reporter

Bill Clifford
1918-86

First Permanent Director of
The Australian Institute of Criminology
1975-83

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Commemoration: Bill Clifford

Mr Bill Clifford, first permanent Director of the Institute, died at the Royal Canberra Hospital on 6 June, 1986. He had been ill since late March. He leaves a widow, Margaret.

At his funeral, held at St Christopher's Cathedral, Manuka, Dr Satyanshu Mukherjee, a long-time friend and Principal Criminologist at the Institute, delivered the following eulogy:

Mr William Clifford was an internationally recognised authority on criminal justice matters. Australia was lucky in obtaining his services as the first permanent Director of the Australian Institute of Criminology. Upon arrival in Australia he immediately immersed himself in making the Institute a viable organisation and charting a role for the Institute in the region and beyond. These activities, however, left almost no time for work that was the hallmark of Mr Clifford's earlier assignments: direct service to the people.

In addition to his activities in criminology and criminal justice, Bill Clifford was profoundly committed to social development and community service. He left his country of birth first as a senior officer of the British Colonial Service and then as a senior expert for the United Nations, and directed his energy and knowledge to the needy. Bill, since his early days, became active in a wide range of service organisations that sought to address social, economic and humanitarian concerns, particularly in Cyprus, Zambia, The Congo (now Zaire) and lately in Papua New Guinea. His involvement reflected the highest ideals of a scholar and a thinker. His life was infused with consultations, public speeches and writings, and his advisory activities for various governments were particularly extensive.

Bill Clifford was a friend of the disadvantaged. In the Congo, against enormous pressures, he opted to help save thousands of children, left orphaned by years of tribal warfare, and on the brink of starvation. In Zambia, while keenly involved in social development, he helped establish the first multi-racial college in central Africa — the Oppenheimer College — and became its founder principal. The college trained many students, with Bill Clifford providing academic, emotional and material support necessary for their initiation into the professional ranks.

At the United Nations, after organising a successful Fourth Congress on the Prevention of Crime and the Treatment of Offenders (1970), Bill Clifford was instrumental in far-reaching changes in crime prevention policies. In Australia we know his contributions. He became so committed to the Australian way of life that he became an Australian citizen.

After retiring from the Australian Institute of Criminology, at an age when many of us would like to relax and enjoy life, he accepted an invitation from the government of Papua New Guinea to advise on the state of criminal justice. Not content with advising from his luxury hotel room, Bill Clifford, during his six months stay there, made extensive visits to remote parts of the country, to see for himself and to understand the reality.

Bill Clifford had a strong social conscience and an abiding concern for the ways in which knowledge might be put to the service of all peoples, willing to make an effort at building a more humane society. In this his manner was always gracious and his spirit generous.

Some individuals by their service earn the gratitude of the ordinary people. Some thinkers by the influence of their formulations crystalise the views of many others. Some teachers have as memorials of their journey through this world a large number of students who through them found their vocations. And some gain remembrance as the builders of useful institutions. Bill Clifford played all these roles, and his contributions will be remembered for years to come. Yet to me, the aspects of his life which will be recollected and reiterated for years are the least visible among his manifestations: the role of a warm and caring friend, a decent man. I, and many others who know him, rejoice in having been a small part of his remarkable life.

Mr Bill Clifford (left) and Dr Satyanshu Mukherjee, Principal Criminologist

The following memoirs are from Mr Clifford's close colleagues:

Richard Harding
Director, Australian Institute of Criminology

I only got to know Bill well after he retired as Director of the Institute and I succeeded him. So let me start by putting it on the record that one could not have had an easier relationship with one's predecessor. Not once did he look over my shoulder critically, yet he appreciated hearing about Institute affairs at our occasional lunches and was always ready to offer advice when asked. In fact, I asked him quite often, for he had a great ability to put issues into a broader and revealing perspective. On one occasion, I went to his home to talk over a matter of great sensitivity with him, too sensitive for the normal processes of consultation. He listened carefully, and offered me his measured opinion. I followed it, and the problem was contained and solved.

During the last two years, I saw almost as much of Bill overseas as I did in Canberra. He had founded the Asian and Pacific Conference of Correctional Administrators, and after his retirement from the Institute remained as Executive Director. Bill always wanted me to succeed him in this role, so we went to the Fiji Conference together in

Mr Bill Clifford at the Institute

May 1985 so that he could initiate me. I saw for myself there the high regard and affection in which he was held in the region, and I also saw at work his considerable skill as a rapporteur. Each morning, before new work commenced, Bill's elegant summary of the previous day's work was considered and adopted, usually without major change.

Socially, he was charming, witty and responsive. I recall the enjoyment his speech gave delegates at the last night of the Fiji conference, and picking up the mood of the evening he then exchanged shirts hilariously with the mountainous Minister for the Interior: a great mutual compliment in Fiji. Three months later, in Milan at the Seventh United Nations Congress, it was I who was rapporteur and he who was encouraging and assisting me in the midst of the administrative chaos. Unflappable, he relished the human comedy, the old friends and the work.

In fact, Bill when he retired did not finish work. His major review of law and order in Papua New Guinea for example, took up much of 1984. It was typical of Bill that he came into the Institute, the day before his ultimately fatal heart attack, to give me some work he had just finished: the discussion guide for the forthcoming Asian and Pacific Conference. Like everything he wrote, it was fluent and felicitous.

In 1985 I worked jointly with Bill on one of the Australian Discussion Papers for the Milan Conference: 'Criminal Justice Processes and Perspectives in a Changing World'. In this he was an affable collaborator; not the sort who would quarrel about every punctuation mark or even every paragraph so long as the general drift and tone reflected his views.

After he became ill, I visited Bill several times in hospital. He was a dignified patient, clear-sighted and sometimes humorous about his prognosis. He seemed more concerned about my health — 'You mustn't underestimate the stress of that position, Richard' — than his own.

I shall miss Bill Clifford very much. His intellect and his character were made on a generous scale. He was good company and a good friend.

David Biles
Deputy Director, Australian Institute of Criminology

I first met Bill Clifford in Japan in 1970 where he was organising the Fourth United Nations Congress on the Prevention of Crime and Treatment of Offenders. At that time I was a lowly university lecturer and not a member of the official delegation to the Congress. Bill knew absolutely everyone at the Congress and was always besieged by distinguished participants. Nevertheless, he did find time to meet me and make me feel welcome in a most charming way.

Little did I think then about how our lives would become so closely entwined in later years. From his appointment in 1975 as the first permanent Director of the Institute until his recent death we worked very closely together on many issues and problems. Naturally from time to time we had our differences of opinion, but Bill was always respectful of other points of view and certainly never expressed animosity to anyone. We were totally united in our efforts to keep the Institute going as a productive and useful organisation during five years of increasingly severe budget cuts. The fact that the Institute survived at all is due in no small measure to Bill's tenacity and determination.

Bill always saw the Institute as playing a significant regional and international role, and it is ironic that after his death this will soon be sealed in legislation. He was a trojan for work and was happiest when he was busiest. He was fluent in several languages and maintained a prodigious correspondence with friends and colleagues in many parts of the world. One could not but admire his breadth of vision, his sense of history, and his capacity to distinguish between what was really important and what was trivial.

The mark of Bill Clifford is indelibly made on the Institute. It is to be found in his numerous papers, reports and books, as well as in the work of others, including myself, who came under his influence. He will also be remembered in more tangible form by the generous donation of his personal criminological library to the Institute.

I was deeply moved to be a pall bearer at his funeral, and greatly admired the courage and dignity of his wife Margaret at that harrowing time. She has the sympathy and affection of all those who worked with and for her late husband.

Peter Loof
Chairman, Board of Management
Australian Institute of Criminology

Mr William Clifford brought to his work as Director of the Institute considerable knowledge of a variety of disciplines, which contributed to his broad perspectives and insights in the field of criminology. He also had a warm and generous personality and enormous personal charm. The Board of Management of the Institute and the Criminology Research Council benefited immensely from his advice, guidance and friendship.

