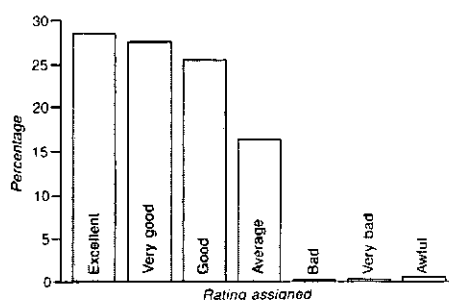
The Action Group conducted workshops to train others in awareness, detection and engagement of domestic violence.

The Action Group also made a submission for funding through the South Australian Health Commission to create a Domestic Violence Service. The Service came into being in 1985 and has made use of knowledge and skills of Action Group members and others working the field.

The DVS in South Australia is a state wide service with a mandate to train professionals and others in the area of domestic violence and to more effectively intervene with both victims and perpetrators. It is also involved in community development activities to develop networks to challenge domestic violence in local communities. Client services are provided for women and men, individually and in groups. Staff establishment is six.

Parallel with these events, other workers in the field were devising programs for working with men, as they became aware that while helping the abused woman was paramount,

**Figure 1**  
Ratings of police by spectators and townspeople



# Why should we be surprised when wife-bashers change?

something needed to be done about the cause of the problem. In 1987 one of the programs thus developed was adopted by DVS. While different models are being offered by other clinicians with apparent success, the program used by DVS is the only one known to have been evaluated in Australia.

## Controversy

One could expect that there would be controversy around such a highly emotive issue. And there are many reasons for it, some of which appear to be:

1. Many people had knowledge of violent men from their contact with the men's abused partners, and some had actually experienced the men at their terrifying worst. In these circumstances who would not believe that nothing could or should be done with them?
2. There were some ideologically motivated people who saw the men as the ultimate expression of the patriarchy (and they were right), men who are obsessed with power and control (right again), and having no wish to be different (not right about some!).
3. Others had no first hand knowledge of the men but succumbed to many of the myths about them, for example that they are simmering volcanoes waiting to erupt on all and sundry, to be feared, and a danger to be avoided at all times. The mythology surrounding abusers abounds. They do beat their partners, sometimes mercilessly, but they are less of a danger to others.
4. It was justifiably feared that any services offered to men could mean a smaller slice of the funding cake for women's services.

The cumulative effect of these, and other attitudes, results in a deal of resistance from some quarters, to the

work DVS does with men, and to a lesser degree, with women. Those working with the men do so probably from three main basic beliefs:

1. The men are the problem. If nothing is done to help them change their behaviour and attitudes they will replicate the situation in each new relationship, leaving a trail of human misery behind.
2. In spite of one's initial judgements and reaction to their behaviour, the men are still persons. (Not always easy to believe.)

**'... for the men were the problem: their behaviour had to change if violence was to decrease.'**

3. Experimentation suggests changes are taking place in the perpetrators, leading to some sort of job satisfaction for workers in a difficult, but not too difficult, field.

## Program development

It was clear that something had to be done and perhaps something could be done to enable these men to change their destructive attitudes and behaviour.

Something had to be done for the sake of their past, present and future partners. The fundamental tenets from which the program began to operate were:



\* Domestic Violence Service, Adelaide, South Australia

1. Men are responsible for their own violence. There is nothing woman can do to make a man violent if he chooses not to be.
2. Violence is the issue that must be resolved before any other issues are tackled.
3. The safety of women and children is paramount.
4. Men can change if they choose to.
5. Men are more likely to choose to change in an environment which is accepting of them as persons, but not of their behaviour. An environment which is judgmental, censorious, punitive, competitive, power-oriented, and self-righteous demonstrates the same value system as that from which the men operate, the very value system they are being invited to change.

By listening carefully, attributing responsibility to the men, and endeavouring to see the world through their eyes, three basic areas emerged as determinants of their attitudes and behaviour.

1. What it means to be a man, especially in relation to control, power, anger and tenderness.
2. What femaleness means.

**'Because of this sex role stereotyping of men and the expectations placed upon them, most men, violent or not, are emotionally developmentally delayed.'**

3. What marriage means.

It was decided to formalise a semi-structured program so that it could be 'packaged' for use by other professionals.

### Basic beliefs

Fundamental to the program is the understanding that violence is a learned behaviour. The learning may occur in the familial context, certainly in the societal context. It can therefore be unlearned and new behaviours learned.

Sex role stereotyping is a potent factor in the incidence of domestic violence. Societal factors shape the experience of men and women, and tend to obscure the similarity of needs in each of the sexes, dichotomising them, leading to alienation, suspicion, and hatred.

The cost of this socialisation is enormous to both sexes. While the man is victim of his socialisation, the woman is victim of both her socialisation and her male partner.

Because of this sex role stereotyping of men and the expectations placed upon them, most men, violent or not, are emotionally developmentally delayed. They are often driven by a sense of deep desperation. They have not the emotional awareness, the emotional experience, the emotional resources, or the emotional confidence, to handle relationships in an intimate manner. They have been well taught to cover, ignore, deny any soft feelings, and resort to power and control to maintain themselves.

Many men will avail themselves of the

choice to overthrow the cultural stereotypes and begin to be their own person if the choice is offered to them in a way they can understand. Many men do not enjoy violence, do not wish to use it, but in their desperation express the one feeling socially accepted by our macho society: anger. And they express it in actions glorified by our culture: violence. To be a man one must be able to control those around him, but not necessarily himself.

The men need to be treated in the same way as any other client, with genuineness and respect for the person, working from his frame of reference, to enable him to change that frame of reference.

### Treatment program

This consists of twelve weekly sessions of 2.5 hours each. Over seven years around fifty groups, involving more than 400 men have been conducted.

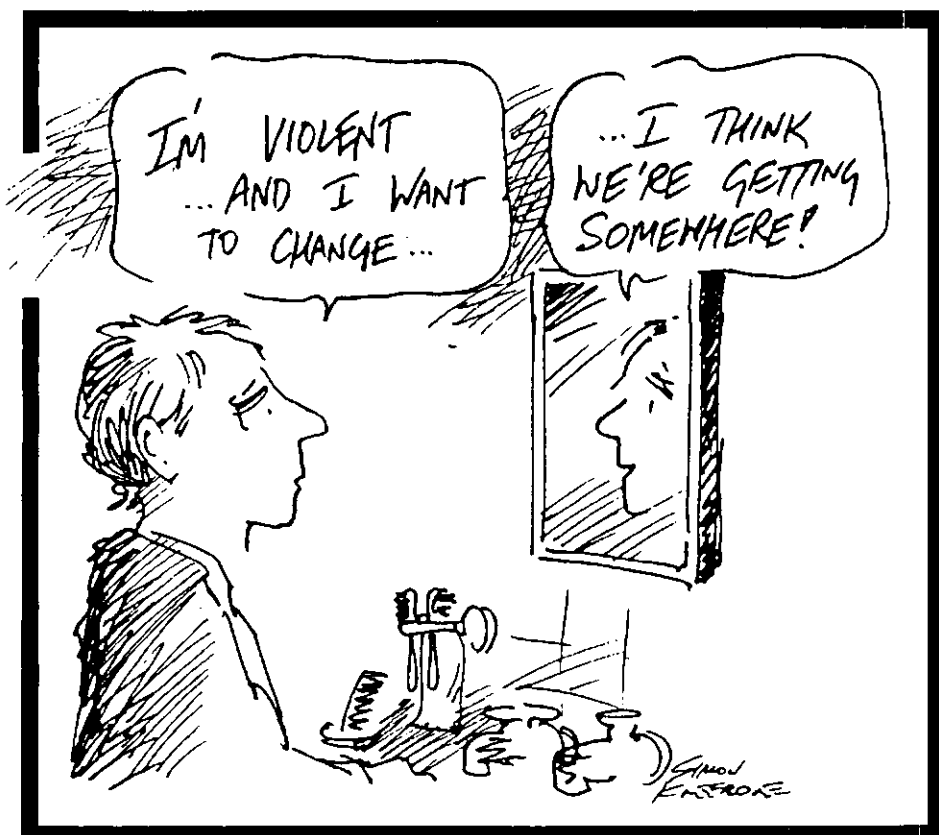
The stages in the program are:

