reporter

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COVER PHOTOGRAPH: A research project, described on page 2, looked at the offending behaviour of Aboriginal juveniles at this remote settlement.

reporter

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Criminology and the ANZAAS Congress

The 54th Congress of the Australian and New Zealand Association for the Advancement of Science is to be held in Canberra over the period 14-18 May 1984. The official theme to be addressed by all scientific disciplines at the Congress is 'The Horizons of Science'.

Apart from plenary sessions, the major part of the congress comprises concurrent mini-conferences for each of the 34 scientific groups that are represented. Some of the goups have agreed to combine their meetings for particular parts of the program.

The scientific group of special interest to the Institute and to the readers of this journal is Section 29: Criminology. This section will meet each morning of the congress with some meetings being combined with the Architecture and Planning and Communication groups.

The Australian Institue of Criminology has been actively involved in the preparation of the Criminology section program with the Assistant Director (Training) Mr Col Bevan accepting the responsibilities of section secretary. The Assistant Director (Research) Mr David Biles has been elected section chairman. The section president, who will give the opening address on the first morning, is the Honourable Mr Justice Lionel Murphy of the High Court.

The criminology program is very full with nearly 30 distinguished speakers being listed. Particular themes being pursued include: women in prison, mentally retarded offenders, police-community relations, sentencing, media and crime, and organised crime.

Even though in this congress much of the organising responsibility has been accepted by Institute staff, the initiative which led to the creation of this special section came several years ago from the Australian and New Zealand Society of Criminology. The Society in fact sees this meeting almost as its own annual conference.

Participants in the Criminology Section of ANZAAS need not of course be members of the Society, but they should not be surprised if they are encouraged to join.

Mr Biles said that the 54th ANZAAS Congress would be one of the most stimulating and important conferences of the year.

A full report of the criminology section at the congress will appear in the June issue of this journal. ®

Aboriginal adolescent offenders

The Criminology Research Council has given support to a study by Ms Maggie Brady and Dr Rodney Morice into the offending behaviour of adolescent Aboriginals living in a remote settlement in South Australia.

The researchers were part of a small multi-disciplinary team based in the School of Medicine of the Flinders University of South Australia.

In the Aboriginal population of about 300, 57 (37 males and 20 females) were adolescents between the ages of ten and seventeen years.

The researchers looked into such offences by Aboriginal adolescents as resulted over a period of two years in appearances at court or before Children's Aid Panels.

Aboriginal community members were involved in the collection of data, and throughout the research period, researchers met with the community's Council to keep it informed of progress. At the end of the first year of the study, a series of feedback meetings were held with different groups in the community to pass on to them the findings to date.

As a result of a literature review conducted by the researchers, a booklet on petrol sniffing has since been published by the Australian Foundation on Alcoholism and Drug Dependency in Canberra (R Morice, H Swift and M Brady, *Petrol Sniffing Among Aboriginal Australians; a Resource Manual*, 1981).

Ms Maggie Brady

It was found that offending behaviour which resulted in appearances was predominantly a male activity, with 59 per cent of the male adolescents being charged during 1979-1980, compared with 10 per cent of female adolescents. Appearances at court among males increased with age, and occasional offenders were significantly younger than frequent offenders. There was no statistical relationship between petrol sniffing behaviour, although some offences were committed as a follow-on from petrol sniffing gatherings.

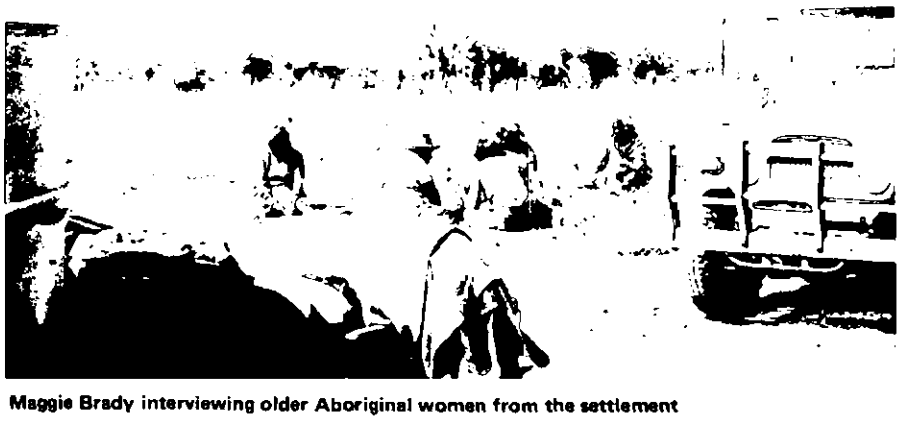
The majority of the offences which resulted in court appearances were offences against property owned by European Australian staff on the settlement. Break enter and steal, and illegal use of motor vehicles were the most common charges. It was found that theft did occur away from the settlement, in the Aboriginal camps, but that these offences were rarely reported and thus did not result in court appearances.

Relations with the local police were found on the whole to be cordial, however adolescent males were arrested more frequently than they were summonsed (89 per cent against 11 per cent).

Members of the community engaged in acts of social control involving the chastising of wrongdoers, but it was not often that such sanctions were applied to those adolescents who were offenders against Australian law. The community on the whole did not see its responsibilities extending to the punishment of adolescents who broke into whites' houses or stole their cars. Adults did not accompany their adolescent relatives to their court appearances, and they did not participate in any way with the activities of the court. These affairs were perceived as falling under the jurisdiction of the police and 'the welfare'. The court hearing had on occasions in the past been conducted at the settlement itself, and this had facilitated a degree of participation and involvement by the adult community members. The practice was discontinued, apparently for logistical reasons.

One of the objectives of the project was to test the feasibility and efficacy of adopting a problem-posing approach (after Freire, 1972) to criminal behaviour problems in an Aboriginal community. Ms Brady and Dr Morice found that there was difficulty in getting the community to look at adolescent criminal offending as a problem.

'If we are totally honest', they write, 'the community *agreed* with us that it was a problem. In their infinite accommodation and desire to please, it was probable that the Aboriginals *accepted*



Maggie Brady interviewing older Aboriginal women from the settlement

adolescent offending behaviour as a problem because we (and other whites) assumed it must have been'.

By their reactions to the behaviour, throughout the course of the study, it was as if they did not see it as a problem at all. They did not *appear* unduly upset or concerned following offences, nor did they support their adolescents by ever accompanying them to court. They also did not attempt to control the behaviour.

Two possible explanations can be offered for this failure to perceive offending behaviour as a problem:

(a) an avoidance of problems, and associated conflicts, that did not directly affect them;
(b) an actual acceptance, and therefore covert support, of the behaviour.

Even if the community had genuinely perceived offending behaviour as a problem, and the researchers had been able to attempt genuine analytical problem posing, barriers to the development of problem-solving strategies might have emerged.

Throughout their contact with white Australians, Aborigines had been subjected to a paternalistic (and often repressive) domination, which had encouraged the development of a relative state of dependency. Since first contact, white Australians had consistently provided Aborigines with what they (the whites) thought they (the Aborigines) needed, and had identified problems for them, and imposed solutions (few, if any, of which worked).

Since 1933, the settlement Aborigines had been largely under the care of whites, predominantly missionaries who actively encouraged them to relinquish control of their own affairs. One manifestation of this had been the earlier provision of dormitories for young boys and girls, with the missionaries taking the care and rearing of these children

Dr Rodney Morice

away from their parents and relatives. These adults, referred to by the missionaries as the 'camp natives', were seen as having a bad influence on the young children. They were encouraged to deposit their children in the homes, where they were fed, taught and indoctrinated with Christianity.

In the area of child-care, whites had assumed relative control, and the Aborigines, in a dependent-like state, seemed sanguine in their apparent relinquishing of responsibility.

Additionally, Aborigines had always exercised permissive child-rearing practices. Parental control over behaviour was minimal. Children learned, as a result of subtle and non-authoritarian socialisation methods, the boundaries of acceptable behaviour, and the roles and actions expected of them as members of particular family groups. As well, responsibility for children and adolescents was diffused throughout the community, because they had several adults who fulfilled the roles of mother and father.

These two factors, relative dependency on whites in areas of child and adolescent responsibility and an inherent permissiveness (from a white perspective) in traditional child-rearing practices, thus may have militated against the development of conventional (again from a white perspective) problem-solving strategies, such as the assumption of greater control over the behaviour of their young people.

The study found that despite assumptions by some European government officers that the community was culturally or 'tribally' disintegrated, Aboriginal social structures and religious life were relatively intact. The people pursued their traditional affairs with enthusiasm and commitment. In spite of geographical isolation and dispossession of land, they had retained important spiritual and kinship links with their country and their northern relatives. In the opinion of the researchers, such links should be encouraged and facilitated wherever possible in order to further develop the community's own strengths. This would necessarily benefit all members of the Aboriginal community including the adolescents. ®

Schoolchildren perform *inma* (dance) behind the school at the settlement

Corporate law reform needed

The Australian Law Reform Commission has urged consideration of a 'package' of reform to make criminal and consumer protection laws more effective against companies.