Being familiar with Mr Clifford's work with the United Nations as well as with the Institute, I wish to add a note on his international achievements. These achievements have been widely recognised and respected.

I mention as examples two papers written by him in 1970 as Executive Secretary of the Fourth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, one on the organisation of criminology research

for policy development and the other on crime prevention and criminal justice policies in relation to development planning.

The paper on the organisation of research was of considerable interest and assistance in Australia because of discussions then being conducted by the federal government with the state governments on the *Criminology Research Bill* 1970. This paper focused on the need for a practical orientation to the organisation of research and the need for links to be forged between governmental administrators and those engaged in academic research.

The paper written by Mr Clifford on crime prevention and criminal justice planning is also of interest. The paper examined processes that would enable crime prevention planning to be built into the planning of social and economic programs so that the crime-generating aspects of development could be taken into account at the planning stage. The paper also focused on the need for criminal justice planning on a more systematic and co-ordinated basis. Mr Clifford made an important contribution to the work of the United Nations in these areas and was active in organising national and international seminars on these matters while Director of the Institute. In his book *Planning Crime Prevention*, published in 1976, and in subsequent publications and addresses, he advocated a variety of mechanisms, including the setting up of formal administrative machinery that would enable representatives from criminal justice agencies, education, health, urban planning and other sectors to evaluate and monitor investments in criminal justice services and feedback information for improved administration.

Mr Clifford's perspectives on these matters have been of considerable value and constitute an important source of reference in the area of crime prevention and criminal justice planning.

Bill Clifford will be sadly missed by colleagues both in Australia and overseas who were fortunate enough to have been associated with him.

Librarians in the Criminal Justice System

The Australian Institute of Criminology held the Fifth Seminar for Librarians in the Criminal Justice System in Canberra from 15 to 17 April, 1986.

Mr John Myrtle, the Institute's Acting Librarian, noted two significant changes since the last criminal justice librarians' seminar. In this period CINCH, the J.V. Barry Memorial Library's criminological database, has become publicly available on the AUSINET system. The other significant change has been the phenomenal growth of the Australian Bibliographic Network, based at the National Library of Australia in Canberra. ABN now has 328 dial-up customers (including many criminal justice libraries) and 108 full participants (including the Australian Institute of Criminology). For a modest outlay librarians can utilise asynchronous terminals or inexpensive microcomputers to radically expand the range of library services available to their clients. A librarian located anywhere in Australia can now access shared cataloguing information, conduct literature searches, or ascertain the location of books and journals in other libraries.

A number of papers reflected the interest of criminal justice librarians in utilising these developments.

Mr Glenn Sanders, a consultant on information management services, set the scene with his evaluation of the numerous computer hardware and software options available for application in small libraries. This was followed by an ABN session with papers by Ms Cheryl Pye, representing the ABN Network, and Ms Julia Butler, from the A.C.T. Law Courts Library, and Ms Barbara Allen, from the Alcohol and Drug Foundation, Canberra, as the customers. Ms Pye indicated in her paper that it is now technically possible for participant members on ABN to become the nucleus of a common interest of libraries to produce a microfiche union catalogue. This development indicates one path that the J.V. Barry Memorial Library could follow as an ABN participant. An ABN-based union catalogue could replace the recently terminated Criminology Union Catalogue project.

Other papers reflected the range of legal databases available to criminal justice librarians. Ms Nikki Riszko, former Librarian at the Institute and now with the Australian Electoral Commission, exhorted librarians to spend more time and money on CINCH. She pointed out that CINCH is now a viable database covering a broad

Ms Barbara Allen, Librarian, Alcohol and Drug Foundation, Canberra (right), Mr John Myrtle, Acting Librarian, Australian Institute of Criminology.

range of Australian criminological topics. Ms Moira Burgess spoke on the AGIS database, a recent addition to the Commonwealth Attorney-General's SCALE system.

AGIS is better known in print form as the Attorney-General's Information Service. Mr David Grainger from the High Court Library spoke on the CLIRS system and pointed out that a number of CLIRS databases are particularly relevant and useful for criminal justice libraries.

However, high technology is still not a reality for everyone. As at past librarians' seminars, special interest groups were convened for police, corrections and law (court and academic) libraries. A statement from the National Corrective Services Librarians' Group through their spokesperson Ms Daphne Russell from the Office of Corrections, Melbourne, expressed their concern at certain deficiencies in the library services for both correctional personnel and prisoners. Specifically, these were inadequate staffing, funding, accommodation and a lack of computer facilities. Ms Erica Bolto from the Queensland Police Academy Library spoke for the police librarians, identifying developments and problems. Lack of staff and technical facilities was a fairly generally felt concern. The comparative working isolation of police librarians renders participation in the Institute's seminars very desirable. It was a matter of real regret that attendance of a number of police librarians had not been facilitated.

Mr Richard Fox, from the Monash University Law School, presented a paper on research tools in criminology, the indexing and abstracting services, the bibliographies and checklists. He emphasised also the need for library staff with specialist knowledge, most desirably with qualifications in criminology. He also suggested that Parliamentary debates and answers to questions be indexed in CINCH, and urged the implementation of resolutions from previous seminars on the setting of standards for prison libraries. He suggested an approach to the Criminology Research Council for funds for such a project, in pursuance perhaps of a higher degree in librarianship.

Mr Fox's paper looked at the range of criminological information a library user might require. Two other papers examined the means which might be employed by librarians in dealing with requests from clients for information resources. A paper from Ms Judy Iltis, from the J.V. Barry Memorial Library, examined the means of gaining subject access to information in a criminological library, while Ms Suzanne Shibble, from the Goulburn Police Academy, outlined the problems involved in developing a reader education program.

Also discussed were sources of information on criminological publications by the Institute's Acquisitions Librarian, Ms Gael Parr, and sources specifically on criminal justice statistics by Ms Debbbie Neuhaus, from the Australian Bureau of Statistics, Sydney, whose impressive annotated bibliography *Current Sources of Australian Criminal Justice Statistics: A Reference Report* was published this year. A complementary paper by Mr Clarrie Pickerd described the evolution of the standards and classifications used by the A.B.S. in the compilation of court statistics.

An unusual insight into the use of the computer in information management was given by the Assistant Director of Prosecutions, Ms Diana Higgins. She described the STATUS based system devised for the Special Prosecutor's Office to handle the tonnes of documents, some 3-4 million, associated with the investigation and prosecution of bottom of the harbour schemes.

Some thirty participants stayed on for the fourth day, an optional workshop on co-operative indexing for CINCH. Margaret Thompson, spoke on her involvement with co-operative indexing for ATLIS, the Bureau of Transport Economics' transportation database. In the discussions that followed several volunteers undertook to scan certain of their own state or special interest publications for CINCH input.

Proceedings of the seminar will be published and made available from the Publications Section later in 1986.

Ms Cheryl Pye
National Library of Australia

Ms Julia Butler
ACT Law Courts

Ms Gael Parr
J.V. Barry Memorial Library

Sentencing Reform

The head sentences that are currently imposed by courts are excessive and should be abandoned, according to Mr Ivan Potas, Criminologist with the Institute.

Mr Potas spoke, with particular reference to the prison system in N.S.W., at the Australian National University in February and said that the amount of time a prisoner spends in gaol should be reduced to the length of the non-parole period delivered by the court.

'At the moment, the head sentence emerges as nothing more than a sham to con a gullible public. The head sentence — the sentence of imprisonment declared by the court — does not correspond to the sentence actually served by the prisoner.

'Offenders can earn in excess of one third off the length of their sentences even before parole. A person sentenced to nine years imprisonment, therefore, can normally anticipate being released at or before the expiration of six years. With parole, the court normally specifies a non-parole period which expires at a reasonable time before the expiration of the sentence less remissions. A typical sentence, for example, might be a sentence of nine years, coupled with a non-parole period of say three years. Provided the prisoner behaves he or she could be released after serving a minimum term of three years.