1. Offering the men an alternative to violence—namely 'Time Out'.
2. Breaking the nexus between anger and violence. Offering different perspectives on understanding anger.
3. Looking at sex role stereotyping. Challenging them to make a choice.
4. Helping them to experience and express 'unmanly' feelings which are often converted to anger.
5. Helping them to identify their self-defeating self-talk.
6. Helping them to individuate. Helping them to take responsibility for their own thoughts, feelings and actions rather than blaming others, and to relinquish responsibility for the thoughts, feelings and actions of others.
7. Helping them develop communication skills.
8. Helping them develop intimacy skills.
9. Helping them to understand others. (Until late in the course they cannot understand their own feelings.)
10. Helping them explore sexuality and its meaning.

The program is not perfect, a panacea for this social disease, but the degree of success is remarkable when the changes (after 30 hours) are compared with the socialisation of a life-time.

What is it about our socialisation and belief systems that make it difficult to believe that wife-bashers can change if provided with the opportunity?

**'Many men do not enjoy violence, do not wish to use it, but in their desperation, express the one feeling socially accepted by our macho society: anger.'**



# Examining existing drugs policies

## The 1988 UN Convention—help or hindrance

In the current debate on the efficacy of existing drugs policies, some commentators including Russell Fox, QC (*Criminology Australia*, Vol. 1, No. 3) have expressed the view that ratification of the 1988 UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances would preclude consideration of alternative options. The purpose of this article is to put a contrary view and, indeed, to propose that, on a proper construction of the Convention, ratification would clarify the policy options available to Australia's governments. Only one option is precluded, and not by the 1988 Convention but by the earlier 1961 Single Convention on Narcotic Drugs, and that is legalisation; i.e. total deregulation permitting the availability of drugs for purely recreational use. No government, it is suggested, would be prepared to consider that as a viable option.

Before turning to the Convention and its predecessors (the 1961 Single Convention as amended by the 1972 Protocol and the 1971 Convention on Psychotropic Substances) it is interesting to note that Australia's drug policies and those of the international community are similar. For example, Australia adopted a multidisciplinary approach after the April 1985 Special Premiers' Conference, an approach that had, and still has, support from all Australian governments through the National Campaign Against Drug Abuse (NCADA). In 1987, the International Conference on Drug Abuse

**'The international co-operation mechanisms are, however, limited to trafficking offences and do not extend to offences involving personal use.'**

and Illicit Trafficking recognised four main areas for future action:

- ☐ prevention and reduction of demand;
- ☐ control of supply by crop eradication (and on an international level, by crop substitution programs to the funding of which Australia contributes);
- ☐ suppression of illicit trafficking; and
- ☐ treatment and rehabilitation of drug abusers desirous of such assistance.

Each of those aims is consistent with the NCADA approach.

The 1988 Convention touches on each of the abovementioned areas, but, as the name suggests, its emphasis is on the third element, the suppression of illicit trafficking, in particular by the creation of a network of international co-operation which would, for the first time, permit the law enforcement agencies to meet traffickers on an equal basis in a geographical sense. The international co-operation mechanisms are, however, limited to trafficking offences and do not extend to offences involving personal use.

However, as will be seen, the 1988 Convention cannot be construed in isolation: it is on a continuum with the Single and Psychotropic Drugs Conventions, those earlier conventions regulating the uses of narcotic drugs and psychotropic substances. For present purposes, since the production, etc., of heroin, cocaine and cannabis are regulated by the Single Convention, the 1971 Convention on Psychotropic Substances will be ignored.

How does the international convention package work? The starting point is an examination of the Single Convention which, in Article 36 provides, *inter alia*,

that:

*Subject to its constitutional limitations, each Party shall adopt such measures as will ensure that cultivation, production, manufacture, extraction, preparation, possession, offering, offering for sale, distribution, purchase, sale, delivery on any terms whatsoever, brokerage, dispatch, dispatch in transit, transport, importation and exportation of drugs contrary to the provisions of this Convention . . . shall be punishable offences when committed intentionally . . .*

Two observations can be made. The underlined words are often ignored in construing the Single Convention, leading to an erroneous view that the Convention is totally prohibitionist without any study being made of the remainder of the Convention to determine how the general obligation in Article 36 can be expanded or contracted by those other provisions. Secondly, whilst 'use' is not dealt with in the above quote, it is clear that possession could relate to both possession for trafficking or possession for personal consumption, as the Convention permits signatories to permit abusers of drugs who have committed any of the above offences to undergo treatment, education, etc., either as an alternative, or in addition, to conviction or punishment. An indication of the attitude of the Single Convention towards personal use offences is that all offences, whether committed by a trafficker or abuser, are to be regarded as extraditable offences.

An examination of the other provisions of the Single Convention leads one to the conclusion that those provisions are regulatory as opposed to merely prohibitionist. Australia, as a party to the Convention, could, provided it complied with the measures of control contained in the Treaty;

\* Principal Adviser, Criminal Justice, Attorney-General's Department, Canberra

- ☐ permit manufacture;
- ☐ license and control trade and distribution;
- ☐ permit import and export of the very drugs dealt with by the Single Convention. Even use is not prohibited, but limited as follows:

*Subject to the provisions of this Convention, to limit exclusively to medical and scientific purposes the ... use and possession of drugs (Article 4(1)(c)).*

One of the provisions relevant to the interpretation is clearly Article 30 which provides, inter alia, that medical prescriptions must be required for the supply or dispensation of drugs including heroin or cannabis to individuals. However that requirement need not apply to such drugs as individuals may lawfully obtain, use, dispense or administer in connection with their duly authorised therapeutic functions.

Of what relevance is the above to an interpretation of the 1988 Convention?

Article 3 of the new Convention contains the obligation to create offences and sanctions. Whilst for the first time money laundering offences are dealt with, the actual drug offences are required to be criminalised only to the extent that the activities are contrary to the Single Convention as amended by the 1972 Protocol. More importantly, the 1988 Convention draws a clear distinction, unlike the Single Convention, between possession for personal consumption and possession for trafficking activities and to the consequences flowing from them. The trafficking offences are dealt with in paragraph 1 of the Article, and conduct involving personal consumption use, in paragraph 2. The remaining paragraphs of Article 3 deal with sanctions, including alternatives to punitive sanctions.