The Chairman of the Commission Mr Justice Kirby said that Federal authorities should free themselves from the myth that bigger fines were sufficient punishment against corporate lawbreakers.

Higher fines on corporations and white collar criminals had little impact on removing corporate abuse, he said.

Mr Justice Kirby said that in the age of multinational corporations, the capacity of local laws to discipline world-wide corporations was 'limited and probably diminishing'.

The Government needed to 'very seriously' consider:

- empowering the courts to order paid correction advertisements;
- provision for forms of 'probation' for companies;
- reform of the law of defamation to include the right of correction;
- review of the law of contempt;
- consideration of the introduction of a class action where legal action can be brought on behalf of all people affected by company action;
- provision for the payment in some cases of criminal fines to be paid to private complainants in order to fund voluntary consumer protection agencies.

Mr Justice Kirby was launching a new book *The Impact of Publicity on Corporate Offenders* at the Australian Institute of Criminology on 21 February.

The book, which explains how publicity can be used more effectively to control white collar crime, was written by the reader in law at the University of Adelaide, Mr Brent Fisse, and former Australian Institute of Criminology research criminologist Dr John Braithwaite.

Mr Justice Kirby said that dealing with corporate crime was a serious problem for the legal system.

'It is just not possible to punish the corporation in the same way as you can punish a burglar or a mugger.

'Yet antisocial conduct by a corporation may affect many more people in more serious ways.

'In our traditional legal system we can bring the accused to court; we can even in some cases put him in the dock and arraign him before a jury.

'None of these things can so readily be done in the case of an errant company.

'Yet the stakes may be higher, the legitimate public concern may be greater, and the need for the community to fight back may be more acute', Mr Justice Kirby said.

Included in the book are case studies of the Appin mine disaster in 1979; the impact of the $100,000 fine on Sharp Australia for false advertising; the inquiry into mistakes made by Air New Zealand following the Erebus disaster; the General Motors Corvair controversy; allegations of bribery at Lockheed, McDonnell Douglas and Exxon; and the unsuccessful criminal prosecution of the Ford Motor Company for reckless homicide in the marketing of its Pinto car.

The book examined the reaction of management to the adverse publicity suffered by each company investigated, and examined any resultant convictions and other legal outcomes.

A summary of the main findings of the 17 cases studied gives details of the financial impacts of the crises.

Mr Justice Kirby said that the remedies proposed in the book would have the close attention of the Australian Law Reform Commission and deserved the attention of the Federal Attorney-General.

There was more scope now than ever before to bring in comprehensive legislation, he said. ®

Mr Brent Fisse, Reader at Law at the University of Adelaide, Professor Richard Harding, Director of the Australian Institute of Criminology, Mr Justice Kirby, Chairman of the Australian Law Reform Commission and Dr John Braithwaite, formerly of the Australian Institute of Criminology, at the launching of the new book on white collar crime *The Impact of Publicity on Corporate Offenders*

Myths of terrorism

To understand terrorism, it is necessary to clear away certain commonly held assumptions about its nature, according to a recent visitor to the Australian Institute of Criminology.

Professor Michael Stohl, of the Department of Political Science at Purdue University, West Lafayette, Indiana, told a meeting at the Institute that, until it was acknowledged that these assumptions were held by people, and that they were, to a large extent, false assumptions, the community could not be said to be dealing with terrorism in the most effective manner.

Professor Stohl collected eight assumptions under the title of *Myths of Contemporary Political Terrorism* and went through them one by one with his audience to show where they could not be said to be in any way universally applicable to political terrorism as we know it.

Professor Michael Stohl

Eight Myths

Political terrorism is the exclusive province of anti-government forces. Professor Stohl pointed out that it had become clear in the past fifteen years that a number of US government agencies and employees had engaged in actions against internal dissidents which (actions) Western liberal authors would have labelled as terrorism if these actions had occurred in the Soviet Union or Spain. (Note throughout that Professor's Stohl's supporting arguments and references will be left out of this article for reasons of space and can be found in his book *The Politics of Terrorism* (1983) (2nd ed.) (New York: Marcel Dekker, Inc.))

The important point to be considered was that the Reign of Terror which characterised the Jacobin period in France was not an isolated phenomenon.

The purpose of political terrorism is the production of chaos. That insurgent terrorists often produce chaos is not denied. However, the most persistent and successful use of terror both in the past and in the modern era has been demonstrated by governments and authorities for the purpose of creating, maintaining and imposing order.

Political Terrorism is the province of madmen. This myth finds a particularly warm reception in the American media and in government statements concerning terrorism. Professor Stohl said that if this myth is accepted, that is if policy makers and the public refuse to recognise that terrorists are not universally psychopathic but are quite often serious political actors, the options for dealing with terrorists will be closed. In other words, the authorities will be forced into the position: why negotiate if the terrorists are too insane to be reasoned with? Professor Stohl said that with this attitude many hostage lives could be lost.

Terrorism is criminal not political activity. Where terrorism is treated as merely criminal, it leads to us ignoring or trivialising what legitimate political intent the terrorist may hold thus restricting opportunities for negotiation.

All insurgent violence is political terrorism. The important fact to be kept in mind with this myth is that while some insurgent guerrillas, for example, the Viet Cong and the FLN (in North Africa) may have resorted to terrorism for tactical and strategic reasons, they do not terrorise the populations within which they operate so that they may, following Mao's dictum 'swim like fish in water'.

Governments always oppose nongovernment terrorism. Professor Stohl contends that vigilantism, whether from the left or right, often employing terrorist tactics, which seeks to assist the established government to maintain order, is often tolerated and too often encouraged by governments. The two most notorious contemporary illustrations of this phenomenon, quoted by Professor Stohl were Brazil 'death squads' and Argentina's Anti-Communist Alliance, with American tolerance of the Ku Klux Klan between the wars as another example.

Terrorism is exclusively a problem relating to internal political conditions. To complicate the picture, in addition to revolutionary terrorism and repressive terrorism, there is government terror that is exported. All types of governments export terror. But in addition to the covert use of terror by governments outside their own borders, there is the overt use of terror, such as the US Christmas bombings of North Vietnam in 1972. Professor Stohl also quotes the nuclear bombing of Hiroshima and Nagasaka as a demonstration 'that terror may be effective'.

Which brings us to the last of Professor Stohl's myths. *Political terrorism is a strategy of futility*. The Japanese examples above should be sufficient to refute this wishful thinking, but in addition to them, Professor Stohl quotes the 'success' of Stalin's terror purges and more recently the manner in which the Palestinian terrorist attacks have alerted the western world to the fact that a Palestine problem does exist. ®

Executives 'quizzed' on environment

How seriously do executives perceive environmental crime?

In a research project sponsored in part by the Criminology Research Council, three Adelaide researchers surveyed South Australian business executives to find out how they rated environmental crimes compared with other offences.

Mr D A Cole, private environmental consultant, has reported on the project in *The Attitudes of Manufacturing Executives to Offences Against the Environment*, copies of which can be obtained from the author.*

The technique used was to send, to 100 senior employees of South Australia's largest manufacturing companies, one of two questionnaires prepared by the researchers. Distribution was followed by personal interview. The two questionnaires were similar in that they described, in the form of scenarios a number of offences (20) which the respondents were asked to classify in order of seriousness.

The 20 offences were largely corporate offences, with one or two individual offences. The corporate offences included three concerned with the environment:

- pollution of a waterway with sump oil,
- mercury contamination of canned fish, and
- excessive emission of industrial noise.

Two questionnaires were used to allow the environmental and other corporate offences to be described in two situations of different degrees of seriousness. This meant that the perceived seriousness of the offence, as such, could be judged by the researchers independently of the individual details.

For example, Questionnaire A: an established firm of interstate hauliers deposits 5000 gallons of used sump oil into a major metropolitan river. Permanent damage occurs to reed beds, other vegetation and waterbirds for a distance of four kilometres downstream.

Questionnaire B: An established firm of interstate hauliers deposits 50 gallons of used sump oil into a major metropolitan river. Permanent damage occurs to reed beds and other vegetation in the vicinity of the discharge.

The hypothesis to be tested was that respondents would rate or score environmental offences similarly on both questionnaires, despite the variation in relative seriousness of the offences described. In other words, an attempt was made to establish whether respondents broadly conceptualise the relative seriousness of offences, in themselves, or whether the facts constituting each offence are the guiding criteria of seriousness.

The return rate was 92 per cent. From the responses it was possible to provide mean ranking, order of rank, mean score, order of score and relative seriousness for both questionnaires. It was then possible to compare the attitudes of respondents to environmental offences compared with other offences.