'The non-parole period set by the court is the minimum period of time that the prisoner must serve as a punishment for his or her offence. With remissions off the non-parole period, the length of time spent in prison would again be reduced. Thus, in the case of a head sentence of nine years, with a non-parole period of three years, the prisoner could be released on parole after serving two years of imprisonment. In short, even the minimum period is no longer the minimum period.

'It is not that prisoners are being released before their time, the courts impose excessive sentences in order to accommodate the impact of remission rules. *The problem is that these inflated sentences give the impression that prisoners are not serving the sentences they deserve and courts continue to declare sentences of imprisonment that in practice are never served and are never intended to be served.*

'The declaration of a high sentence may demonstrate to the public the seriousness with which the courts view the prisoner's conduct, and may also be intended to provide an element of general deterrence to indicate that the courts will deal harshly with such criminal conduct. However, the impact of such declarations is lost if the declaration is seen as a paper tiger. This flaw in our sentencing system simply serves to undermine public confidence in the administration of justice.'

Mr Ivan Potas
Institute Criminologist

Mr Potas proposed that the head sentence be abandoned and that sentences be reduced to that of the non-parole period; for example, a sentence of imprisonment of nine years with a minimum of three years, would become an upfront sentence of three years. The last third of a prison sentence should not be remitted but rather suspended. This would replace the present system of parole.

'This reform would be welcomed by the community, the courts, and the prison', said Mr Potas, 'and would promote what some critics have dubbed "truth in sentencing". It is simply a question of restoring sanity to a ridiculously cumbersome, complex and counter-productive process'.

Mr Potas also said that the criminal justice system failed to deal fairly with all members of the public.

'The criminal justice system works best against the weaker members of the community. Any assault on the more powerful members in society demands a disproportionate amount of criminal justice resources. "White collar" offenders by their social status, their financial circumstances, or their political connections, are able to distance themselves from offences for which they, both morally and legally, should be held accountable.

'The difficulty of securing a conviction, even if prosecution were possible, is exacerbated by the complexity of the law, by the difficulty of obtaining evidence in often highly complex matters, and by the ability of the more affluent members of the community to obtain the best in legal assistance that money can buy.

'Obtaining the best in legal assistance is not a criticism in itself. Rather it is that those who are unable to obtain the best are disadvantaged. Legal aid attempts to restore the balance but funds fall short of what is required. It is the belief that certain powerful members of the community are beyond the reach of our conventional criminal justice system that organisations such as the Crimes Authority and Royal Commissions are established. The criminal justice system fails when there is the need to invoke extra resources of this kind.'

Sentencing and Civil Rights

However, civil liberties should not be eroded in our pursuit of crime prevention, said Mr Potas. 'The traditional safeguards of:

i. the right of accused persons to make unsworn statements from the dock
ii. the principle, that proof of an offender's guilt in criminal cases should be 'beyond reasonable doubt', and
iii. the right of the accused to trial by judge and jury

should not be abandoned in order to obtain easier convictions. This could be at the expense of punishing the innocent. We should not sacrifice the maxim "better that ten guilty persons be set free than one innocent person be imprisoned".'

A summary of the Institute's seminar on sentencing can be found on page 14.

And, In Brief . . .

Editor's Note

The next issue of *Reporter* will combine Volume 7, Numbers 3 and 4, and will be distributed in December 1986.

Hijack Exercise

Australia is highly capable of coping with a terrorist attack, according to Dr Grant Wardlaw, Senior Criminologist with the Institute.

Dr Wardlaw witnessed the hijack exercise at Tullamarine airport in April organised by the Victorian and federal governments, the police force, and the army.

'It is almost inevitable that Australia will be the target of a terrorist attack', he said.

'Our policies on the Middle East are seen as uneven: we condemn extremes on both sides yet identify more with the Israelis. The U.S. is the major target for terrorists and Australia is seen as their ally and therefore becomes a target. As part of the international airlines route, access to Australia is easy. Also, our communications systems are such that maximum publicity would be given to a terrorist attack: an element crucial to terrorist operations and causes.

'The exercise at Tullamarine airport proved that our security forces' operational strategies and our communication techniques were effective. It also shows to the world that Australia does have the capacity to cope with a terrorist attack.'

Graffiti and Vandalism

The motivations of young persons who commit graffiti and vandalism on trains will be examined by the Institute for the N.S.W. State Rail Authority.

Graffiti and vandalism are the major problem facing commuters travelling on N.S.W. trains according to public opinion surveys conducted in Sydney. The Institute's project will involve establishing a recording and information system for crime in the railways system, analysing the motivations of young persons who engage in graffiti and vandalism, and suggesting the value of preventative measures, such as graffiti boards on railway stations, increasing security and patrols, and closer links between schools and the rail authority.

Ms Patricia Healy, a full time researcher based in Sydney, is working on the project for the Institute.

Opposition to Phone Taps

Phone tapping is a cumbersome, expensive and ineffective method of dealing with serious crime, according to Dr Paul Wilson, Assistant Director (Research and Statistics) at the Institute.

It was nonsense to suggest that extending phone tapping powers to police would halt the growth of organised crime and drug trafficking, said Dr Wilson in an address to students at the Gippsland College of Advanced Education, in May.

'Technological fixes have not solved the crime problem in either the United States or in other countries, and they will certainly not in Australia.'

Extending police powers for phone tapping also had very real implications for civil liberties, said Dr Wilson.

'Police effectiveness has to be balanced against the cost of investigative methods which may threaten democratic and human rights principles.'

Dr Wilson suggested that 'improvements to methods of investigating serious and organised crime, for example, more sophisticated methods of following money trails, and more efficient co-ordination between all law enforcement agencies could well make phone tapping redundant'.

Criminology Research Grants

The Criminology Research Council, at its quarterly meetings on 14 March and 13 June, 1986, approved grants for more than $94,000 to research six areas of crime.

- The Council granted Dr Monica Henderson, from the Research Unit, Office of Corrections, Victoria, $23,200 to examine what effect alternatives to imprisonment had on prisoner numbers, and how the legislative changes resulting from these sentencing options would affect patterns of sentencing.
- Mr David Indermauer, from the Western Australia Prisons Department was granted $11,534 to assess public opinion on the function of sentencing, and to examine whether the public's perception of the crime rate and current practices of the criminal justice system was realistic.
- Professor Jim Munro, from the National Police Research Unit, Adelaide, was granted $11,445 to examine the policy processes of Australian police forces in Victoria and South Australia, which have an impact on community policing, and to examine the links between social needs and political policies to meet those needs.
- Mr John Moriarty, from the Justice and Consumer Affairs Task Force on Aboriginals and the Criminal Justice System, was granted $25,000 to develop strategies to reduce the number of Aboriginals gaoled in South Australia for non payment of fines, and to monitor the effectiveness of these strategies.
- The Council granted $17,363 to Dr K.M. McConkey, from Macquarie University and Professor P.W. Sheehan, from the University of Queensland for the first year of their two year study of forensic hypnosis. They will evaluate the accuracy of hypnosis to enhance memory and the use to which this evidence can be put in courts of law. The research will be useful for the formulation of the law of evidence concerning hypnosis.
- The Council granted Dr Ian O'Connor, from the Department of Social Work, University of Queensland, $5,747 for a study on the way children understand the Children's Court process when they have appeared before the courts on a criminal charge. The outcomes of the research will have significant implications for service delivery by professionals in the juvenile court system.

The Council also received reports of a number of completed research projects. Among these it was particularly pleased to commend a report *Aboriginal/Police Relations in the Pilbara* which was prepared by a research team for the W.A. Special Cabinet Committee on Aboriginal/Police and Community Relations.

New Fact Sheet on Crime

The Institute has begun issuing fact sheets to improve the level of discussion on topics associated with crime. The new series, *Trends and Issues in Crime and Criminal Justice*, will help to make the public and its representatives in parliament aware of the latest information on a certain subject without bias.