In relation to possession for trafficking under paragraph 1—

- ☐ the activities are to be made 'liable to sanctions which take into account the grave nature of these offences, such as imprisonment or other forms of deprivation of liberty pecuniary sanctions and confiscation';
- ☐ in addition to conviction or punishment, a Party may provide that an offender undergo measures such as treatment, education, after care, rehabilitation or social re-integration, although in *appropriate cases of a minor nature (as judged by the Party)* these measures may be provided as alternatives to conviction or punishment;

**'More importantly, the 1988 Convention draws a clear distinction . . . between possession for personal consumption and possession for trafficking activities.'**

- ☐ courts or other competent authorities are to be put in a position where they can bear in mind the serious nature of such offences when considering early release or parole of convicted persons;
- ☐ a long statute of limitations period is to be established in relation to paragraph one offences and a longer period where the alleged offender has evaded the administration of justice;
- ☐ measures of international assistance such as confiscation (Article 5), extradition (Article 6) and mutual legal assistance (Article 7) are to be available *only* for paragraph 1 offences.

**'Decriminalisation, as opposed to legalisation, reflects a social condemnation of conduct and provides a non-criminal consequence in lieu of criminal sanctions.'**

By way of contrast it is worth noting how the Convention treats the paragraph 2 offences of possession, purchase or cultivation for personal consumption contrary to the provisions of the Single Convention:

- ☐ measures for treatment, education, after care, rehabilitation or social re-integration of the offender may be provided *either as an alternative to conviction or punishment or in addition to conviction or punishment*, regardless of how serious the possession, purchase or cultivation offence might be;
- ☐ the obligation to establish the offence is 'subject to its constitutional principles' (cf 'constitutional limitations' in Article 36 of the Single Convention) and also subject to 'the basic concepts of its legal system' (this limitation did not appear in Article 36 of the Single Convention and is to be construed in the broad sense of the basic principles governing the law of each Party);
- ☐ paragraph 11 reserves to the domestic law of the Party not only the description of the offences and the prosecution and punishment of those offences but also the legal defences thereto (this reservation did not appear in the corresponding provision of Article 36 paragraph 4 of the Single Convention and permits scope for addiction related defences);
- ☐ the regime of international assistance, including extradition, confiscation and mutual legal assistance does *not* apply to these offences (cf Single Convention which required such offences to be regarded as extraditable).

## Policy options available under the new Convention

Against the above background of the Single Convention and the new Convention it would be open to any government of a Party to the Convention to:

- ☐ permit the cultivation of the cannabis plant and of the opium poppy for the production of opium (and ultimately heroin) provided it sets up the Government agency and carries out the functions required of that agency under Article 23 of the Single Convention;
- ☐ manufacture heroin and cannabis by one or more state enterprises or by a private enterprise under licence, subject to carrying out of the controls in Article 29 of the Single Convention;
- ☐ trade in and distribute cannabis and heroin through one or more state enterprises or by a private enterprise under licence (a person duly authorised to perform and while performing therapeutic functions need not be licensed in respect of such trade or distribution);
- ☐ supply or dispense drugs to drug abusers or AIDS/Hepatitis B risk users under appropriate programs.

The qualification on all the above options is that the activities authorised must be for a medical or scientific purpose within the meaning of the general obligations contained in the provisions of Article 4 of the Single Convention. While any Party could adopt such options on the basis that they serve the medical or therapeutic objective of treating drug addiction or abuse, the options could not be adopted if their ultimate purpose was to enable recreational use as distinct from medical or therapeutic use.

So viewed, whilst it is correct to say, as Russell Fox does in his article, that use, 'albeit personal and private, must be made criminal', decriminalisation is in effect permitted by virtue of the alternative sanctions provisions as outlined above. Decriminalisation, as opposed to legalisation, reflects a social condemnation of conduct and provides a non-criminal consequence, such as treatment or rehabilitation, in lieu of criminal sanctions such as imprisonment.

It is not correct to say, as Russell Fox does in continuing the abovementioned quote 'and some sent off to gaol because of it', the 1988 Convention clearly permits governments to provide non-punitive sanctions for personal use related conduct. In this way, the 1988 Convention, whilst primarily addressing 'supply' issues leaves open to Parties other strategies directed to the 'demand' side of the equation.

# Delinquency in India

In 1986 the Indian Government passed the first national Children's Act establishing a uniform system of justice specifically designed for juveniles throughout the country. The law sets uniform age limits for criminal culpability (age 16 for boys and 18 for girls); enumerates the powers, responsibilities, and procedures to be followed in juvenile courts; and details the goals and operations of correctional programs to handle youthful offenders and other children deemed in need of state intervention.

Clearly the law heralded official recognition of the special status of young offenders and needy children in India. But it also suggested that youth crime and delinquency had become matters for national concern; issues serious enough to warrant a national law to combat the problem. But why the sudden need for a national law?

Indeed, numerous programs (government and private) already existed to deal with the nation's masses of wayward and needy children. Some states had had delinquency laws and separate judicial systems for juveniles in effect for years. Tamil Nadu (formerly Madras State), for example, had enacted a body of law for juveniles as early as 1920 and developed a model system adapted in several of the more progressive states. The Central Government also had passed legislation in 1960 governing the treatment of juvenile in Union Territories (areas governed directly by the Central Government) and supposedly serving as a model for the various states to emulate. But few states did. And even in many of those where laws did exist on the books, little effort was expended in actually implementing systems of juvenile justice/corrections or in using those that were in operation. Often the laws never actually required that juveniles be handled by the existing system so that either informal means were used or, instead of being processed in juvenile courts,

serious offenders were remanded to the jurisdiction of adult authorities. Thus, apparently the Central Government felt it necessary to insure that this situation be corrected by means of national legislation.

Yet, even though the 1986 law mandates that states put separate judicial/correctional programs into operation in accordance with the dictates of the legislation, it appears that a number of states are dragging their feet in doing so. In part, this reluctance reflects a general Indian orientation to avoid legal (governmental) entanglements of any kind—especially when they involve crime or family matters. Also, many state governments openly balk at carrying out

any programs dictated to them by the Central Government. But this reluctance to implement the law may also reflect a general sense that a special system of justice for juveniles is, if not undesirable, not particularly needed. The problem, in short, necessitating such a system is not all that apparent to many Indians. Perhaps, in some respects that assessment is justified, especially when one considers the facts of delinquency and youth crime in India.

The publication *Crime in India* provides annual national crime statistics for India. Similar in many respects to official publications found in other countries (such as the Uniform Crime

Table 1  
Recorded violations of Indian Penal Code and special and local law India, 1983

Violations	Total	Juvenile	Juvenile as percentage of total
<b>IPC</b>			
Murder	25 112	1 257	5.00
Criminal homicide	3 793	84	2.21
Rape	6 019	454	7.54
Kidnapping and abduction	13 842	665	4.30
Dacoity	12 382	548	4.42
Robbery	21 310	991	4.55
Burglary	139 103	5 795	4.16
Thefts	353 536	13 531	3.33
Riots	108 101	8 795	3.13
Crim. breach of trust	18 514	226	1.22
Cheating	19 767	281	1.42
Counterfeiting	890	18	2.22
Other IPC offences	627 578	22 828	3.54
Total IPC	1 349 947	55 473	4.11
<b>Special and local laws</b>			
Arms Act	64 413	1 576	2.45
Opium Act	14 356	161	1.12
Gambling Act	189 863	13 405	7.76
Excise Act	113 338	2 276	2.71
Prohibition Act	388 224	21 371	5.50
Explosives Act	3 477	88	2.53
SIT Act	15 325	2 645	17.25
Motor Vehicles Act	998 067	1 662	7.00
Prevent. Corrupt. Act	328	35	10.57
Customs Act	149	0	0
Railways Act	48 655	1 795	3.59
Other offences	1 084 868	28 377	2.62
Total special and local laws	2 921 063	73 391	2.51
Total all offences	4 271 010	128 864	3.02

Source: Based on *Crime in India 1983* (New Delhi: Ministry of Home Affairs, Government of India, 1988), pp 3, 55, 87, 88

\* Professor of Criminology, Rutgers University

Reports of the US), this document enumerates the number of Indian Penal Code and Special and Local law offences known to authorities and the number of arrests for such offences by age, gender and locality.