Contamination by Mercury

In questionnaire A, the offence of severely contaminating canned fish with mercury was regarded as a serious offence. It was grouped with offences which entailed serious human risk. There was however considerable disagreement between respondents as to where the offence should be ranked according to its seriousness. In questionaire B, a similar offence but with contamination only marginally higher than that permitted by law was not regarded as so serious but nevertheless was not regarded as a minor offence. Generally, mercury contamination of foodstuffs was regarded by the respondents at worst as a very serious offence and at best as one which could not be regarded as minor.

Pollution of a Waterway

In Questionnaire A, the offence of polluting a waterway through discharge of sump oil was not regarded as seriously as offences which endangered human life or safety, but was nevertheless regarded as a relatively serious

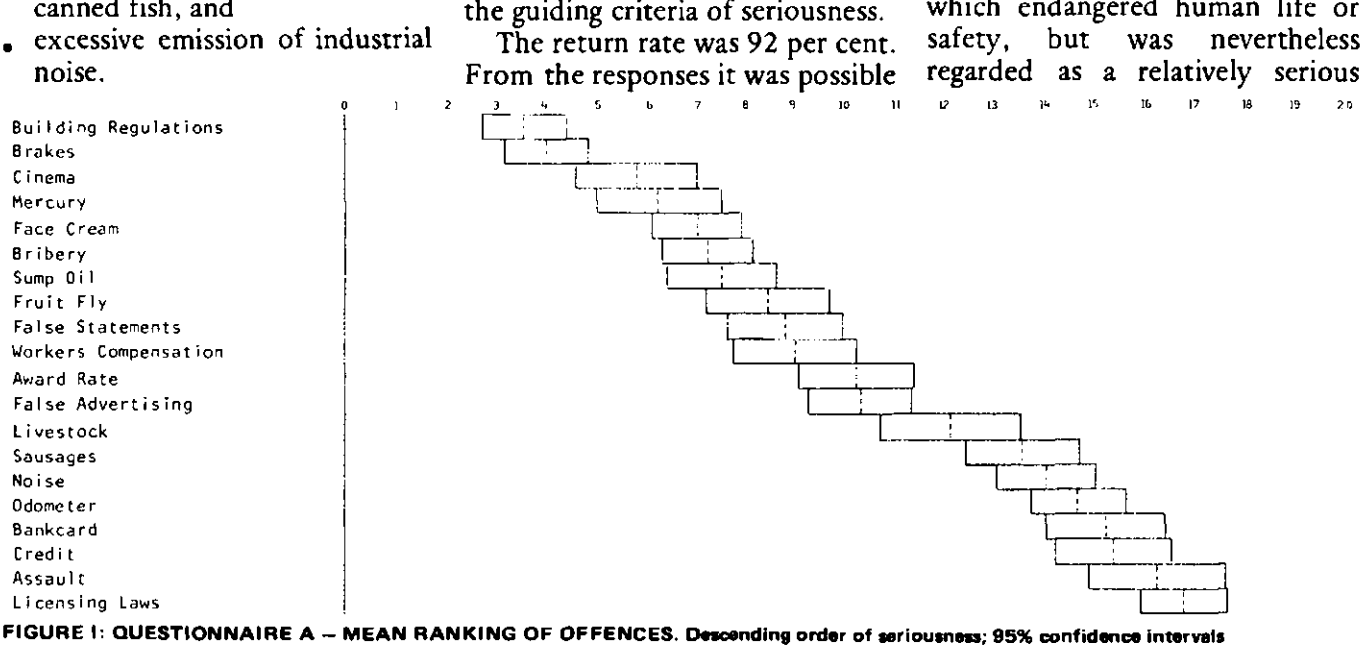


FIGURE 1: QUESTIONNAIRE A – MEAN RANKING OF OFFENCES. Descending order of seriousness; 95% confidence intervals

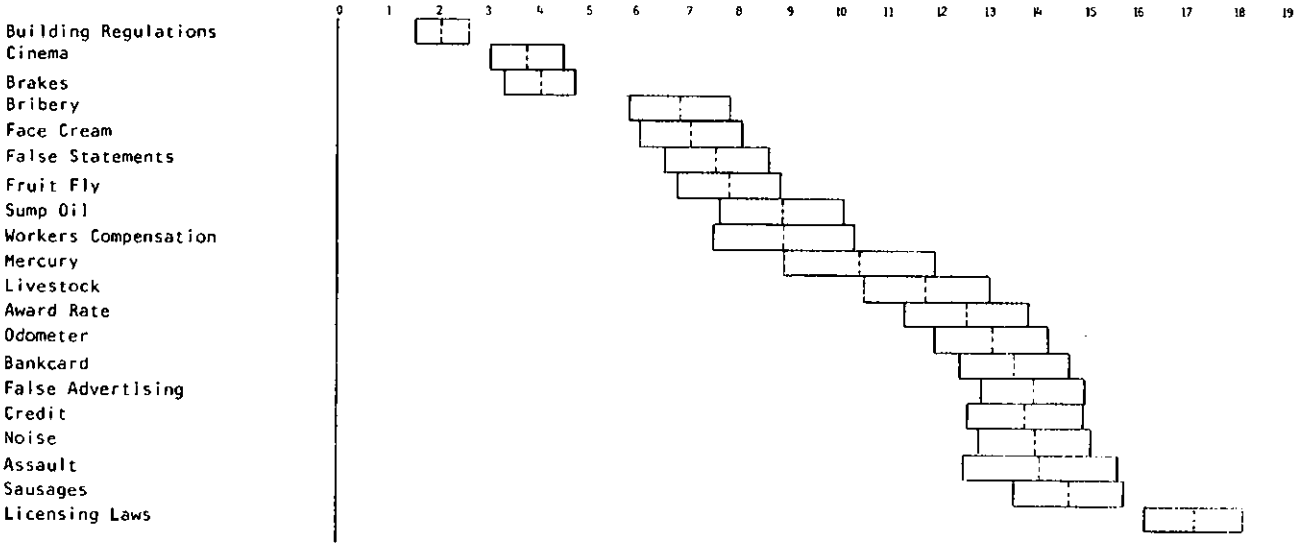


FIGURE II: QUESTIONNAIRE B – MEAN RANKING OF OFFENCES. Descending order of seriousness; 95% confidence intervals

offence. The same type of offence, but with considerably less discharge was not regarded by respondents to questionnaire B as warranting low rank.

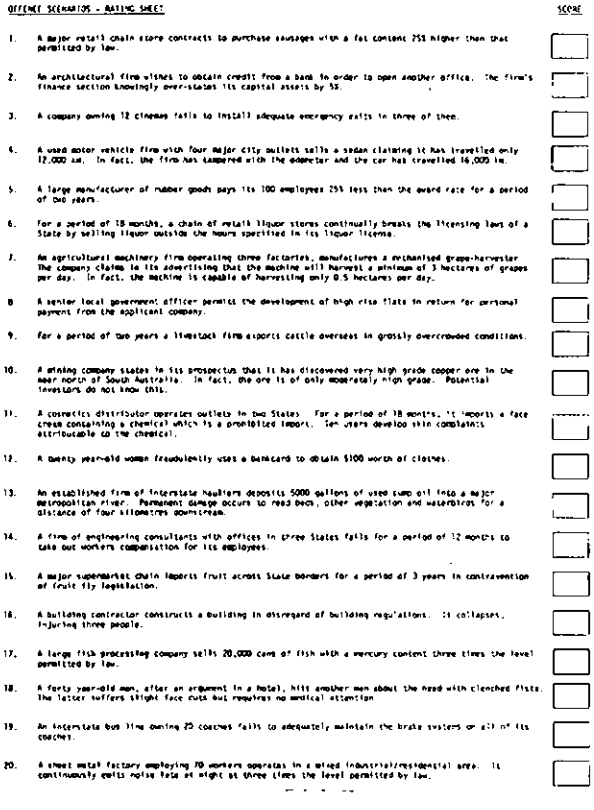
Excessive Industrial Noise

In both questionnaires this offence was not regarded as serious despite the high emission level stipulated in questionnaire A.

The researchers reflect that this lower perceived seriousness of excessive noise could be due to an inability to see in the stipulated noise levels any serious human danger and a tendency to regard industrial noise as normal practice.