Dr Paul Wilson, Assistant Director (Research and Statistics), is general editor of the series.

Issue No. 1, compiled and written by Dr Grant Wardlaw, Senior Criminologist with the Institute, discusses the 'Uses and Abuses of Drug Law Enforcement Statistics'. It distinguishes what is known from what is not known in drug statistics, and points out that much more information must be obtained before an ade quate program of dealing with users and traffickers of illegal drugs can be applied. *Trends and issues,* No. 1, is now available from the Institute.

Crime and Genetics

A person's biological background plays an important role in criminal behaviour, according to Professor Saranoff Mednick, from the University of Southern California, L.A., who visited the Institute in May.

Professor Mednick has observed the behaviour of twins that were separated at birth and adopted into different families, comparing the twins' behaviour with that of their biological parents.

He argued that there were similarities in criminal behaviour between the twins and their parents irrespective of the environments in which the twins were raised.

Professor Mednick is also researching age cohorts to see how many people will engage in particular types of criminal behaviour.

Letter to the Editor

In reply to Clare Tilbury's letter (*Reporter*, 6, December, 1986), I make the following observations to better acquaint her with the full coverage of the Aboriginal Criminal Justice Workshop at Canberra during 1985, and give her a better appreciation of the Aboriginal justice system generally. I can only assume from the letter that she is ignorant of the issue's fundamentals. This is deplorable if she is genuinely concerned with improving the Aboriginal justice system and not just 'police' or 'government' bashing.

The workshop was convened to exchange experiences of people actively involved in the field of Aboriginal criminal justice and to extract ideas as a basis for future efforts to improve the system. Many eminent speakers contributed positively at the workshop. The paper delivered by myself (as someone working in the field rather than a theorist) was concerned with the community justice program and community service orders handed down by Aboriginal Justices to offenders in the Aboriginal Courts.

I did not at any time state that 'Aboriginals were gaining some control of their own destinies through community-run Aboriginal courts'. I can only assume that this was a generalisation of Mrs Hazlehurst's report on my paper.* The Queensland system of Aboriginal Courts is in accord with the desires of a number of learned persons, both Aboriginal and non-Aboriginal, and most importantly, the residents of the communities themselves.

There is no doubt that the system is still evolving. It is not and will not be the complete answer. We must live with practicalities. The Queensland Aboriginal and Torres Strait Islanders Acts were replaced in 1984 with the Community Services (Aborigines) Act and the Community Services (Torres Strait Islanders) Act. Sections 26 and 27 of the new Acts provide for the making of by-laws by each community, subject to approval by the Governor-in-Council. These sections provide safeguards in that any proposed by-laws must be exhibited in the community and objections may be lodged with the local Aboriginal Council and heard before the Council submits the by-law to the Governor-in-Council for approval.

A number of Councils have prepared new by-laws, some with the assistance of Aboriginal Legal Service solicitors, relevant to the needs of their particular community and to replace the standard set of by-laws referred to by Ms Tilbury. In defence of those earlier by-laws, it is well to remember that they were made many years ago as an interim measure assisting the progression of the communities from various denominational church-controlled missions to government-controlled communities. The progression is being further exemplified with this latest change in legislation and provision of relevant by-laws.

I recommend that Ms Tilbury obtain and read, in full, all papers delivered at the workshop as well as other papers relevant to the issue of Aboriginal criminal justice, in particular 'Aboriginals and the Courts I and II' by Terence Syddall, Stipendiary Magistrate, Perth, Western Australia. Hopefully, she will see that my paper was a factual representation of a segment of the system in Queensland and an attempt to collaborate with other concerned people to improve the system in accordance with the wishes of and for the betterment of Aboriginal people generally.

Most of the papers at the Workshop discussed or touched on Aboriginal community justice systems. It was quite obvious that a system similar to the Queensland Aboriginal Courts system, using representatives from each community adjudicating on the misdeeds of community residents and/or arbitrating in community disputes, was looked on as having more advantages than disadvantages. While such a system has to be formalised to some extent by legislation, I submit that the Queensland system does allow for various considerations to be taken into account in practice.

As far as the Queensland Police Department is concerned, it has seen fit to appoint Police/Aboriginal Liaison officers to improve relations between the police and Aborigines, an appointment, in my case, I take very seriously, aiming to achieve understanding and impartiality. I find repugnant any inference by Ms Tilbury that my attendance and delivery at the workshop was to the contrary.

Senior Sergeant J.A. MacDonald
Police/Aboriginal Liaison Officer, Cairns

* Note: This statement was a generalisation made by the Editor of *Reporter*, in preparing a summary of the Aboriginal Criminal Justice Workshop.

Jury Seminar

The Assistant Director (Information and Training) Dennis Challinger, here provides an overview of a seminar on the jury held from 19 to 22 May 1986.

All aspects of the jury were examined at a seminar held at the Institute in May. His Honour Mr Justice L.K. Murphy of the High Court presented the first paper at the seminar, concentrating on section 80 of the Australian Constitution which provides for a trial by jury for any Australian charged with an indictable offence against Commonwealth law. His Honour's address was widely reported by the media as it was his first public appearance following his own experience at the hands of a jury which, as he pointed out, simply confirmed his belief in, and support for, the jury system.

Commenting on this paper, Professor Tony Blackshield of La Trobe University's Legal Studies Department stated

Professor Blackshield
Legal Studies Department
La Trobe University

that recent judgments indicated there was now no 'settled' High Court view on section 80, and its apparent guarantee to trial by jury. However, he said he was sure that 'all members' of the High Court would now approach questions relating to that guarantee 'in a spirit of sharing the fundamental commitment to the importance of the jury system'.

One current criticism of the jury which received particular attention at the seminar was the alleged inability of jurors to handle complicated forensic or commercial evidence. Most attention was paid to the first of these areas by the participation in the seminar of forensic scientists.

Dr Hilton Kobus, Chief Scientist at the Forensic Science Centre in South Australia indicated the range and complexity of forensic science techniques that could be presented in court before a jury. He indicated that the adversarial trial was far from the best forum for hard scientific evidence to be fully understood, and suggested that scientists were often as frustrated as juries at the legal restraints under which they had to operate. He argued forcefully that scientific evidence was evidence for the court and jury, and should not be seen, or treated, as evidence either for the defence or the prosecution.

This notion of independent forensic evidence being available to all parties in a trial before it started was taken up by Dr Ben Selinger and Dr Eric Magnusson from the chemistry departments at the Australian National University and the Australian Defence Force Academy respectively. They argued not only for scientific evidence to be known in detail by all parties prior to the trial, but also for the development of forensic science standards. Such standards would be summarised on a single page 'Inference Chart' which would be made available to jurors and the court, and would itemise the necessary methodology that had to be followed in order to reach a particular conclusion.

Failure to follow the standard procedure would cause useless or dubious scientific evidence to be quickly disposed of in a pre-trial forum. This sort of move is necessary, according to Dr Selinger and Dr Magnusson, because currently there is the possibility of scientists reaching and expressing opinions based on faulty logic or inferential processes. They claim that 'impressive academic qualifications and long experience provide no guarantee to a jury of the accuracy of a scientist's logic, or even of his or her objectivity'. The inference chart will not deprive experts of their opinions 'but merely ask them to explain how they reached them'.

Professor Richard Harding, Director of the Institute, supported the belief that juries are quite able to handle complex evidence. He pointed out that technical evidence was invariably presented to the jury as part of a jigsaw of evidence that they had to consider. He further said that no case had been made for jury malfeasance even in complex trials. Rather, juries had been misled by malfeasance on the parts of counsel and the judiciary, reaching the only possible conclusion they could on the evidence presented to them.