As reported in this document, a substantial number of offences come to the attention of authorities in India each year. But, given the size of the Indian population, the fewer than five million offences recorded in 1983 (the most recent year the report was available) is at best a minuscule number of crimes. This is especially true when one compares the Indian offence rate (approx. 593 per 100 000) with that registered by such countries as the United States, Australia and many Northern European nations.

Of even more profound significance is the almost negligible incidence of offences recorded for juveniles (defined as persons below age 21). Less than 130 000 such offences were recorded in 1983 and only 171 614 arrests of persons below age 21 were made in that year. Fewer than a third of these arrests involved persons below age 18. In contrast to many western countries where juveniles contribute to the crime rate in substantial numbers (often well beyond their proportion of the population), Indian youth are comparatively crime free.

However, as with all official sources of criminal information, *Crime in India* is by no means without limitations and problems. Indeed, some anomalies in the recorded offence and arrests rates suggest that conclusions based on official reports must be taken with a considerable amount of scepticism. The exceedingly low rates of youth crime recorded in some major cities and regions experiencing political strife, for instance, make one highly suspicious of the accuracy of these reports. Given the general suspicion Indians have of authorities (especially the police), surely crime, and especially youth crime, is grossly under reported in official statistics. To what extent and in what ways this is true remains unknown. However, the work of many Indian criminologists, my own inquiries over the course of ten years, and a self-reported delinquency survey I have completed in late 1988 suggest that, in general, the conclusion may be warranted that delinquent and criminal conduct among Indian youth is not (as yet in any case) a serious national problem. At least in contrast to the youth of many other countries, Indian youth are apparently truly crime free.

For example, preliminary analysis of data from the 1988 self-reported delinquency survey involving 2600 Madras and New Delhi high school and incarcerated boys and girls reveals that most Indian juveniles admit to involvement in at least one delinquent act on at least one occasion. But, serious, repetitive, criminality is rarely found. The vast majority of youthful misconduct is of a

petty sort: cheating on tests, truancy and various acts of mischief. Extremely small numbers report more serious acts of theft or property crimes and violent criminality is exceedingly infrequent. Especially in comparison to western youth, alcohol and drug behaviour (particularly hard drugs) is rare, if not totally unknown. Thus, while almost 80 per cent of the sample reported doing at least one delinquent act once (not unlike youngsters in other countries), few did many things or anything serious, and very few did anything serious very often.

A separate system of justice/corrections for juveniles may indeed be needed in India if only to prevent mischievous and destitute youth from facing the harshness of adult criminal justice and to provide opportunities for their care and upbringing. In fact, many correctional facilities I have visited throughout India can best be described as places of refuge for needy children; their delinquency having provided them the price of admission to the food, shelter and education that would otherwise have gone wanting.

But the sense of fear and urgency to do something about youth miscreants suggested by the passage of the 1986 law is realistically absent in much of India. The roving gang of young thugs, senseless shootings, open dealing of drugs, and drunken public-rowdiness that strikes fear and revulsion in the hearts of people in many parts of the world is not (yet) a part of Indian life. It is little wonder that local authorities in many places see little reason to get worked up about the problem of delinquency. Thus, the ideals behind a national juvenile justice law may be good ones, but for many people the pressing need for such appears to be absent.

However, in the future that need may surely become more apparent. The evidence is thin and the trends are weak, but an accumulation of signs point to an eventual rising tide in both frequency and severity of criminality among India's youth. Fluctuating, but persistent increases exist in the relative numbers of juveniles arrested each year. Violent and more aggressive forms of criminality on their part appear to be increasing also. The beginnings of a serious drug problem (both using and dealing) are recognisable. While drug use is still more pronounced among older youth and young adults, a trickle down effect is likely to occur.

Moreover, the insulating walls of the Indian family are beginning to crack as modernisation and westernisation continues to invade the Indian economy and culture. Respect for authority is less obvious, especially among the more sophisticated urban youth, and the increasingly visible material disparity between the wealthy and impoverished of India may very well give rise to a serious

**Table 2**  
Percentages of high school and institutionalised respondents committing individual offences, India 1988

Offence	High school offender	Inst. offender
Assault	6.40	8.60
Gang fight	6.10	11.10
Hit parent	2.70	9.70
Concealed weapon	5.80	10.00
Steal RS 50 +	5.60	8.60
Steal RS 5-50	2.10	11.50
Steal <RS 5	6.60	15.30
Vehicle theft	0.90	4.50
Joy ride	7.90	7.60
Possess stolen property	5.80	14.70
Steal from family	16.10	29.70
Steal from school	11.20	30.00
Strong arm others	6.10	8.90
Burglary	7.00	16.40
Avoid payment	21.00	31.10
Vandalism	18.60	14.90
Throw objects	12.10	21.10
Disorderly conduct	10.60	12.20
Drunk in public	2.40	6.50
Beg	2.50	12.40
Runaway from home	4.40	32.60
Truancy	29.20	30.20
Lie about self	27.60	35.30
Cheat on school Test	46.90	32.60
Sold hard drugs	0.10	3.90
Sold soft drugs	0.30	3.70
Drank alcohol	12.20	11.30
Used soft drugs	1.40	6.70
Used hard drugs	0.60	5.40
Mean % per offence	9.66	15.40
Sample N*	2 077	523

\* Due to missing cases frequencies for individual offences may vary slightly from sample Ns. Percentages reported are based on actual frequency for individual Ns.

crime problem in the decades ahead. In this respect the 1986 law may have seemed unwarranted at the time. But its enactment may have prophesied the very issue it was enacted to resolve. But whether it or any other kind of legislative intervention, can do much to combat crime and prevent delinquency in the India of tomorrow remains to be seen.

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# Indonesian criminology

The Indonesian Society for Criminology will hold an international conference at Nusa Dua, Bali from 10 to 13 December 1990.

The Indonesian Society for Criminology was established in 1989 as a professional body for co-operation between workers in the fields of criminal law, criminology and criminal policy. The institutionalisation of an independent Indonesian criminology was late compared with most other countries. Even today the intellectual climate in this field of knowledge is far from ideal. Universities lack enough resources to build up good libraries or to pay their professors and teachers sufficient salary.

To improve this situation the Dutch government in 1986 began upgrading legal sciences and practices. The reason for this post colonial involvement was that most Indonesian laws and other governmental regulations derive from the former colonial regulations. Indonesia is currently working on new codifications but that is a matter for the future.

At the request of the Indonesians, criminology was also included in this upgrading project. One reason was the ambivalent status official governmental legislation has in many Asian countries, including Indonesia. The criminological social science approach could help to overcome this problem. Besides, matters like corruption, corporate and governmental crime, as well as the general effectiveness of all kinds of legislation could be put much more easily on the agenda of criminology than on the agenda of the legal sciences. In addition, in Indonesia criminology is mainly taught in law faculties and is considered by lawyers as part of the so-called integrated criminal sciences. A third reason is the absence of elaborate social and political science departments in most universities.