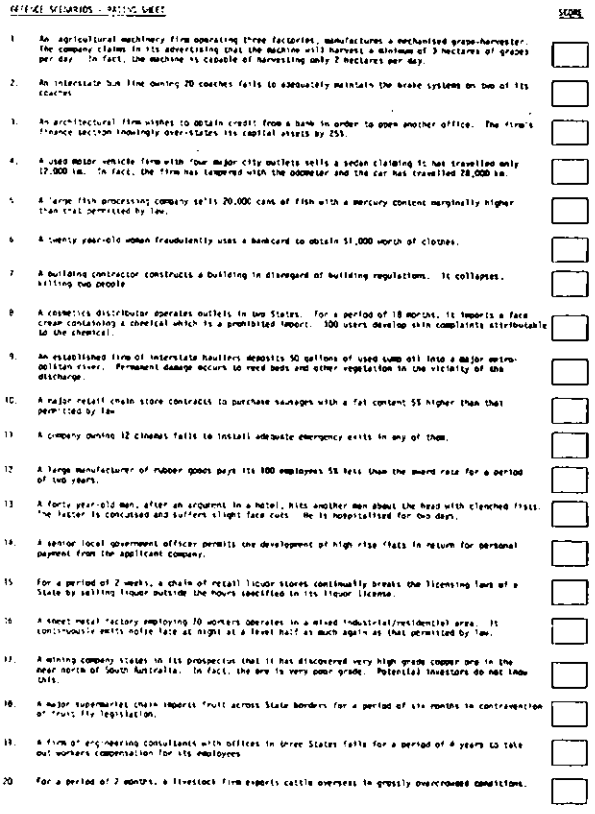
The study has suggested refinements in the methodology in future research and there are suggestions that similar surveys be carried out in the future using samples of the public and the public service.

* David A Cole, Cecil Mansions,
1/118 Rundle Street,
Kent Town,
South Australia, 5067.



OFFENCE SCENARIOS - RATING SHEET SCORE

1. A major retail chain store contracts to purchase sausages with a fat content 25% higher than that permitted by law.
2. An architectural firm wishes to obtain credit from a bank in order to open another office. The firm's finance section knowingly over-states its capital assets by 5%.
3. A company owning 12 cinemas fails to install adequate emergency exits in three of them.
4. A used motor vehicle firm with four major city outlets sells a sedan claiming it has travelled only 12,000 km. In fact, the firm has tampered with the odometer and the car has travelled 16,000 km.
5. A large manufacturer of rubber goods pays its 800 employees 25% less than the award rate for a period of two years.
6. For a period of 18 months, a chain of retail liquor stores continually breaks the licensing laws of a State by selling liquor outside the hours specified in its liquor license.
7. An agricultural machinery firm operating three factories, manufactures a mechanised grape-harvester. The company claims in its advertising that the machine will harvest a minimum of 3 hectares of grapes per day. In fact, the machine is capable of harvesting only 0.5 hectares per day.
8. A senior local government officer permits the development of high rise flats in return for personal payment from the applicant company.
9. For a period of two years a livestock firm exports cattle overseas in grossly overcrowded conditions.
10. A mining company states in its prospectus that it has discovered very high grade copper ore in the near north of South Australia. In fact, the ore is of only moderately high grade. Potential investors do not know this.
11. A cosmetics distributor operates outlets in two States. For a period of 18 months, it imports a face cream containing a chemical which is a prohibited import. 500 users develop skin complaints attributable to the chemical.
12. A twenty year-old woman fraudulently uses a bankcard to obtain $100 worth of clothes.
13. An established firm of interstate hauliers deposits 5000 gallons of used sump oil into a major metropolitan river. Permanent damage occurs to reed beds, other vegetation and waterbirds for a distance of four kilometres downstream.
14. A firm of engineering consultants with offices in three States fails for a period of 12 months to take out workers compensation for its employees.
15. A major supermarket chain imports fruit across State borders for a period of 3 years in contravention of fruit fly legislation.
16. A building contractor constructs a building in disregard of building regulations. It collapses, injuring three people.
17. A large fish processing company sells 20,000 cans of fish with a mercury content three times the level permitted by law.
18. A forty year-old man, after an argument in a hotel, hits another man about the head with clenched fists. The latter suffers slight face cuts but requires no medical attention.
19. An interstate bus line owning 25 coaches fails to adequately maintain the brake systems on all of its coaches.
20. A sheet metal factory employing 70 workers operates in a mixed industrial/residential area. It continuously emits noise late at night at three times the level permitted by law.



OFFENCE SCENARIOS - RATING SHEET SCORE

1. An agricultural machinery firm operating three factories, manufactures a mechanised grape-harvester. The company claims in its advertising that the machine will harvest a minimum of 3 hectares of grapes per day. In fact, the machine is capable of harvesting only 2 hectares per day.
2. An interstate bus line owning 20 coaches fails to adequately maintain the brake systems on two of its coaches.
3. An architectural firm wishes to obtain credit from a bank in order to open another office. The firm's finance section knowingly over-states its capital assets by 25%.
4. A used motor vehicle firm with four major city outlets sells a sedan claiming it has travelled only 12,000 km. In fact, the firm has tampered with the odometer and the car has travelled 28,000 km.
5. A large fish processing company sells 20,000 cans of fish with a mercury content marginally higher than that permitted by law.
6. A twenty year-old woman fraudulently uses a bankcard to obtain $1,000 worth of clothes.
7. A building contractor constructs a building in disregard of building regulations. It collapses, killing two people.
8. A cosmetics distributor operates outlets in two States. For a period of 18 months, it imports a face cream containing a chemical which is a prohibited import. 300 users develop skin complaints attributable to the chemical.
9. An established firm of interstate hauliers deposits 50 gallons of used sump oil into a major metropolitan river. Permanent damage occurs to reed beds and other vegetation in the vicinity of the discharge.
10. A major retail chain store contracts to purchase sausages with a fat content 5% higher than that permitted by law.
11. A company owning 12 cinemas fails to install adequate emergency exits in any of them.
12. A large manufacturer of rubber goods pays its 800 employees 5% less than the award rate for a period of two years.
13. A forty year-old man, after an argument in a hotel, hits another man about the head with clenched fists. The latter is concussed and suffers slight face cuts. He is hospitalised for two days.
14. A senior local government officer permits the development of high rise flats in return for personal payment from the applicant company.
15. For a period of 2 weeks, a chain of retail liquor stores continually breaks the licensing laws of a State by selling liquor outside the hours specified in its liquor license.
16. A sheet metal factory employing 70 workers operates in a mixed industrial/residential area. It continuously emits noise late at night at a level half as much again as that permitted by law.
17. A mining company states in its prospectus that it has discovered very high grade copper ore in the near north of South Australia. In fact, the ore is very poor grade. Potential investors do not know this.
18. A major supermarket chain imports fruit across State borders for a period of six months in contravention of fruit fly legislation.
19. A firm of engineering consultants with offices in three States fails for a period of 4 years to take out workers compensation for its employees.
20. For a period of 2 months, a livestock firm exports cattle overseas in grossly overcrowded conditions.

Questionnaire A **Questionnaire B**

Community service orders examined

Community service orders are by now a familiar and welcome sentencing option available to almost every criminal jurisdiction in Australia, according to Mr Colin Bevan Assistant Director (Training). Some areas have had longer experience with it than others. Following its successful development in the United Kingdom and several States of the USA, the scheme was inaugurated in Tasmania (1973), Western Australia (1976), Northern Territory (1978), New South Wales (1980), Queensland (1980), South Australia (July 1982) and Victoria (September 1982).

Community service orders have, therefore, now been a part of the Australian scene for a full decade. It had come to this Institute's notice that a number of people responsible for the schemes' implementation were now wishing to meet with counterparts to survey paths travelled, evaluate current positions and assess and choose future directions. Each jurisdiction seemed to feel that it would gain much from meeting with others to discuss common problems and share gains.

Accordingly, in response to a number of requests, the Training Division conducted an intensive workshop on the subject of Community Service Orders from the 21-24 November 1983 at the Institute. Invitations were limited to top administrators of probation and parole, community service order co-ordinators and nominated members of voluntary agencies involved in various state and territorial schemes.

Although New Zealand introduced a community service order scheme proper as late as February 1981, a similar concept, periodic detention, had been in operation in New Zealand for over 20 years. It was also known that Mr Graham Armstrong, Assistant Secretary (Probation), Department of Justice, New Zealand, had in the recent past spent some time overseas studying community service order schemes. Mr Armstrong kindly accepted an invitation to attend the workshop as a keynote speaker, thereby adding much to the value of the exercise.

The remainder of the program consisted of individual papers by state and territorial representatives setting out their current situations supplemented by smaller workshops dealing with specific issues and problems, such as:

- Interstate portability of community service orders
- Compensation and accident insurance
- Pre-sentence reports and general court assessment
- Range of participating organisations
- Staff training
- Community service orders for adolescents
- Community service orders as genuine alternatives to imprisonment
- Fine options and fine defaulters
- Community service orders for Aborigines
- Workloads
- Completion reports.