Professor Harding pointed out that 'not all commercial fraud cases or trials involving forensic evidence are complex; and not all complex cases involve commercial fraud or forensic issues'. He suggested that 'excessively long' trials could be described as complex but that remedies were available which could reduce strains on jurors. As an example he suggested the Milperra bikies murder trial, with over thirty accused and a prediction of two years duration, could have been better scheduled to reduce juror strain. Separate trials for separate gangs, or for those charged with lesser offences would have reduced the 'involuntary participation in the criminal process' of jurors for a period of service up to 4 per cent of their adult life.

Concern about long complex trials was also the starting point for Ms Mariette Read, formerly Research Officer at the Victorian Law Reform Commission, in her presentation to the seminar. However, Ms Read's reponse to such difficulties was to abandon the jury. Drawing on European experience where judges receive up to eight years training and then give public reasons for reaching their verdict, Ms Read argued for justice without juries. She raised many worrying points about jury practice including for instance the difficulty faced by an Australian jury in determining

the fate of a conservative Turkish father who, when he stabbed his daughter whom he found in bed with her boyfriend, was acting as an ordinary Turkish conservative would. Ms Read, however, failed to convince the bulk of seminar participants that abandonment of the jury was necessary.

However, Professor Peter Sheehan from the Psychology Department at the University of Queensland did present results of overseas psychological research that caused participants to seriously ponder the jury as a sound decision making group. He pointed out for instance, that reaching a decision became more difficult as the number of possible explanations for a particular sequence of events increased. The likelihood of a hung jury increased if jurors received too many different explanations of the facts from counsel during a trial. Moreover, psychological research had found that, if evidence was given confidently by witnesses, those witnesses were more likely to be believed even though 'for the most part, confidence relates poorly, not well, to accuracy of (witness) recall'.

Professor Sheehan concluded that 'considerable potential for juror error appears to remain' despite attempts to reduce or eliminate bias and suggestion amongst jurors. He said that 'the adoption of special procedures is necessary to increase the validity of jurors' judgments and enhance juror's ability to discriminate accurate from inaccurate testimony'.

Some material on Australian jurors was presented by Ms Meredith Wilkie of the New South Wales Law Reform Commission and myself. Both papers provided views of past jurors concerning their experiences, one in a structured way with a large sample and the other involving first person comments from a small group of ex-jurors.

The research reported in Ms Wilkie's paper covered analysis of jury rolls and exemptions, and surveys of both jury pool members and actual jurors immediately after their jury service. Most notable from these last two surveys was the fact that while only two thirds of prospective jurors believed the community benefited from the jury system, 94 per cent of jurors agreed that juries should be retained for criminal trials, 13 per cent of that group admitting to having changed their mind on that point as a result of actual jury experience.

Overall, Ms Wilkie reported that '90 per cent of jurors surveyed had not minded serving. Of those who gave their reasons, one third had found the experience informative and educational and one third expressed the view that it was interesting and worthwhile. Over one third also stressed that jury service is a civic duty or a service to the community'.

But this did not indicate that jury service is not without its difficulties. One fifth of jurors reported suffering financial loss and personal inconvenience, 16 per cent experienced other personal problems or inconvenience, and jurors were also affected by other problems including stress, child care, transport difficulties, and uncomfortable physical conditions in jury rooms, as well as the strain of reaching a unanimous verdict.

These were also the sorts of problems and difficulties reported by ex-jurors solicited especially for the seminar by way of public advertisement and radio publicity. Amongst other things, these comments indicated jurors' difficulties with legal procedures, making decisions as a group (including election of foreman), physical symptoms of stress during the trial, acrimonious jury room deliberations and assessing events well outside their normal experience.

Emerging from each of these papers was the clear view that changes should be effected to reduce the strains of jury service and to make the jury's task more straightforward and clear. One way in which these aims could be achieved is by refining instructions to the jury so that misunderstandings on their part would be overcome. This issue was addressed by Professor Wayne Westling of the Law School at the University of Oregon and Mr Ivan Potas, a Criminologist at the Institute.

Professor Westling outlined the existence of standard jury instructions for judges that are used in many American

Mr Justice Lionel Murphy
High Court of Australia

states. These help to provide 'an accurate unbiased statement of the appropriate law for the jury's guidance' as well as improving the legal accuracy of instructions given in cases and ensuring greater uniformity in treatment of cases and issues. Such formalised instructions would certainly assist jurors who, Mr Potas pointed out in his paper, appeared to have difficulty understanding instructions on what might be called more complicated areas such as self-defence and common purpose.

The proceedings of this seminar will be published shortly and include papers from the other speakers at the seminar. Mr Ivan Vodanovich, Director of Probation and Parole in Western Australia, Mr W.D. Hosking Q.C. from the Public Defender's Office in New South Wales, Dr Jocelynne Scutt from the Victorian Law Reform Commission, Mr Tom Molomby from the Australian Broadcasting Commission, Professor Michael Chesterman from the Australian Law Reform Commission of Victoria, Mr Paul Byrne from the New South Wales Law Reform Commission, and Mr John Willis from La Trobe University in Victoria.

Forthcoming Seminars

Government Illegality

A two-day seminar, 'Government Illegality: Prevention, Control and Reform', will be held from 1 to 2 October at the Institute to examine criminal conduct by public sector organisations, culpable negligence, and the abuse of power in furtherance of departmental or government policy. The seminar will canvass a range of strategies to control government misconduct. Further details of the seminar can be obtained from Jane Mugford, (062) 833847.

Non-Government Gaols

A seminar on 'Non-Government Participation in Corrections' will be held by the Institute, in Adelaide, from 5 to 7 November 1986 to examine whether private enterprise can and should be used to service or run prisons, correctional institutions, and court reporting services. Further details for this seminar can be obtained from Mr Ron Snashall, (062) 833850.

Alternative Dispute Resolutions

Methods of resolving disputes away from the court context that involve the intervention of a neutral third party include mediation, conciliation and arbitration.

The Institute's seminar from 22 to 24 July 1986 examined these alternative methods within the criminal justice system. The methods were also found to be useful in areas where no crime had been committed but where the potential existed, if no intervention were made, for an offence to be committed as a logical escalation of events.

The seminar program included discussions on the following areas: existing programs of community justice centres, consumer affairs, equal employment opportunity and anti-discrimination boards; managerial problems and roles of the neutral third party; victim/ offender relations; prison contexts and legal education.

A more detailed report will appear in the December *Reporter*.

Law and Mental Health

The Institute, in association with the International Academy of Law and Mental Health, is holding the inaugural Pacific Regional Congress on Law and Mental Health in Canberra from 13 to 15 August 1986. The congress will examine:

- the role of psychiatry in corrections
- the impact of de-institutionalisation on the community
- conflict between prisons and health
- mental health tribunals
- juveniles in the forensic system.

The registration fee for the congress is $95. Further details can be obtained from Mr Ron Snashall (062) 833850.

Women and Crime

The Institute's seminar on Women and Crime scheduled for October 1986 has been deferred indefinitely.

Family Institute Conference

The second Australian Family Research Conference, co-ordinated by the Australian Institute of Family Studies will be held from 26 to 28 November 1986 at the University of Melbourne.

This is a research conference at which findings from the Institute's own studies and other family studies conducted in Australia can be presented publicly and exposed to critical scrutiny. It is designed to encourage an informed understanding of the many factors affecting family life.

A particular focus of the conference will be children and youth in relation to their family context.

Further details of this conference can be obtained from Dr Don Edgar, Director, Australian Institute of Family Studies, 766 Elizabeth Street, Melbourne, Vic., 3000.

Mental Illness and Psychotherapy

The Macquarie University Graduate School of Management will present two seminars by Dr Thomas Szasz: 'The Myth of Mental Illness — Implications for Health, Work and the Law' and 'The Myth of Psychotherapy — Rhetoric as Remedy?'.

Dr Szasz is Professor of Psychiatry, Upstate Medical Centre, State University of New York. The seminars will be held on the following dates:

Sydney: 28 July
Melbourne: 29-31 July
Canberra: 1 August
Adelaide: 4 August
Perth: 6 August
Brisbane: 8 August

Further information on these seminars can be obtained from Ms F Frith on (02) 889721, Mr L Deves (02) 889888/889534, Dr R Spillane (02) 889535.