As part of this upgrading project, criminologists and practitioners interested in criminology were brought together for two-week seminars in East, Central and West Indonesia, and a new institutionalisation of Indonesian criminology took place. Local conferences were organised on topics like victimology, corporate crime, alternative sanctions and other recent trends in criminal policy. International institutes like the Australian Institute of Criminology and UNAFEI Tokyo assisted with these conferences which were successful.

Confronted with so much interest in this field, it was decided to establish the

Indonesian Society for Criminology. At the moment, the Society has 440 members.

Because for financial reasons it is difficult for most Indonesian criminologists to travel abroad and to visit conferences, the Society is organising an international conference.

Sponsors of this conference to date are the Dutch Council of Co-operation in Legal Matters and the Australian Institute of Criminology. All major Indonesian organisations and professional groups in the field of criminology and criminal policy will participate.

The main purpose of the conference will be to give the members of the society and all others interested in this field an opportunity to meet colleagues from abroad, to discuss with them the new developments in crime and criminal policy and to bridge the gap between western theories and eastern practices. A second purpose is to strengthen the Society internally as well as externally.

The conference will be held in Bali, at the Putri Bali Hotel. Bali is situated right in the middle of Indonesia and has excellent hotel accommodation and good access by air.

## International conference

The manner in which this conference is organised follows from the purposes mentioned above. As its main purpose is to promote international contact among all workers in this field, the conference will have only a limited number of plenary sessions, held by leading criminologists from Indonesia and abroad. The conference is devoted to the entire field of criminology and criminal policy, but some topics will be specially highlighted through invited keynote addresses and prescheduled symposia.

'East Meets West' is the overall title of the conference. The following key areas have been proposed:

- ☐ crime measurement and subdivision
- ☐ ethnocentrism and criminological theory
- ☐ victims and compensation in East and West
- ☐ new developments in penology and resocialisation
- ☐ social control and economic modernisation
- ☐ legal consciousness in Asia
- ☐ criminal defence strategies
- ☐ children in the criminal justice system, theory and practice

- ☐ corruption and corporate crime
- ☐ narcotic drugs policies compared
- ☐ police-citizen relationships
- ☐ history of non-western criminology

The conference language is English. No simultaneous translating facilities will be available.

## Contributions

Participants are invited to submit contributions on the principal themes of the conference or other related topics.

Individual paper contributions can be submitted by way of 250 word abstracts and should not exceed 20 minutes (discussion excluded).

Symposia should consist of at least four and at most six 20 minute-papers and must centre around a specific subject. Proposals for symposia must be submitted by the organiser and consist of 250 word abstracts of all contributions to the symposium, preceded by a 250 word introductory statement prepared by the organiser.

Abstracts including name, address and institutional affiliation of the author(s) should be sent to the conference secretariat before 1 August 1990. Notice of acceptance of a contribution will be mailed on or before 1 September 1990.

## Scientific Advisory Committee to the conference

- ☐ Anthony Bottoms, University of Cambridge, Cambridge, UK
- ☐ Duncan Chappell, Australian Institute of Criminology, Canberra, Australia
- ☐ Georges Kellen, International Association for Criminology, Paris, France
- ☐ Ryuichi Hirano, Tokyo University, Tokyo, Japan
- ☐ Jacob Sahetapy, Airlangga University, Surabaya, Indonesia

## Addresses of the conference secretariats

- ☐ For Indonesian visitors:  
The Indonesian Society for Criminology  
Mr B. Mardjono Reksodiputro  
University of Indonesia  
Facultas Hukum, Jakarta  
Phone: (021) 4892910 / Fax: 516736
- ☐ For foreign visitors:  
The Australian Institute of Criminology  
Prof. D. Chappell  
GPO Box 2944  
Canberra ACT, Australia, 2601  
Phone: (06) 2740200

# CRC grants

The Criminology Research Council met in March and made the following grants.

## Confrontation homicide

The Criminology Research Council granted Professor Ken Polk and Dr David Ranson \$20 702 to do research into homicides resulting from personal confrontations.

While much of the discussion of violence and homicide in recent years has focused on domestic violence, in fact a majority of homicides involve events in which both victims and offenders are males.

One of the common forms of such masculine homicide is that which results from the escalation of disputes which flare up between males during confrontations, usually involving lack of status in some way.

Such homicides account for a significant proportion of the total homicides and, because they are likely to occur in public places, are of interest from the point of view of public concern and public policy. Qualitative and quantitative analyses will be conducted on case histories of approximately 60 confrontation homicides, out of roughly 300 total homicides, for the years 1985 to 1989.

By identifying the major features of confrontation homicides, the project should have direct implications for gun control policy, dispute resolution, and long term policy in education with respect to masculinity and violence.

*An Exploration of Confrontation Homicide in Victoria.*

Criminology Department, University of Melbourne.

## Aboriginal perceptions of corrections

A grant of \$29 906 was made to the Yalga-Bindi Institute for Community Development to study the perceptions of Aboriginals and Torres Strait Islanders in North Queensland towards the corrections services in their areas.

Aboriginal and Islander communities in remote North Queensland have an offending rate of at least fifteen times the Queensland average. The offences are generally of a violent nature and incur a period of imprisonment. Moreover, these

remote communities are characterised by a wide range of interconnecting social problems which predispose them toward repeat offending patterns. A recent examination of Aboriginal and Islander prisoners in North Queensland found that 76 per cent had prior custodial experiences and 90 per cent had prior convictions.

This study should examine the perceptions of Aboriginal and Islander people to the corrections system as it is and come up with recommendations for the future. The involvement of Aboriginal and Islander people in problem identification and the formulation of alternative, more culturally appropriate means of deterrence and correction will encourage them to be more involved and committed to intervention efforts.

The research will provide the Queensland Corrective Services Commission with accurate data on which to make policy, program and resource allocation decisions.

*Aboriginal and Islander Perceptions of the Delivery of Correctional Services to Indigenous People in North Queensland*  
Yalga-Bindi Institute for Community Development, Thuringowa Central, Queensland.

## Interviewing pre-school witnesses

Mary O'Callaghan of the Department of Psychology, University of Tasmania, has been given a grant of \$14 738 for research to establish interviewing conditions appropriate to the age of pre-school witnesses.

It is increasingly being suggested by researchers in this field that, given the right conditions, young children can be as reliable as witnesses as adults.

What is now needed is empirical evaluation of certain procedures being proposed as legal practice for the reporting of evidence by very young children.

In the first stage of the study, the use of props as retrieval cues under free recall and questioning conditions will be compared with the use of photographs to recall real life events. The second stage will study the role of the presence of a caregiver when children are being interviewed.

*Age-appropriate Interviewing Conditions for Pre-School Witnesses.*

Department of Psychology, University of Tasmania.

# Book review

## This Little Piggy Stayed Home

By David Williams. Published by Panorama Books, Perth, 192p., \$10.95.

This last decade has seen the birth of a fresh literary genre, the crime documentary. Such books for the most part comprise investigation of past rather than present events, ranging from excellent to abysmal in quality. The preponderance of the literature unfortunately lies closer to the abysmal end of the spectrum rather than the excellent end but for all that is not without utility.

Journalists who apply their investigative instincts and skills to criminal activity and publish their findings at length generally perform a useful social service. They inform us of events, developments and dangers which are generally poorly communicated by governments and newspapers. Television, in particular, is one medium which has served well to bring serious criminal activities to wide public notice but its offerings are relatively few and, in any case, inevitably lack the detail possible in book format.