The workshop was attended by representatives of all states and territories of Australia and an observer from Singapore in the person of Mr Nachatar Singh Sandhu, Deputy Director (Rehabilitative Services) Chief Probation and After Care Officer, Ministry of Social Affairs. A report of the seminar and a summary of the four days of deliberation has been prepared for presentation to the forthcoming annual meeting of Ministers responsible for Prisons, Probation and Parole in Australia, New Zealand, Papua New Guinea and Fiji to be held in Brisbane on 31 May 1984. ®

Mr Bruce Barnes Senior Probation and Parole Officer, Launceston, Tasmania, Mr Colin Bevan, Assistant Director (Training) with the Australian Institute of Criminology and Mr Graham Armstrong, Assistant Secretary (Probation) with the Department of Justice in Wellington New Zealand.

International contact valued

The value of interaction between Australian criminologists and their international colleagues was stressed by the then Acting Director of the Australian Institute of Criminology, Mr David Biles, after his return from a private, two-week visit to the United States.

Mr Biles presented papers at two conferences: an International Symposium on the Impact of Criminal Justice Reforms in San Francisco and the Annual Meeting of the American Society of Criminology in Denver, Colorado.

The latter occasion was 'indisputably the leading opportunity for researchers in criminology to compare notes and exchange ideas', Mr Biles said, and urged that, in future, at least three researchers from the Institute attend all annual meetings of the American Society of Criminology.

Impact of Reform

From 3 to 5 November 1983, Mr Biles took part in the international symposium on the impact of criminal justice reform organised by the National Council on Crime and Delinquency in conjunction with the Research Committee for the Sociology of Deviance and Social Control of the International Sociological Association.

There were 35 participants who presented papers and approximately an equal number of observers. Apart from the opening session which focused on international comparisons of juvenile justice systems, there were subgroups of the conference discussing

- delinquency prevention reforms,
- the science and measurement of reform,
- reforms in juvenile justice, and
- reforms in pre-trial and adult corrections.

For the work on reforms in pre-trial and adult corrections, Mr Biles was asked by the organisers to act as co-ordinator and chairman. He presented a paper on *Pre-trial Detention in Australia*.

Mr David Biles

The most interesting fact to emerge from the discussions of reforms in pre-trial and adult corrections, Mr Biles found, was the clear difference in attitude between practitioners and theorists.

A number of reports, largely from the United States, on the impact of diversionary programs and community corrections, were all optimistic about reducing the use of incarceration, even though none could demonstrate that such reductions had yet occurred.

On the other hand, more theoretical papers, largely from England and Europe, were quite pessimistic about the positive gains that were claimed for recent reforms in the area of adult correction.

It was pointed out that, while there had been much talk over the past 20 years of decarceration and alternatives to imprisonment, the actual numbers of prisoners had nevertheless increased dramatically in virtually all countries.

The empiricists responded by claiming that the rate of increase would have been much greater had it not been for the availability of a wider range of non-custodial options and they backed up this claim by reference to research results which showed that the clear majority of offenders given non-custodial measures would have been incarcerated if such measures had not been available.

Considerable interest was shown in the fact that the overall imprisonment rate in Australia had not increased significantly over the past 20 years.

Other papers dealt with the historical basis of all plea bargaining, a critique of the abolitionist and decriminalisation debate in West Germany, sentencing reform in Israel, and the application of the theory of general deterrence in Sweden.

American Society of Criminology

The day before the Annual Meeting of the American Society of criminology, Mr Biles attended a meeting of the Association of Directors of Criminal Justice Research Centres in Canada and the United States.

Mr James Stewart, Director of the National Institute of Justice, told the meeting of the need to ensure that criminal justice research met the needs of practitioners and he identified the following priority areas for research funding: career criminals, community programs, court delays, the management of crowded prisons, evaluation of probation and parole, needs of victims and the co-ordination of agencies at local, state and federal levels.

Dr John Evans, the Director of Research and Statistics in the Ministry of the Solicitor-General of Canada, made the point that practitioners, the clients of research, had diffuse anxiety which is seldom expressed in terms of research questions and that it was the task of researchers to co-operate with practitioners in the formulation of research proposals.

There followed a wide-ranging discussion on research funding and organisation which, while focused on the United States and Canada, was particularly relevant to the work of the Institute and the Criminology Research Council in Australia.

In both size and scope, the 35th Annual Meeting of the

Continued on Page 14.

Letter: Groote Eylandt

The letter below was received too late for inclusion in December's *Reporter*. The item it refers to was on page one of the September issue.

Dear Sir/Madam,

We would like to comment via your Letters Column on the editorial, 'Darwin Prison "Attractive" ', which appeared in the September 1983 issue of *Reporter*, the Journal of the Australian Institute of Criminology. The editorial highlights a number of disturbing features concerning the work and activities of some members of the Australian Institute of Criminology.

From the editorial we learn that Mr David Biles, Acting Director of the Australian Institute of Criminology, recently visited Groote Eylandt because 'the Northern Territory Correctional Authorities wanted his advice on whether to build a local prison there'. Mr Biles discovered that Groote Eylandt 'has an extraordinarily high imprisonment rate', '8 times that of the Northern Territory', which is in turn 'more than three times the national average'. In the Territory 63.5 per cent of prisoners are Aborigines or Torres Strait Islanders, according to the Institute of Criminology's 1982 National Prison Census (p.21). Such figures support the claims of many commentators including the former director of the Australian Institute of Criminology, Mr W. Clifford, that Aborigines are perhaps the most imprisoned race in the world.

Mr Biles' second major finding was that 'imprisonment had very little deterrent value for Groote Eylandters, given the attractions of the 'aeroplane flight to Darwin', 'relatively good conditions available in the Berrimah prison in Darwin' and the 'strong social support from friends and relatives'.

What conclusions then are to be drawn from this information? That the 'extraordinarily high imprisonment rate' of Groote Eylandters be further investigated with a view to reducing it by changing police, court and sentencing practices? Further investigation of the nature and type of offences (what proportion of these offences are minor offences against public order connected with the consumption of alcohol)? Consideration of the applicability of local customary law in accordance with the recommendations of the Australian Law Reform Commission on customary law? A consideration of the material living conditions, cultural and recreational facilities, and levels of income maintenance available to Groote Eylandters? These are just a few of the questions that would appear to follow from Mr Biles' preliminary findings.

Instead, what conclusions do we find drawn? We find Mr Biles suggesting to a meeting in Darwin attended by the Chief Stipendiary Magistrate of the Territory that 'the operation of criminal justice services on Groote Eylandt not only failed to deter criminal behaviour but actively reinforced and rewarded such behaviour'. The conclusion? Of course, what else? 'It seemed necessary to consider building a small prison on the island'.

The editorial finished with the grand statement that 'Aboriginal criminology is an area where much work is still to be done'. Many people may well venture to say that if Mr Biles's activities and advice are an example of 'Aboriginal criminology', then perhaps it would be better for all concerned, particularly Aborigines, that rather less of this work be done.

His 'let's build another prison' solution to the complex problems of Aboriginal dispossession, inequality, poor living conditions, lack of employment and access to income maintenance, the effect of alcohol, acculturation, the destruction of natural and spiritual resources, and the historical legacy of racism in the form of the criminal law, police practices and imprisonment, would be laughable were it not so tragic in its consequences.

Presumably to counter the 'relatively good conditions' which are 'attractive' to Aboriginal offenders, the internal regime in Mr Biles' new prison will be suitably repressive and the 'strong social support from friends and relatives' will need to be broken down.

The Australian Institute of Criminology has developed some credibility with its useful and informative collection of empirical data such as the Australian prison trends series. The massive over-representation of Aborigines in prisons and the criminal justice system in Australia has been well documented. It does not seem unreasonable to expect that such work would be used to further political policies which ameliorate rather than futher entrench existing repressive and discriminatory practices.

If Mr Biles and the Australian Institute of Criminology wish to assist Aborigines in the Northern Territory they would do better to avoid or repudiate recommendations strengthening and elaborating the Territory's correctional apparatus and spend their time examining the new Criminal Code. Among the many provisions of the new Code which will disproportionately affect Aborigines, to their detriment, are the substantially increased penalties for an offence committed whilst intoxicated; the reversal of the onus of proof in cases where the accused was intoxicated; the mandatory life sentence for murder; the abolition of the right of an accused to make an unsworn statement to the jury; and the draconian 'anti-terrorism' provisions. Commentators as diverse as Melbourne QC Frank Vincent, Acting Dean of Melbourne University Law School Mark Weinberg, the Northern Territory

Law Society, the Northern Territory News, the Prime Minister Mr Hawke, Aboriginal Legal Services and many others have roundly criticised the Criminal Code.

David Brown
Russell Hogg
Chris Ronalds
David Weisbrot
Law Teachers, UNSW & NSWIT Law Schools.

Reply by David Biles

It is a pity that David Brown and his colleagues chose to react in such strong terms to a brief account of my visit to Groote Eylandt without waiting to read my full report which was completed just before their letter was received. Had they done so they might have been less inclined to accuse me of endeavouring to 'further entrench existing repressive and discriminatory practices'.