Retailers and Security

The National Retail Crime Prevention Council will hold a workshop on retail security at the Australian Institute of Criminology from 5 to 7 August, 1986.

Topics to be discussed include point of sale security, apprehension, police relations, anti-theft campaigns, and refunds.

Further details can be obtained from Mr Doug Sinclair, National Retail Crime Prevention Council, (062) 833833 (Fridays only)

Drug Abuse

The Alcohol and Drug Foundation, Australia (ADFA) and the World Health Organization Regional Teacher Training Centre (WHO.RTTC), University of N.S.W., will host the eighth Annual Conference of the International Federation of Non-Governmental Organisations for the Prevention of Drug and Substance Abuse (IFNGO) in Sydney from 13 to 19 December 1986.

Each participating country will review its progress for the prevention and control of inappropriate drug use.

A series of mini workshops and paper presentations will focus on organisation and management of services, development of human resources, evaluation of programs, and responding to illegal drug use. There will also be an open session to discuss issues arising from the papers.

Opportunity for on-site visits to Drug and Alcohol Agencies in the Sydney area will also be provided.

Further details on registration for this conference can be obtained from:

Chairman of the Organising Committee
Alcohol and Drug Foundation, Australia
G.P.O. Box 477
CANBERRA A.C.T. 2601

Organised Crime and Drug Enforcement

The claim that more power to drug enforcement agencies and harsher penalties for drug offences can defeat the drug problem has been rejected by Dr Grant Wardlaw, Senior Criminologist with the Institute.

Speaking at the Sydney University Institute of Criminology seminar on organised crime in March, Dr Wardlaw said that 'larger numbers of drug arrests, higher quality of arrests (that is, arrests of figures further up the trafficking chair) larger seizures of drugs, forfeiture of assets, and longer sentences for drug offenders all amount to little if we can demonstrate no convincing decline in illegal drug use flowing from them'. Dr Wardlaw's comments follow in edited form:

'Unfortunately, in turning to enforcement we seem to overlook totally the irony that it is the prohibition policy which we want to enforce which itself produces many of the conditions which make use of illicit drugs so damaging.

'The high price of illegal drugs directly produces crimes committed to obtain money to finance expensive habits and ensures that the profits to be made from trafficking are sufficient to encourage more sophisticated and organised criminal individuals and groups into the market.

'The illegal nature of drugs ensures a high level of violence in the drug market, socially marginalises drug users, and leads to the mortality and morbidity associated with unsterile needles, impure drugs and overdoses.

'The criminal justice system itself is burdened with overloaded court systems, problems of managing drug users in prisons, and of course the corruption which is an inevitable part of drug trafficking.

'So far, society has accepted that these negative consequences are the price we must pay to prevent even more users entering the market for illegal drugs.

'However, some contributors to the public debate (especially politicians and law enforcement personnel) believe, or speak as if they believe, that drug enforcement *can* virtually eliminate illegal drug use if only sufficient resources and powers were to be given to the enforcement agencies.

'The view that enforcement is central to a drug control strategy is reinforced by the common view that organised crime plays a major part in drug trafficking. This is in spite of the fact that the most widely-held notion of organised crime as a centrally organised, hierachical, power-grabbing entity with reasonably stable structures clearly is not descriptive of a very significant portion of Australian drug markets. The drug industry is fragmented, basically unco-ordinated,

Dr Grant Wardlaw
Senior Criminologist

consists of different and changing numbers of levels for different markets and involves constant changes of personnel (with some notable exceptions).

'The strength of the belief in the importance of organised crime to drug trafficking, certainly in the public mind, is due to the type of coverage given by the media to both drugs and organised crime. This coverage often is sensationalist in nature, blurs important distinctions, has the tone of a moral crusade about it and is heavily influenced by American stereotypes which portray organised crime as a Mafia-type conspiracy centred on some ethnic grouping. This latter view has been subjected to vigorous criticism even in the United States and, anyway, we should exercise great caution in borrowing models of organised crime developed elsewhere without checking that comparable social, political, cultural and economic factors should make them appropriate in the local context.

'In Australia, the scenario is simple. Drug abuse is set to tear away the basic values and fabric of society. The situation has reached a crisis point because of the increasing involvement of organised crime. The way to stamp out both drug trafficking and organised crime is to concentrate more resources in the law enforcement sector and to introduce novel or extended powers and harsher sentences. To be sure, we are also increasing education and treatment resources, but one can't help feeling that most faith is being placed in drug enforcement. By linking drugs to organised crime, policy makers can justify to the public almost any powers or increase in enforcement action.

'The question of means and ends brings us back again to the question of the relationship between drugs and organised crime. Far from defeating organised crime, aggressive, high-level enforcement may, paradoxically, make it a greater threat (or increase the probability that it will come to control the drug trade, depending on one's point of view). By increasing the risks to traffickers we succeed in driving up the price, increasing the value to any given organisation, increasing the necessity to use violence, and ensuring that only the best organised, most ruthless, and most violent organisations survive.

'We should focus our attention on designing enforcement policies which seek to minimise the growth of organised and/or violent groups. Rather than trying simply to target high-level drug dealers, we might examine the consequences of targeting the *activities* that make organised crime a different form of conspiracy. We might, for example, concentrate more of our resources on murder, witness intimidation, perjury and enforcement corruption than on drug charges *per se*.

'Of greatest importance of all, however, will be the realisation that the "answers" to the "drug problem", if there are any, primarily rest with the demand side of the equation, not the supply side. Ultimately, we have to find strategies which dissuade users from continuing, or potential users from starting, inappropriate drug use. On the whole, these strategies will not be enforcement ones.'

Book Reviews

CRIMINAL BEHAVIOUR: A PSYCHOSOCIAL APPROACH

Curt R. Bartol with Anne M. Bartol
Prentice Hall, New Jersey, 2nd Edition, 1986
347 pp., $62.50

Reviewer: Mr Dennis Challinger
Assistant Director (Training and Information)
Australian Institute of Criminology

One tends to approach American text books on criminology with a certain caution. Even the fact that the text is in its second edition (as this one is) does not guarantee that it will be of any great interest to anyone but the students of the authors.

However, this book is certainly of broad interest, focusing as it does predominantly on psychological research into criminal matters. To this extent it brings into one compact volume a well-structured review of research that receives scant attention in other more sociologically oriented introductory texts on criminology.

The early chapters of the book focus on theories about criminal behaviour, and range through genetic approaches and classical Pavlovian conditioning to operant conditioning and observational learning. In this way the authors introduce the two major perspectives of personal disposition to offending and environmental theories that explain offending.

Dispositional theories are canvassed with sound and highly readable descriptions of work from that of Lombroso through to Eysenck. Of necessity these descriptions are brief and the important area of twin studies, for instance, occupies only just over two pages. But that area of work is introduced most competently, with solid bibliographic detail that allows the interested reader the chance to delve further into the area.

Providing such introductions to important research is one of the real strengths of this book. And another is the use of specific examples to build upon earlier material. A chapter on the psychopath provides the specific example for dispositional theories. It includes case studies and a most thorough discussion of physiological concepts which is once again eminently reasonable.

Environmental theories are presented through the seminal work of such researchers as Skinner, Bandura, Sutherland, Hogan and Zimbardo. A chapter on juvenile justice serves not only to illustrate these situational theories but also to introduce standard criminological topics such as self report studies, prediction and the crime index.

Having set out these two major perspectives for explaining criminal behaviour, the authors indicate by consideration of particular groups of offences, how a combination of the two provides the most likely explanation for much offending.

Chapters on the mentally disordered offender (including a discussion of dangerousness and its prediction) and human aggression and violence, precede separate chapters on homicide and assault, sexual offences and property crimes. Further chapters deal with adult female criminality, drugs and crime, and the ultimate regulator of criminal behaviour, external punishment.