David Williams is a journalist with the *West Australian* and in the course of his reporting duties covered the Barlow and Chambers trial for his paper. The newspaper's editor wisely gave Williams wide discretion to investigate and then write up his findings in detail. The investigation brought into conjunction two elements of concern to many people: drug trafficking, and ethnic organised crime. Williams's inquiry lasted more than two years and in that time he clearly developed an acute understanding of the Perth Italian criminal milieu and its activities.

In *This Little Piggy Stayed Home*, David Williams has written a detailed account of events culminating in the hanging of Geoffrey Chambers and Kevin Barlow in Malaysia on 7 July 1986. The author acquaints his readers with the motivations and actions of some of the major players in this sordid and tragic melodrama.

In a sense, the book is an exercise in social history because, as the author tells us, the Perth crime scene has changed greatly since the mid-eighties. But, while some of the actors may have changed,

roles remain the same and are capable of repetition not only in Western Australia but elsewhere in Australasia. Both the community and relevant public agencies need to learn the lessons to be gained from these events if repetitions are to be avoided.

One of the inevitable difficulties of writing such a work is to avoid boring readers with a relatively limited cast of characters, a flaw common to many books of this genre. The author, by dint of intelligent use of conjecture and description largely avoids the problem. The one time he falls into the trap is in the regrettably superfluous final chapter in which he engages in an orgy of names, crimes and court sentences.

One of the particular joys of *This Little Piggy Stayed Home* is the economy of the author's writing. So finally honed is the text, there is not a single repetitious or superfluous word. Apart from descriptive scenes designed to provide variety, the succinct style of writing reads almost like a report. More importantly, William's traces the sorry and extraordinarily mundane trail of persons, motivations, interactions and events in such detail that the characters and their environment become entirely familiar to the reader.

One is saddened not only by the greed and poverty of spirit associated with the dominant characters encountered throughout the book's pages but the hopelessness of the lives of at least some of those who become their dupes, carrying drugs between South East Asia and Western Australia or New South Wales.

The author is largely non-judgmental in his examination of the Barlow and Chambers affair, surprisingly so, although ultimately he makes it clear that in his view the Australian Federal Police could and should have prevented the affair arising in the first place. Readers have no way of assessing the accuracy of his judgment. On the other hand, National Crime Authority operatives are cast as white knights trying desperately to avert the grisly finale. It would be useful had the author had the opportunity to delve more deeply into official actions and inactions thought to have led to the arrest and execution of Barlow and Chambers, not for reasons of criticism but to aid in ensuring repetition is avoided. Apparently, lack of co-operation from the Australian Federal Police prevented the author from completing his inquiries in that regard.

The Barlow and Chambers affair is not unique in Australasian criminal history. In fact, apart from the tragic outcome, it was not even unusual. What is unusual is that a perceptive and competent journalist was wisely afforded the opportunity to focus on the affair at length and describe its various parts in detail. In so doing, he has not only written an excellent account of an unfortunate series of events but has also performed a substantial public service.

Bruce Swanton

# New Publications

In these service pages, *Criminology Australia* intends to present as much news as possible on new publications, conferences and appointments. To do this we will need to receive the notification as early as possible, preferably over six months ahead in the case of conferences, seminars and courses. News about events in South East Asia and the Pacific are particularly welcome. Please address copy to Jack Sandry, Editor *Criminology Australia*, GPO Box 2944, Canberra, ACT 2601.

## Publisher: Australian Institute of Criminology

GPO Box 2944, Canberra, ACT 2601

*CINCH, The Australian Criminology Database, Volume 2, 1988.*  
ISSN 1034-5302. 246 pp. \$30.00.

The print version of this computer-based information system contains references to criminological material of Australian content. Records contain citation and subject analysis. Included is an extensive introduction and guide to using the publication.

Debaecker, Francois and Chapman, Joyleen

*Australian Community-based Corrections 1987*  
ISSN 0818-6618. 64 pp. \$10.00.

*Australian Community-based Corrections* contains the results of the National Census of Community-based corrections conducted as at 30 June 1987.

Hazlehurst, Kayleen  
*Crime prevention for Aboriginal communities*

ISBN 0 642 14937 2. 84 pp. \$10.00.

*Crime prevention for Aboriginal communities* recognises Aboriginal customs and ways, and outlines steps towards a community-based approach to crime prevention. This encourages teamwork in the understanding of community problems, and the planning for action which will reduce crime in the community. This booklet is an invaluable resource for Aboriginal communities, and others concerned with the welfare of those communities.

This training manual is accompanied by a video, 'Primary Prevention for Community Wellbeing: an Interview with Jean'. In the video Jean Jans, a

registered nurse, explains the CADAP (Community Approach to Drug Abuse Prevention Project), which she has used successfully in her work in drug and alcohol addiction prevention. The VHS video is available at \$20.00.

Potas, Ivan

*Sentencing Robbers in New South Wales*

*Principles, Policy and Practice*

ISBN 0 642 14487 7. 208 pp. \$20.00.

This work is a detailed analysis of the sentencing decisions of the New South Wales Court of Criminal Appeal between 1978 and 1989. It reviews robbery and armed robbery decisions coming to the notice of the Court and provides statistical data and other information. It is designed to assist those with the task of deciding sentence or with the task of advising those at the receiving end of sentence what their penalty may be.

*Annual Report, Australian Institute of Criminology, 1989, \$15.00.*

*Annual Report, Criminology Research Council, 1989, gratis.*

*Trends and Issues in Crime and Criminal Justice Series*

General Editor, Dr Paul Wilson  
ISSN 0817-8542

(Subscription \$20.00 per annum)

No. 22, Pinto, Susan, Scandia, Anita and Wilson, Paul.

*Prostitution Laws in Australia.*  
ISBN 0 642 15382 5.

*Australian Criminology Information Bulletin*

Editor: John Myrtle (Librarian)  
ISSN 1034-6627

(Subscription \$10.00 per annum)

The *Australian Criminology Information Bulletin* is a new subscription item, and Vol. 1, No. 1 has just been published. The Bulletin will be published six times each year. Each issue will contain newly indexed additions to CINCH, The Australian Criminology Database, as well as a section with recent additions to the Institute's J.V. Barry Library.

**Publisher: CCH Australia Ltd**

PO Box 230, North Ryde, NSW 2113

*Australian Torts Reporter*

2 year subscription \$768 p.a. + \$90 installation charge

1 year subscription \$845 + \$90 installation charge

*Australian Torts Reporter* is a 3 volume set. It is a loose-leaf reporting service on torts law, including a written commentary. The commentary in volumes 1 and 2 is divided into the following sections:

Volume 1

☐ Principles of negligence

☐ Personal injury

☐ Damages for personal injury

☐ Death

☐ Statutory compensation schemes

Volume 2

- ☐ Property-related torts
- ☐ Economic loss
- ☐ Infringement of personal rights
- ☐ Remedies

*Australian Torts Reporter* is a loose-leaf service and Reports are issued at least ten times a year to keep the Reporter up to date.

**Publisher: Melbourne University Press**

PO Box 278, Carlton South, Vic 3503

Young, John Mcl.

*Sir William Foster Stawell*

ISBN 0 522 84411 1. 36 pp. \$4.95.

Sir William Stawell, the second Chief Justice of Victoria, served in that office for 29 years. This booklet is the commemorative address given at the University of Melbourne on Tuesday, 14 March 1989, by The Hon. Sir John Young, AC, KCMG, Chief Justice of Victoria.