Anyone who has taken an unbiased view of my publications over many years on the use of imprisonment in Australia would find it difficult to associate me with any proposals to increase the number of people in prison. I have argued repeatedly for the lowest possible use of imprisonment and have suggested many times that the number of prisoners in Australia could be reduced by at least half without risk to public safety. It is therefore quite surprising for Brown *et al* to suggest that I would support moves in the opposite direction.

As my report *Groote Eylandt Prisoners* shows, the local imprisonment rates for 1982 and 1983 were 1659 and 1390 per 100,000, compared with 210 and 199 for the Northern Territory, and around 65 for Australia as a whole. In other words, a Groote Eylandt resident is more than 25 times more likely to be in prison than the national average. Even these data, expressed in very simple terms, are surely sufficient to convince any interested person that something is radically wrong with the use of imprisonment in that part of the country.

My report was solely concerned with the effectiveness and efficiency of correctional services provided for Groote Eylandt offenders. The obvious and profound social problems associated with culture conflict and alcohol were mentioned in the report, but it was suggested that solutions to these problems would be more appropriately proposed by a researcher with particular experience and expertise in anthropology. That being the case, the focus of the study was primarily on the use of imprisonment on Groote Eylandt.

The actual prisoners were described in as much detail as possible, by extracting relevant results from the 1982 and 1983 national prison censuses, and discussions were held with a number of prisoners and with Aboriginal leaders. The totality of the hard and soft data gathered led to the startling conclusion that the current system was counterproductive. It seemed to encourage rather than deter criminal behaviour. To the extent that that is true, it seems neither radical nor reactionary to suggest that the system should be changed.

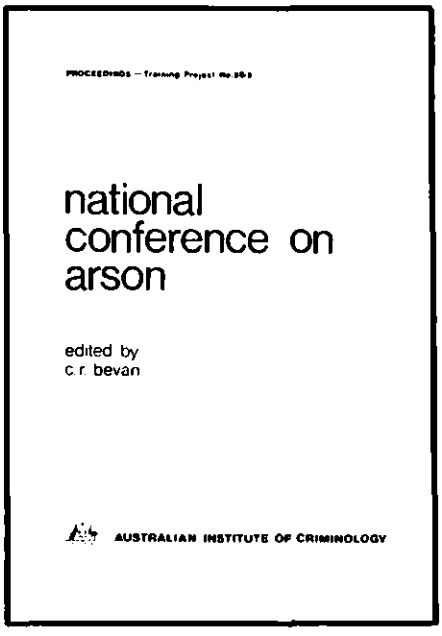
What sort of change is the key question. Of course every effort must be made to eliminate discrimination, to improve police, court and sentencing practices, to consider the applicability of customary law, etc., but it must be remembered that Groote Eylandt, like all of Arnhem Land, is owned by the Aboriginal people themselves and it would be gratuitous for white people from outside to tell them how to live their lives.

The Aboriginal leaders on Groote Eylandt are gravely concerned about crime and lawlessness, and they recognise that the transportation of offenders to Berrimah Prison in Darwin does not help. They want the system improved and they generally support the notion of a small prison on the island itself, although there is no agreement yet about whose land should be provided for this purpose.

If this proposal brought about a reduction in the number of Groote Eylandt prisoners, aided perhaps by the establishment of a local community service order scheme, I would have thought that Brown and his colleagues would have welcomed it. A local prison would obviously facilitate the maintenance of close ties between prisoners and their families and friends. It would also reduce the need for offenders to be flown to and from Darwin. Perhaps even more importantly, it could enable the Groote Eylandt people to develop more autonomy.

The Institute has a continuing commitment to work actively in the field of Aborigines and criminal justice. As a small example of this work, reference need only be made to the previous issue of this journal which *inter alia* paid particular attention to the new Criminal Code of the Northern Territory. The Institute plans to become even more active in this area and welcomes informed contributions from the scholarly community. ®

NEW PUBLICATIONS



This report edited by the Assistant Director (Training) of the Australian Institute of Criminology, Colin Bevan, contains the proceedings of the first national conference on arson held in Canberra last year.

The conference was staged by the Institue in reponse to a need for urgent action to be taken to combat a crime which is estimated at costing Australia about $700m annually.

It has been said that there is no reason to believe that Australia is immune from trends in several overseas countries where, in the United States for example, as much as half of all fire losses in American cities are from fires deliberately lit.

The conference, which was officially opened by the Governor-General, Sir Ninian Stephen, at the National Press Club on 26 April, was attended by over 100 delegates.

Over the three days of the conference 21 papers were delivered discussing the size of the arson problem in Australia, resources to cope, the social consequences of arson, ways in which the crime is investigated and the political implications of arson.

Influential policy-makers from the fields of insurance, police, fire-fighting, forensic science, law and politics as well as members of various standing committees on arson discussed the papers and examined ways of co-ordinating a national effort to reduce arson. Several recommendations were drafted in an attempt to curb the growing incidence of the crime in Australia.

Copies of *National Conference on Arson* are available from the Publications Section of the Institute at $12.50 per copy plus postage (see note in publications section).

STATISTICS

Australian prison trends

By David Biles
Assistant Director (Research)

During the period November 1983 to January 1984 the numbers of prisoners decreased in nearly all Australian jurisdictions. The most dramatic decrease occurred in South Australia and may be explained by the enactment of new parole legislation. The numbers of prisoners in all States and Territories for January 1984 with changes since October 1983 are shown in Table 1.

Table 1 – Daily Average Australian Prisoner Populations January 1984 with Changes since October 1983

	Males	*Females*	*Total*	*Changes since Oct. 1983*
NSW	3509	180	3689	– 6
VIC	1855	67	1922	– 40
QLD	1685	44	1729	+ 5
WA	1354	60	1414	– 15
SA	630	28	658	– 126
TAS	220	9	229	– 5
NT	246	12	258*	– 21
ACT	51	3	54**	– 9
AUST.	9550	403	9953	– 217

* 2 prisoners in this total were serving sentences in S.A. prisons.

** 45 prisoners (including 3 females) in this total were serving sentences in NSW prisons.

Table 2 shows the imprisonment rates (daily average prisoners per 100,000 population), for January 1984. The national rate of 63.8 compares with 65.5 found in October 1983.

Table 2 – Sentenced Prisoners Received, Daily Average Prison Populations and Imprisonment Rates by Jurisdiction – January 1984

	Sentenced Prisoners Received	*Prisoners*	*General Pop.* '000*	*Imprisonment Rates*
NSW	655**	3689	5621	65.6
VIC	335	1922	4004	48.0
QLD	262	1729	2476	69.8
WA	311	1414	1344	105.2
SA	331	658	1363	48.3
TAS	34	229	432	53.0
NT	73	258	133	194.0
ACT	–	54	236	22.9
AUST.	2001	9953	15609	63.8

* Projected Population end of January 1984 derived from *Australian Demographic Statistics Quarterly* (Catalogue No. 3101.0).

** Comprising 441 fine defaulters and 214 sentenced prisoners.

Continued on Page 15.

BOOK REVIEWS

CRIMINAL LAW OF QUEENSLAND (Sixth Edition)
By R F Carter
Butterworths, Brisbane 1982: 1199pp. – $59.00 (soft cover); $69.00 (hardback).
LAWYERS PRACTICE MANUAL (NSW)
By Redfern Legal Centre
Edited by N Rees, C Rolands and R West
Law Book Company, Sydney 1983: $75.00 (loose leaf).
Reviewer: IVAN POTAS, Criminologist, Australian Institute of Criminology.

Although both these works are first and foremost legal practitioners' books, and intended for use in the respective jurisdictions of Queensland and New South Wales, they are also of general interest to students of the criminal law and criminologists alike. Carter's *Criminal Law of Queensland* was first published in 1958 and it has steadily grown in size and content, and therefore usefulness over the years. Its main concern has been to provide an annotated version of the Criminal Code of Queensland. In fact this now occupies about one half of the book, the remainder being shared by a comprehensive list of related statutory material including the *Criminal Law (Sexual Offences) Act* 1978, *Public Defence Act* 1974, *District Courts Act* 1967-1980, *Health Act* 1937-1981, *Jury Act* 1929-1981, *Evidence Act* 1977-1981, *Weekend Detention Act* 1970, *Offenders/ Probation and Parole Act* 1980 and so on. The point is that anyone wishing to know what the current law on any crime related topic in Queensland is can do no better than commencing his or her enquiries by going direct to Carter's book. There is an excellent index which renders the daunting size of the work easily manageable. The author's notes are concise and helpful but no doubt are not intended to be used other than as a guide for further research. No practising criminal lawyer in Australia should be without Carter. Equally no criminologist who needs to be acquainted with the law in Queensland can afford not to be aware of this work.