These last chapters, interesting though they are, seem to have been included not so much because they are crucial to the authors' exposition, but because they are important to include in an introductory text. But that is a minor criticism. The chapters on particular offences allow the authors to press on with their overall theme that offending must be seen as resulting primarily from 'the internal cognitive or mediational processes that take place in the human brain' (p. 20).

While the authors rightly point out that any such explanation cannot explain the behaviour of all offenders, 'hey suggest that some are able to explain the behaviour of the majority of, for instance, rapists (p. 214). And that really is the boldest that the authors can be, for as they point out criminal behaviour is 'a vastly complex poorly understood phenomenen' (p. 2). What they competently do in this book is to provide a comprehensive overview of psychological research which throws some light upon it.

CRIMINAL EVIDENCE FOR POLICE

Paul B. Weston and Kenneth M. Wells
Prentice Hall, New Jersey, 3rd edition, 1986
211 pp., $49.95

Reviewer: Constable Jeffrey Whitteker
Victoria Police Force

Criminal Evidence for Police gives a broad but not a detailed overview of evidence and related areas within the United States criminal justice system.

Beginning with a discussion of the nature of evidence the book examines the roles of prosecution and defence, types and roles of witnesses, hearsay and opinion evidence, the use of articles and exhibits, circumstancial versus direct evidence, arrest search and seizure, confessions and admissions, and electronically obtained evidence.

Although there are many basic similarities between the American and Australian criminal justice systems with regard to court procedure and common law concepts as to evidence, the major difference between the two is the replacement of judicial discretion with the Bill of Rights and resultant case law as a means of determining the admissibility of evidence.

The overriding importance of the Bill of Rights is dealt with in each chapter. The main points of relevent precedents are examined, and numerous case study references are included to enable further reading. At the end of each chapter there are discussion questions and a glossary of terms not defined in the chapter text. Good use is made of flow diagrams to illustrate the text.

Of special interest to those involved in law enforcement is one of the longer chapters titled 'The Exclusionary Rule'. This deals chronologically with the slow emergence and development of rules for suppressing illegally obtained evidence. Transcripts of relevent court decisions are quoted in order to explain this development which established procedural safeguards to an attorney,

to protect the right to privacy, and to protect the individual against self-incrimination.

This chapter also looks at arguments against the exclusionary rule and examines the 1984 Supreme Court decision which for the first time in eighteen years granted an exception to the Miranda doctrine.

The concluding chapter incorporates new material to this third edition and describes the procedural framework of the legal system from the initial plea until the final sentence. It also examines areas such as trial structure, the roles of defence and prosecution at sentencing, and appeals.

This book gives a broad view of the procedural framework of the United States criminal justice system and provides a basic introduction to the various aspects of criminal evidence. It is a good introductory text for those interested in this area.

CRIMINAL INVESTIGATION: BASIC PERSPECTIVES

Paul B. Weston and Kenneth M. Wells
Prentice Hall, New Jersey, 4th edition, 1986
354 pp., $64.50

Reviewer: Detective Sergeant Perce Carter
Strategic Planner, New South Wales Police Force

'*Criminal Investigation: Basic Perspectives* has been planned as a text for a college course in criminal investigation'. This statement in the preface identifies the niche in which the volume belongs.

For police in the United States of America, with its multitude of police forces and apparent lack of co-ordinated in-service training, the volume presents a logical and result-oriented investigator's guide book. Questions, library assignments, and workbook projects are included at the end of each chapter.

Australian police who are newcomers to the field of criminal investigation are provided with an interesting overview of the American approach to investigative methods and techniques. For the seasoned Australian investigator the book provides a pleasant lightweight read.

The book is divided into three sections. The first deals with the role of the police and legal significance of evidence. Emphasis is placed on the ethical, accurate, and sincere approach needed by investigators in their search for the truth. A blend of innovative thinking and scientific investigation is recommended in preference to the intuitive flash inspiration Sherlock Holmes approach.

The second section deals with the basics of crime scene searching, canvassing such things as tool marks and where latent fingerprints might be found. As is usual with guides of this nature, footprints and their preservation are well covered. Examination of questioned documents, firearms, and post mortem examinations are mentioned together with the basics of recording the crime scene by photography, plans, and manuscript reports. The section on marking evidence highlights the difference between American and Australian police approaches and the rules governing the handling of exhibits. The authors recommend that an investigating officer scratch his or her initials on exhibits and if space permits include a few details of the case!

Investigative methods are also covered, ranging from dealing with informants to the use of *modus operandi* records, interviewing of witnesses, and seeking public co-operation for the investigation. Interrogation of suspects covers Miranda in the usual way and has the inevitable segment on the Polygraph.

There is of course no mention of the 'Record of Interview' technique as employed by most Australian police.

The third section provides a simplistic investigative approach to major crime ranging from homicide to fraud, terrorism, drug offences, and organised crime. The approach is best summed up by the opening sentence in the segment on theft, 'Thieves steal money, vehicles, and other property from rightful owners'. On the positive side there are a number of diagrammatic representations of investigative steps which could be helpful.

Criminal Investigation: Basic Perspectives presents its information in a refreshing manner. The claim to 'present a contemporary status-of-the-art view of criminal investigation' may be relevant to its country of origin, but not to the Australian criminal investigation system.

COMMITTEE OF INQUIRY — VICTORIA POLICE FORCE

Government Printer, Victoria, 1986
Vol. 1, 606 pp., $20
Vol. 2, 757 pp., $15
Executive Summary, 125 pp., $5

Reviewer: Dr Paul Wilson
Assistant Director (Research and Statistics)
Australian Institute of Criminology

After nearly three years, a mammoth, three volume report on the Victoria Police Force has at last surfaced. The report is exceedingly detailed and contains 220 specific recommendations for changing the Victoria Police Force. The policy maker or criminologist concerned with questions of staffing, physical facilities, budgeting, deployment, and welfare aspects of police work, will find these volumes contain a veritable mountain of information regarding police activities.

Unfortunately, the terms of reference for the committee of inquiry excluded them from investigating such vital issues as complaints against the police, political surveillance, firearms control, and police powers, although a special report of internal discipline procedures was forwarded to the Victoria Minister for Police and Emergency Services in September 1983.

In many respects the committee has done a thorough task and meticulously outlined arguments for an additional 900 police officers and 700 public service places, all of these to be filled over the next four years. There are very sensible suggestions for reorganising the operations section of the force, for a different regional organisation of the existing police network and for a more

Continued on Page 15

Seminar on Sentencing

The Institute conducted a seminar entitled Sentencing: Problems and Prospects from 18 to 21 March 1986. Mr Ivan Potas, Conference Convenor comments on the seminar: It was attended by a healthy amalgam of judicial officers, legal practitioners, academics, law reformers, police, probation officers and prison administrators, some 100 participants in all.

Professor Richard Harding, in his welcoming address immediately identified the overuse of imprisonment as a major concern, particularly in relation to fine defaulters and Aboriginals. He introduced the Hon. Mr Jim Kennan, Attorney-General for Victoria and invited him to officially open the seminar.

Dr Andrew Ashworth
Centre for Criminological Research
Oxford University

Mr Kennan observed that there was a lack of consensus upon the underpinning justifications and goals of sentencing practice. He referred to the substantial cynicism relating to rehabilitation, and to the techniques of predicting future behaviour. During the course of his presentation he put forward the following principles upon which he believed there was general consensus. That

1. The courts should be the primary decision-makers and any administrative discretions which impact on the sentence should be governed by rigid, well understood guidelines.
2. Courts should have 'the widest possible range of sentencing options'.
3. We should know more about the impact of sentencing options upon future criminal behaviour.
4. The community should be educated to understand sentencing rules and the difficulties of sentencing.
5. Imprisonment should be used as a last resort.
6. Indeterminate sentences (such as life imprisonment) were undesirable and courts should be empowered to set determinate sentences, where appropriate.