**Publisher: Office of Corrections, Victoria**

20 Albert Road, South Melbourne, Vic 3205

*Annual Report 1988-89*, gratis.

Available from the Resource Centre: (03) 698 6509.

# Forthcoming Conferences, Seminars and Courses

## **Australian Institute of Criminology**

### **Occasional Seminar No. 3— Reform of Sentencing Laws in Canada 14 May 1990, Canberra**

On 14 May 1990 at 12.30 p.m. the third seminar in this series will be given by Professor Gerry Ferguson of the University of Victoria, Victoria, BC, Canada. Professor Ferguson's topic will be 'Reform of Sentencing Laws in Canada'. Professor Ferguson is also consultant to the Law Reform Commission of Canada and the Department of Justice on criminal law reform, and is a visiting Professor of Law at Monash University. The seminar will be held at 12.30 pm in the Conference Room on the 2nd Floor of the Criminology Building, 2 Marcus Clarke Street, Canberra (next to the Lakeside Hotel). Confirm attendance with Sandra McKillop, Conference Section, Australian Institute of Criminology; ph: (06) 274 0223.

### **Librarians in the Criminal Justice System**

29-31 May 1990, Canberra

This will be the seventh biennial conference from criminal justice librarians to meet and discuss the developments in library services, databases and technology that affect their work. The staff from the J.V. Barry Library at the Institute will provide an update of the various national and international developments in accessing criminological sources. The conference will be practically oriented and will involve workshops and on-site visits to other relevant library facilities in Canberra.

### **Preventing Youth Suicide 24-26 July 1990, Adelaide**

The continuing problem of youth suicide is an issue of major concern in Australia today, and a topic of recent research within the Institute. While that, and other contemporary research will be reported, this conference will focus on preventive programs, and in particular those that have proved successful overseas and which could be used in Australia.

### **Over-representation of Aborigines in the Criminal Justice System**

17-19 September 1990, Alice Springs

For further information on any of these conferences please contact Julia Vernon:

Conferences Section  
The Australian Institute of Criminology  
GPO Box 2944,  
Canberra ACT 2601, Australia.  
Ph (06) 274 0226

## **Department of English, University of Sydney and Faculty of Law, Monash University**

### **Law and Literature Conference 20-22 April 1990, University of Sydney**

Australia's first Law and Literature Conference is a joint initiative from the Department of English at the University of Sydney and the Faculty of Law at Monash University. The aim of the conference is to create new links between the legal profession and the universities, as well as between the commercial world and the humanities.

John Bryson, lawyer, and author of *Evil Angels*, will be the keynote speaker. Other speakers include: Nicholas Hasluck, QC of the Western Australia bar who will speak on 'Devising Legal Fictions', Arthur Glass of the UTS Law Faculty will discuss 'Interpretative Practices in Law and Literary Criticism', Ken Horler, QC, President of the Council for Civil Liberties, will give the closing paper on 'Language and the Law'. A practical continuing legal education session, focusing on voice identification and written discourse analysis evidence, will be run in conjunction with the conference.

For further information contact Simon Petch or Penny Pether on (02) 692 2222, extn. 2349 or 3251.

## **The Office of Corrections and the Health Department, Victoria**

### **Sex Offenders: Management Strategies for the 1990's**

Training Workshops: 23-24 April 1990  
International Conference: 25-27 April 1990

Hilton International Hotel, Melbourne

This conference is sponsored by the Office of Corrections and the Health Department of Victoria, in association with the Forensic Section of the Royal Australian and New Zealand College of Psychiatrists, the Forensic Board of the Australian Psychological Society, the University of Melbourne and Monash University. The aim of the conference is to provide key people throughout the health and criminal justice systems with a better understanding of the current treatment strategies which have been demonstrated to reduce reoffending in target populations, and to provide strategies for the management of sexual offenders in the 1990s.

Speakers include Professor Gene Abel, Department of Psychiatry and Psychology, Emory University Atlanta, Georgia, USA, and Mr Rob E. Longo,

formerly Director, Sex Offender Unit,  
Oregon State Hospital, USA.

Registration fee of \$150.00 includes  
cocktail party, luncheon and afternoon  
teas, two light lunches and the  
conference dinner.

For further information contact:

'SO Meeting 1990'  
c/o RANZCP  
PO Box 418  
Carlton South Victoria 3053, Australia

## **Office of the Status of Women, Department of the Prime Minister and Cabinet**

### **National Forum on Domestic Violence Training Break the Cycle**

26-28 April 1990, Adelaide Convention  
Centre

The Forum is intended for members of  
professions, including those with a  
policy-making role with regard to training,  
those who provide initial or on-the-job  
training, and those who train trainers from  
all relevant areas.

The forum will provide through  
plenaries, workshops and displays:

- ☐ information on some of the best and  
more creative initiatives in domestic  
violence training
- ☐ a forum for exchange of this  
information, expertise and experience
- ☐ practical training workshops for  
educators in both disciplinary and  
multi-disciplinary ways
- ☐ displays of domestic violence  
resources;
- ☐ a multi-disciplinary professional  
response to domestic violence.

For further information contact:

Expert Conferences  
PO Box 150, Lyneham ACT 2602  
Ph: (06) 257 6970

## **Administration Incorporated Engineering Information Transfer Pty Ltd**

### **Graffiti and Vandalism**

19-20 June, Sydney  
21-22 June, Melbourne

The objective of this conference is to  
bring together those people responsible  
for the care and maintenance of assets,  
the funding of graffiti and vandalism  
programs, the training of staff and  
managing public and customer relations.

Most of the content of the conference  
can be transferred between locations and  
will be applicable to both private and  
public sector organisations. There is a  
total of 22 speakers from overseas, state,  
federal and local government agencies.

Speakers include: Robert McNulty,  
President, Partners for Livable Spaces,  
USA; A. Richardson Goodlatte, Vice  
President Rapid Transit, New York Transit

Authority; Ewen Cunningham, Chief  
Inspector, Transit Police, Victoria; Dr Paul  
Wilson, Assistant Director and Acting  
Deputy Director, Australian Institute of  
Criminology; and Dennis Challinger,  
Assistant Director (Crime Prevention),  
Telecom Protective Services.

The registration fee of \$695.00,  
includes lunch, refreshments, conference  
papers and drinks at the end of day one.

For further information contact:

Coe Gopalan in Melbourne:  
Ph: (03) 7831715 or 781 1387  
Fax: (03) 781 1899.

### **AJJA Annual Conference 18-19 August 1990, Melbourne**

The Annual Conference of the Australian  
Institute of Judicial Administration is to be  
held on Saturday and Sunday, 18 and 19  
August 1990. The Conference is to be  
held in Melbourne at The Graduate  
School of Management, 200 Leicester  
Street, Carlton South.

Details of the program will be available  
shortly from the AJJA office at 103-105  
Barry Street, Carlton South.

## **Law and Society Conference**

### **Annual Law and Society Conference 7-10 December 1990, Griffith University (Nathan, Queensland)**

For further information please contact:

Mr Myles McGregor-Lowndes  
Senior Lecturer  
School of Accountancy,  
Faculty of Business  
Queensland University of Technology  
GPO Box 2434  
Brisbane Qld 4001, Australia.

or Mr Rob McQueen,  
Division of Commerce and  
Administration  
Griffith University  
Nathan Qld 4111, Australia.