The Lawyer's Practice Manual (NSW) is a work that is radically different from anything on the market. It is like the Redfern Legal Resources Book but directed at the legal profession rather than at the lay person. At present the work covers nine subject areas, with something like 39 chapters with perhaps as many contributors as there are chapters. It commences with a chapter on 'the role of a lawyer at a police station' and in effect, sets out what a lawyer should do, including how the client is to be located and the problem of gaining access to him or her at the police station. It describes how to advise the client, refers to matters concerning the police interview and evidence and practical considerations regarding police bail are also discussed. The next chapter deals exclusively with application for bail and contains valuable precedents (forms) that will guide practitioners in complying with the proper procedures to be followed. Other topics in the early part of the work include a summary of the steps to be taken in advising clients, plea-making in the Courts of Petty Sessions, appearing for the defendant in committal proceedings and criminal appeals to the district court. Then there are chapters on serious driving offences, shop lifting and applications for criminal injuries compensation.

Of course the book is not restricted to criminal law practice, but includes many 'bread and butter' subjects such as those contained under the several headings of family law, civil litigation and property law.

In the preface, the Editors point out that topics discussed in the work are those which regularly confront lawyers working in legal aid and community legal centres. This work therefore also provides a very useful source of information for the sociologist who has now been provided with a better or different kind of insight into how the legal system works. It is a dimension that is sadly lacking in the majority of legal texts because they in general concern themselves with substantive law not with the practical realities of applying the law to real life situations. This kind of book will also be found increasingly useful for the training of lawyers and clearly fills a lacuna in legal education.

PUBLIC ORDER AND THE LAW
By Andrew Hiller
Sydney: Law Book Company, 1983: 230pp – $29.50 (cloth); $19.50 (paperback).
Reviewer: GRANT WARDLAW, Criminologist, Australian Institute of Criminology.

The balancing of the right to demonstrate with that of the right of others to go about their lawful business in peace is a central problem for all democratic societies. An important part of success or failure in achieving that balance is the nature of the law relating to public order. It is, therefore, useful to have a comprehensive survey of just what laws apply to public order situations, together with some analysis of the interpretation of that law as revealed by judicial and administrative decisions.

Andrew Hiller has undertaken a very useful service in gathering together the laws on public order enacted in Australia. But the work is neither truly comprehensive nor sufficiently analytical. The relevant laws of the Northern Territory and the Australian Capital Territory are not discussed (although Commonwealth legislation is). This is an important omission, particularly in the case of the ACT, where laws such as the Public Assemblies

Ordinance 1982 (since repealed) have provoked considerable controversy. Further, there is a general lack of detailed consideration of relevant Australian case law in the public order sphere.

The book is organised into six parts. In Part One, the rules relating to processions and other public assemblies in Australia and New Zealand are outlined. There is also a rather superficial (less than five pages) discussion of human rights issues pertaining to demonstrations. Part Two discusses the law relating to unlawful assemblies, riots, and proclamations to disperse, while questions such as disorderly behaviour, obstructing traffic, and assaulting police are the subject of Part Three.

Offences against public order which may be seen to be more a product of modern times are outlined in the final three sections of the book, which cover recent legislation on hijacking and firearms, and special Commonwealth legislation to protect internationally protected persons, aircraft, and airports. A section on military aid to the civil power sets out the Constitutional provisions for initiating a call-out of military forces in Australia and briefly describes the operation of these procedures when the military were called out following the Hilton Hotel bombing in 1978. This chapter is particularly disappointing. The treatment of the material is not very detailed and there is no real discussion of the controversial social and legal implications of such actions.

Naturally, a book such as this invites comparison with others of a similar nature. The most obvious comparisons are with David Williams' *Keeping the Peace* and Michael Supperstone's *Brownlie's Law of Public Order and National Security*. Hiller does not fare very well in such an assessment. Williams' work is both more analytic and better written, and *Brownlie's Law of Public Order* (perhaps a fairer comparison) is much more comprehensive. Nevertheless, *Public Order and the Law* will find a useful place on the bookshelves of all those interested in public order issues in Australia.

Continued from Page 9.

American Society of Criminology was overwhelming, said Mr Biles. Over 900 participants met in 188 sessions with four to six speakers in each. The program was in the form of a book of over 100 pages and the abstracts of papers comprised a second book of twice that length. At most times during the meeting, from 8am to 6pm, twelve sessions were meeting concurrently.

The topics covered all possible aspects of modern criminology including criminological theory, crime statistics, various aspects of policing, juvenile justice, sentencing, community corrections, prison crowding, and more.

There were also several sessions devoted to international or comparative criminology.

The next annual meeting of the ASC is to be held in Cincinnati, Ohio from 7 to 11 November 1984. ®

Research grants

The Criminology Research Council is seeking applications for research grants from individuals and organisations for projects likely to produce results of relevance for the prevention and control of crime throughout Australia.

Projects designed to evaluate currently effective measures are particularly invited.

Application forms are available from Registrars of all Australian Universities or from the Assistant Secretary, Australian Institute of Criminology, P.O. Box 28, WODEN, A.C.T. 2606.

Visiting American researcher

An American criminologist with specialisations in white collar crime and deviant behaviour recently arrived at the Institute to study the nature of fraud in Australia.

Dr Charles McCaghy has taken several months leave of absence from Bowling Green State University, Ohio where he is Associate Professor, and Professor, Department of Sociology.

A former officer in the United States Navy, Dr McCaghy has held academic posts in the Sociology Departments of the Wisconsin, Connecticut and Case Western Reserve Universities.

Dr McCaghy has written two books and several articles dealing with general criminology and deviance. The books are: *Deviant Behavior: Crime, Conflict, and Interest Groups*, Macmillan, 1976, and *Crime in American Society*, Macmillan, 1980.

Specific research activities concentrate on sexual deviance, child molestation and stripteasing.

Dr McCaghy is currently writing two papers on consumer fraud and is revising an earlier paper concerning the crusade for laws against the use of children in pornography.

While in Australia Dr McCaghy intends to give individual lectures at universities on child molestation and fraud.

Dr McCaghy has also co-edited the following anthologies: *Approaches to Deviance: Theories, Concepts, and Research Findings*, co-edited with Mark Lefton and James K Skipper, Jr., Appleton-Century-Crofts, 1968. *Deviance, Conflict, and Criminality*, co-edited with R Serge Denisoff, Rand McNally, 1973. ®

Table 3 – Total Prisoners and Remandees as at 1 January 1984 and Federal Prisoners as at 31 December 1983

	Total Prisoners	*Prisoners on Remand*	*Percentage Remandees/ of Remandees*	*Remandees/ 100,000 of Gen. Pop.*	*Federal Prisoners*
NSW	3672	502	13.7	9.0	159
VIC	1913	188	9.8	4.7	49
QLD	1715	99	5.8	4.0	31
WA	1363	115	8.4	8.6	28
SA	640	109	17.0	8.0	16*
TAS	239	16	6.7	3.7	2
NT	251	37	14.7	27.8	14
ACT	55	10	18.2	4.2	–
AUST	9848	1076	10.9	6.9	299

* 4 of the Federal prisoners in South Australia were transferred from the Northern Territory.

Probation and parole

Compiled by Ivan Potas,
Criminologist

The following table provides the number and rates of adult persons on probation and parole as at the first day of October 1983:

TABLE 1

	General Pop.[1] *'000*	*Probation*[2] *Number*	*Rates*[4]	*Parole*[3] *Number*	*Rates*[4]
N.S.W.	5559	9305	167.4	2354	42.4
VIC.	4000	3161	79.0	859	21.5
QLD	2455	4620	188.2	486	19.8
W.A.	1340	1786	131.9	677	50.0
S.A.	1340	2292	171.0	272	20.3
TAS.	431	1472	341.5	75	17.4
N.T.	132	342	259.1	90	68.2
A.C.T.	233	163	70.0	37	15.9
AUST.	15504	23141	149.3	4850	31.3

1 Projected population end of September 1983 derived from *Australian Demographic Statistics Quarterly* (Catalogue No. 3101.0)
2 Only those under actual supervision are included in these data.
3 As a general rule licensees – other than Governor's Pleasure licensees – are counted as parolees if supervised.
4 Rates are calculated per 100,000 of the general population.

NEW SOUTH WALES

The probation figure *includes* 647 persons who were under the age of 18 years at the time of release to supervision. A further 1182 persons were subject to *Community Service Orders*, and some of these *are included* in the probation figure.

The parole figure includes 809 licensees, of whom 354 were short-term licence-holders.

The figure of 12,225 represents at the relevant date, the total number of persons under supervision of all types in NSW. In this figure 'multiple status' offenders are counted only once.

VICTORIA

Probation data are now only collected quarterly, and figures for the intervening months are obtained by interpolation. The parole figure does *not include* persons supervised from interstate. As at 1 October there were 40 persons subject to *Community Service Orders*.