## **Overseas**

### **Office of International Criminal Justice Fifth Annual International Symposium on Criminal Justice Issues 16-20 July, Barcelona, Spain**

The focus of this conference will be on  
the international aspects of organised  
crime and illicit drugs. This symposium is  
designed to provide a comprehensive  
overview of each subject area from a  
global perspective. The following  
speakers who have so far confirmed their  
participation include: Mr Michael DeFeo,  
Organised Crime and Racketeering  
Section, US Department of Justice; Mr C.  
Harbin, Inspector, Intelligence and  
Investigation Unit, UK Home Office  
Immigration Service; and Mr Michael  
Huins, Chief, Suppression of Illicit Traffic  
Section, Division of Narcotic  
Drugs—United Nations, Austria. Speakers  
from Italy, Switzerland, France, Greece

and Thailand have also been invited to  
participate.

Advance Registration fee is -206  
6 Nights at the Hotel Majestic -419.

For further information contact:

Denise Ranger  
Office of International Criminal  
Justice, Europe  
Ph: 0734 314250

or Beth Pacholski  
Office of International Criminal  
Justice, Chicago  
Ph: (312) 996-8420  
Fax: 413-2713  
Telex: U of I 270362

### **Crime Congress: 1990 8th United Nations Congress on the Prevention of Crime and the Treatment of Offenders Havana, Cuba**

27 August-7 September 1990

The objective of the United Nations Crime  
Congress is to promote international  
co-operation in the field of crime  
prevention and control. The Congress is  
also expected to finalise and recommend  
for adoption by the legislative bodies of  
the United Nations a number of draft  
model treaties, standards, norms and  
guidelines. The theme of this Congress is  
'International Co-operation in Crime  
Prevention and Criminal Justice for the  
Twenty-First Century'.

For further information please contact:

Eduard Vetere  
Executive Secretary  
Eighth United Nations Congress on  
the Prevention of Crime and the  
Treatment of Offenders  
United Nations office at Vienna  
PO Box 500, A-1400 Vienna, Austria.  
Tel: 21131-4272 or 21131-5278  
Telex: 135612  
Facsimile: 232156

### **59th General Assembly of the International Police Organization ICPO—Interpol**

27 September-3 October 1990  
Ottawa, Canada

For more information contact the Interpol  
task force in Ottawa: (613) 993 8304.

### **Where is Crime going to? Recent Developments in Crime, Criminal Policy in the East and the West First International Conference of the Indonesian Society of Criminology 17-20 December 1990, The Sanur Beach Hotel, Bali, Indonesia**

This major conference in the Asia-Pacific  
region is being organised in joint  
co-operation with the Australian Institute of  
Criminology.

The Australian Institute will provide  
secretariat facilities, and register  
English-speaking and European  
participants. Indonesia and Japan will  
also provide secretariats.

For further details see page 23.

# NEWS

## New degree in Legal Studies at Flinders

The first year of a new undergraduate course leading to a Bachelor of Arts degree in Legal Studies is expected to be available for students at Flinders University in 1991. Although initially established in the School of Humanities, topics with a focus on law in economics, politics, sociology, psychology and history will also be drawn from the School of Social Sciences. The course is designed to have an intellectual and speculative outlook. Consequently there will be particular emphasis on social problems that arise in relation to the administration of justice. The interdisciplinary nature of Legal Studies at Flinders will allow students to pursue a variety of interests, ranging from legal aspects of multiculturalism to an analysis of the way law appears in literature.

A graduate diploma in Legal Studies will also be offered next year with a pre-requisite of any degree.

For further information contact:

Dr Michael Meehan  
Senior Lecturer in English  
The Flinders University of  
South Australia  
Bedford Park SA 5042

## Law courses for non-lawyers

The Adelaide University Law School and Legal Services Commission of South Australia are conducting an education course about the law, and also a series of short courses in the law for those who need or wish to improve their knowledge of the law.

**The Law Handbook Live!** education course about the law will be conducted over a period of thirteen weeks from 5 September to 18 November 1990, usually on Wednesdays from 6 to 8 pm at the Adelaide University Law School. All participants will be given a copy of the *Law Handbook* for reference material. This training program will assist those who need to develop a good basic understanding of the law and how the legal system works. Enrolment cost is \$250 (\$230 concession).

**Law for non-lawyers** is a series of short courses in the law which are designed to develop a specialist understanding in

specific areas of the law. There will be four lectures in each course conducted on Tuesday evenings between 6 and 8 pm at the Adelaide University Law School. Courses available for the remainder of the first half of 1990 are: The Court System (8-19 May); Criminal Law (5-6 June); Consumer Law and Debt (9-30 July). Enrolment cost is \$150 per course.

For information about  
**The Law Handbook Live!** or  
**Law for Non-Lawyers** contact:

The Legal Services Commission of  
South Australia  
82-98 Wakefield Street  
Adelaide SA 5000, Australia.  
Ph: (08) 224 1208.

## Australia's first privately run correctional facility

Borallon Correctional Centre commenced operation on 2 January 1990 and is operated by Corrections Corporation of Australia. It is located approximately 60 km west from Brisbane in Queensland and caters for over 240 inmates. At Borallon, each inmate is assessed individually and a program established to ensure the inmate's time is spent productively and usefully. Case managers and counsellors are available. For further information contact:

The General Manager  
Borallon Correctional Centre  
PO Box 782  
Ipswich Qld 4305, Australia

## Householder's fear of being burgled—a survey

In November 1989, Frank Small & Associates and the Australian Institute of Criminology surveyed attitudes in mainland metropolitan areas concerning householders' fear of being burgled.

Although the study found a growing level of concern, particularly among females and the elderly, most of those surveyed had not taken any additional precautions. Of the means taken by some to improve home security, the most frequent were:

- ☐ strengthening back doors
- ☐ installing window locks
- ☐ installing deadlocks
- ☐ installing security lighting.

Weapons for self-defence were kept by only a very small proportion of householders but a majority did keep emergency numbers by their telephones.

Those wishing to learn more about this survey or access the data tapes should contact Paul Wilson—ph. (06) 274 0252; fax (06) 274 0201.

## Institute Criminologist studies corporate crime overseas

Dr Peter Grabosky, Senior Criminologist at the Australian Institute of Criminology, will be overseas on six months' study leave

from mid-April 1990. Dr Grabosky will spend time in residence at the Department of Political Science, Northwestern University, Illinois, USA. He will also engage in various research activities at the request of the Australian Department of Defence in support of the Department's fraud control initiatives. Dr Grabosky will attend the following conferences: Edwin Sutherland Conference on White Collar Crime, Indiana University from 12 to 15 May; the Annual Meeting of the Law and Society Association in Berkeley, California from 31 May to 3 June, where he will present a paper entitled 'Citizen Co-production and Corruption Control'; and the 12th World Congress of Sociology, Madrid, Spain, from 9-13 July, where he will present a paper based on his recent book, *Wayward Governance: Illegality and its Control in the Public Sector*.

## America's War on Drugs—a seminar

On 9 April, the Institute's second in the 1990 series of Occasional Seminars was given by Professor Troy Duster, Professor of Sociology and Director of the Institute for the Study of Social Change at the University of California. Dr Duster spoke on 'America's War on Drugs'.

## Overseas visitors to Australian Law Faculties

- ☐ Professor C.M. Rose from Yale University will visit the University of Adelaide from July to August 1990.
- ☐ Professor M.A. Buchanan from St Cloud State, Minnesota, is visiting the University of New South Wales until December 1990.
- ☐ Emeritus Professor Dr Bin Cheng from London will visit the University of Technology, Sydney, from mid May to mid June.