QUEENSLAND

The number of persons subject to *Community Service Orders* as at 1 October 1983 was 998. Of these 480 were also given probation and *are included* in the probation figure.

WESTERN AUSTRALIA

There was a total of 426 persons subject to *Community Service Orders*. 198 of these were also placed on probation and *are included* in the probation figure. Only 228 persons were subject to *Community Service Orders* without probation and these are not included in the probation figure.

There was a total of 722 pre-parolees in that state.

SOUTH AUSTRALIA

The probation figure *includes* 82 persons who were subject to *Community Service Orders*.

With regard to parole it is advised that a further 30 persons received voluntary supervision in the community by the Parole Services. A further 174 prisoners were supervised in prison.

TASMANIA

The probation figure includes 121 juveniles. It also includes 19 probationers from interstate. The parole figure *includes* 18 parolees from interstate. There was a total of 383 persons subject to Work Orders. However only 196 of these were subject to *current* supervision orders.

NORTHERN TERRITORY

The probation figure *includes* 7 out of a total number of 39 adults subject to *Community Service Orders*. The parole figure *includes* those on licence.

COMMUNITY SERVICE ORDERS

The following table shows the number of persons and rates per 100,000 of the general population who were subject to *Community Service Orders* (Work Orders in Tasmania) as at 1 October 1983:

	Number	Rates
N.S.W.	1182	21.3
VIC.	40	1.0
QLD	998	40.6
W.A.	426	31.5
S.A.	82	6.1
TAS.	383	88.9
N.T.	39	29.5
A.C.T.	Not Applicable	Not Applicable
AUST.	3150	20.3

Asian and Pacific series

Compiled by David Biles,
Assistant Director (Research)

Correctional administrators in the countries listed below have supplied the basic information which is incorporated in the following tables. The footnotes below contain a number of explanations that should be borne in mind when making comparisons between countries. For countries marked* the data refer to 1 July 1983.

Table 1 – Total Prisoners as at 1 October 1983

	Males	*Females*	*Total*	*Population ('000)*	*Rate*[1]
Australia[2]	9685	379	10064	15504	64.9
* Canada[3]	11429	130	11559	24105	48.0
Fiji	813	25	838	634	132.2
Hong Kong	5754	170	5924	5313	111.5
Japan	52165	2107	54272	118970	45.6
Macau	473	11	484	400	121.0
Malaysia	13766	360	14126	14000	100.9
New Zealand	2897	132	3029	3230	93.8
* Papua New Guinea	3479	192	3671	3010	122.0
Singapore	2487	82	2569	2443	105.2
Sri Lanka	12784	869	13653	15189	89.9
* Thailand	75500	4115	79615	47500	167.6
Western Samoa	167	7	174	159	109.4

Table 2 – Convicted and Remand Prisoners as at 1 October 1983

	Convicted Prisoners	*Remand Prisoners*	*Per cent on Remand*	*Rate*
Australia	8776	1356	13.4	8.7
* Canada[3]	11559	–	–	–
Fiji	778	60	7.7	9.5
Hong Kong	5298	626	11.8	11.8
Japan	45167	9105	20.2	7.7
Macau	297	187	63.0	46.8
Malaysia	9529	4597[4]	48.2	32.8
New Zealand	2727	302[5]	11.1	9.3
* Papua New Guinea	3070	601	19.6	20.0
Singapore	2340	229	9.8	9.4
Sri Lanka	4557	9096	199.6	59.9
*Thailand	55572	24043	30.2	50.6
Western Samoa	161	13	8.1	8.2

Table 3 – Offenders on Probation and Parole as at 1 October 1983 (in those countries where these options apply)

	Probationers	*Rate*[1]	*Parolees*	*Rate*[1]
Australia[6]	22762	147.3	4926	31.9
* Canada[3]	–	–	5991	24.9
Fiji	–	–	387[7]	61.0
Hong Kong	3286	61.8	3079	58.0
Japan	22853	19.2	6544	5.5
Macau	–	–	22	5.5
New Zealand	6705	207.6	2083	64.5
Sri Lanka	–	–	111[8]	0.7
* Thailand	6043	12.7	1153	2.4
Western Samoa	263	165.4	67	42.1

Footnotes
1 Per 100,000 of population.
2 Australian statistics in this table are based on the daily average number of prisoners for the month of September 1983.
3 Federal prisoners only.
4 Includes inmates who are detained on the basis of allegation of facts under Public Order for Prevention of Crime, 1969.
5 Includes convicted prisoners on remand awaiting sentence.
6 As at 1 August 1983.
7 Released to serve Extramural Punishment (269) and Compulsory Supervision Orders (118).
8 Released on Licence.

And, in brief, ...

Police Union Course

The Clyde Cameron College, part of the Trade Union Training Authority, held an intensive course from 18 to 23 March 1984 for officers and members of the various police unions and associations comprising the Police Federation of Australia. The course was conducted in Melbourne. Bruce Swanton, a senior research officer with the Institute, helped organise and conduct the course together with Phil Drew, principal, and Richard Sappey, trainer, of the Clyde Cameron College.

The course concentrated on equal employment opportunity, wages and the wages accord, police discipline, police career development and community aspects of policing.

Police Research Directories

The Institute has recently produced two small directories of interest to police and others:

* Selected Police and Police Related Institutions in Australasia.
* Guide to Periodicals of utility to Police Department Industrial Officers and Police Association Unions.

Both these directories are available free on application to the Institute's Publication Section.

CRC Grants

The Criminology Research Council has made two grants for new research projects.

One grant of $3,870 was made to Associate Professor Paul Wilson, Reader in Sociology, University of Queensland, for a study entitled 'A Psycho-Social Profile of a Child Murderer'. This will involve an intensive clinical assessment of the psychological and social characteristics of a man who killed a young boy in New South Wales in 1982.

With the co-operation of the offender and prison authorities, Professor Wilson aims to produce an analysis to help police, prison officials and parole boards in dealing with similar cases. ®

PUBLICATIONS

POSTAGE FOR PUBLICATIONS

From 1 March 1984, postage for Institute publications will be simplified for non-bookshop buyers within Australia. For one book, postage to anywhere in Australia will be $2.50. For two or more books, postage will be $4.50. Overseas buyers will be charged the exact amount as determined by weight and destination, as will bookshops.

BOOKS

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- Minimum Standard Guidelines for Australian Prisons – $2.00

DAVID BILES (Editor)
- Crime and Justice in Australia – $4.95
- Crime in Papua New Guinea – $2.25

JOHN BRAITHWAITE
- Prisons, Education and Work – $8.95

W CLIFFORD
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W CLIFFORD (Compiler)
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W CLIFFORD (Editor)
- Crime Prevention Planning: Proceedings of the United Nations Interregional Course – $2.95
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W CLIFFORD and S D GOKHALE (Editors)
- Innovations in Criminal Justice in Asia and the Pacific – $5.00

ANDREW HOPKINS
- Crime, Law and Business: The Sociological Sources of Australian Monopoly Law – $3.00

SATYANSHU K MUKHERJEE
- Crime Trends in Twentieth Century Australia – Hardback $29.95
- Age and Crime – $ 3.60

SATYANSHU K MUKHERJEE, EVELYN JACOBSEN, JOHN WALKER
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IVAN POTAS
- Just Deserts for the Mad – $5.00

BRUCE SWANTON
- Police Institutions and Issues: American and Australian Perspectives – $5.00
- Protecting the Protectors – $12.50

J WHELAN, E SEATON, E CUNNINGHAM DAX
- Aftermath: The Tasman Bridge Collapse – $1.98

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- Review of Australian Criminological Research – $2.75
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- Profile of Federal Prisoners – $1.95

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- Factors Affecting Sentencing Decisions in Rape Cases – (No Charge)

D St L KELLY and MARY DAUNTON-FEAR
- Probation and Parole: Interstate Supervision and Enforcement – $1.40

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- Sentencing Sex Offenders in New South Wales: An Interim Report – $1.00
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- Australian Prisoners 1983 – $3.00

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- Women as Victims of Crime

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- Crime Prevention: Planning and Participation in Geelong

BRUCE SWANTON
- Criminal Justice Research Methodology

ARTHUR VENO
- The Psychologist in Criminal Justice: An Australian Perspective

ALLAN WOODWARD (Editor)
- Forensic Psychologists

OTHER PUBLICATIONS

DAVID BILES (Guest Editor)
- Journal of Drug Issues, Vol. 7, No. 4, Fall 1977, Drug Issues: An Australian Perspective – $5.00

DAVID BILES
- The Size of the Crime Problem in Australia – No Charge
- The Size of the Crime Problem in Australia (2nd edition) – No Charge
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- Bail: Issues and Prospects – $2.20

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- A Chronological Account of Crime, Public Order and Police in Sydney 1788-1810 – No Charge
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