Mr Kennan discussed at some length recent reforms and proposed reforms in the sentencing of offenders in Victoria. He referred to the setting up of the Sentencing Committee, chaired by recently retired Supreme Court Justice, Sir John Starke, to review current sentencng policy and practice in Victoria and beyond. He also quoted statistics relating to the cost of imprisonment, and claimed that in Victoria the prisons were now substantially housing hard core prisoners, i.e. persons who had committed serious crimes, or those who had a history of substantial repetition of crimes. In view of the cost and limited resources sentencing had to be allocated on a needs basis and in particular only those that needed to be in prison should be in prison.

Dr Ashworth's paper, entitled 'Criminal Justice, Rights and Sentencing: A Review of Sentencing Policy and Problems', was quick to point out that sentencing has a limited function, with limited effects and, therefore, should not be viewed as a 'primary instrument of crime control'. In his view the aim of sentencing should be 'to impose on offenders a punishment that is proportionate to the seriousness of the offence, so as to restore the order disturbed by the criminal offence'.

By the end of the seminar Dr Ashworth was to modify this slightly by referring to the 'twin aims' of just deserts for offenders and reparation or compensation for victims, a view that accorded with another speaker at the seminar, Mr George Zdenkowski, the Commissoner in Charge of the Australian Law Reform Commission's Reference on Sentencing. Dr Ashworth discussed the weaknesses in the common law and talked of 'jurisprudential underdevelopment', 'borne of a failure to recognise the importance to good sentencing of accurate fact-finding and proper reference to previous authorities'. A further criticism expressed by Dr Ashworth related to the reluctance of courts to take into account research findings which could assist and direct the exercise of sentencing discretion. Further, he suggested that there existed an inadequate emphasis upon the financial effects of sentences. At the heart of all these problems there seemed to be an absence of an agreed sentencing policy. Dr Ashworth said: 'Legislatures have tended to avoid fundamental issues, the executive has become concerned mostly about the economic implications of sentencing, and the judiciary has continued in the piecemeal fashion which is the natural result of a wide discretion and a narrow appeal system'.

Dr Ashworth suggested that a primarily 'just deserts' or retributive model, modified by utilitarian considerations, should provide the fundamental policy or framework for sentencers. In this role the courts should retain the role of determining the form and severity of the sentence, although the sentencing discretion should be more carefully structured 'to ensure consistency and certainty as a means of promoting the rule of law and to limit the severity of punishment to that which the offender deserves'.

Mr Justice Nicholson criticised the rigidity of the 'error' principle of appellate review of sentencing in Australia, and argued that appeal courts did not give adequate guidelines in the matter of sentencing to the lower courts. He expressed concern that if the courts did not perform their function properly then rigid legislative or other extra judicial guidelines would be imposed to replace the common law system. Judges, he argued, needed more assistance, including some form of judicial training. His Honour did not emerge as being a strong advocate of 'just deserts' sentencing policy, and he expressed regret that the present 'humane containment' policy of Victorian prisons was interfering with the possibility of rehabilitating many offenders.

The other distinguished international speaker at the seminar, Dr Kay Knapp, spoke of her involvement with the Minnesota Sentencing Guidelines Commission at which she had been the Director of Research. Dr Knapp initially addressed the seminar upon the subject of discretion in sentencing and amongst other things traced the development and creation of the Minnesota sentencing guidelines system. She pointed out that the motivation for establishing sentencing commissions of this kind was to correct for the lack of articulated policy and accountability in sentencing systems, to reduce (but not eliminate) the broad discretions exercised by the courts and parole boards and to replace these with a structure permitting the development and maintenance of a rational sentencing policy.

Dr Kay Knapp
Director of Research
U.S. Sentencing Commission

In a subsequent address, Dr Knapp described the development and illustrated the operation of the Minnesota sentencing guidelines 'grids'. She explained how this system did not replace, but rather guided the exercise of judicial discretion. It was not a static system that merely reflected past sentencing values and (surprisingly) it promoted the development of case law in sentencing. It is clear from what many of the participants at the seminar said, that Dr Knapp's contribution proved to be a stimulating and an educative experience, perhaps provocative for those who cherish the status quo, holding the key to reform for those who felt that the common law system of sentencing had gone about as far as it could go. Certainly the issues canvassed in her presentations cannot be disregarded in any serious attempt to reform the law of sentencing in Australia.

The proceedings of the seminar are to be published by the Institute in the near future.

Book Reviews (Continued from page 13)

rational system of police patrolling. The committee deserves only praise for their support for recruiting Aboriginal and ethnic police officers, for lateral entry to the police service, and for the abolition of archaic height requirements that limited the potential pool of recruits that the force could draw from.

New innovations are suggested by the committee in the areas of child maltreatment as well as in reviewing police standing orders so that officers are not discouraged from proceeding against offenders in domestic disputes. A common theme throughout the report is that the police must systematically evaluate their own performance and should develop skills that will make them more effective in terms of fulfilling their task.

One of the problems with the report, however, is that nowhere do we find a well worked out philosophy on what the function of the police should be. There is, to be sure, an account of what the legislation and standing orders say the police role should be, but this really begs the questions of what sort of policing Victoria requires in the future. Are the police, for example, primarily to be concerned with responding to citizen initiatives for intervention, or are they, instead, to adopt a 'proactive' or police-initiating enforcement strategy? Alternatively, would it not be better for the police to be concerned with what has been called 'people's policing' which would reflect a preventative outlook and be concerned with peace keeping rather than the strict enforcement of laws? Issues of this sort should have been addressed before the specific recommendations were formulated.

The report suffers from other weaknesses as well. For example, the committee decided to reject the concept of an advisory board for the force, but its arguments for doing so are, to put it mildly, very weak indeed. They rejected the concept of a board with executive authority to direct the Chief Commissioner because, it was argued, such a board would lead to an inevitable inroad into the Chief Commissioner's independence. A strong argument could be made for the position that states that community input in policing is equally as important as the Commissioner's independence, and that, therefore, a board would be most welcome. Equally, the argument that only the police should control traffic matters and that there is no justification for a separate traffic authority, would meet with some incredulous reactions in New Zealand where non-police traffic authorities have been dealing very successfully with traffic matters for many years.

These are major structural faults in the report, but generally the committee of inquiry should be congratulated on producing a comprehensive, detailed and innovative study of the Victoria Police Force. One of the difficulties of proposing so many new policies is the difficulty of implementing them in any rational order of priority. The problem with outlining 220 specific recommendations is that the major recommendations will be lost in a bureaucratic shuffle to introduce only the minor policies. It is incredibly important that the Minister for Police and Emergency Services ensures that some sense of priority is placed on the recommendations so that real change is introduced into the Victoria Police Force. For, in the final analysis, the committee of inquiry's report will stand or fall on what substantial changes are introduced to Australia's second largest law enforcement agency.

New Publications

BURGLARY: A SOCIAL REALITY

Satyanshu K. Mukherjee and Leona Jorgensen (eds)

Increases in burglary appear to be closely linked with the growth in the economy. The ever increasing variety of consumer goods has led to a shift in the targets of burglary, both in terms of the types of premises broken into and the kinds of goods stolen.

During the past two decades private dwellings have become increasing targets so much that approximately three in five burglaries reported or becoming known to the police are residential burglaries. Burglaries of shops which constituted one third of all burglaries reported about twenty years ago now represent only one in seven.

Nineteen papers are included in these proceedings of the seminar on burglary held by the Institute in June 1985. The papers are grouped into five thematic groups: burglary and burglars; victims of burglary; neighbourhood watch and other strategies; sentencing for break, enter and steal; and the insurance viewpoint and future research.

Satyanshu Mukherjee is the Principal Criminologist at the Australian Institute of Criminology.

Leona Jorgensen is Editor at the Institute.

Proceedings, 264 pp. $12.

EXPLORING THE ALCOHOL AND DRUG CRIME LINK: SOCIETY'S RESPONSE

R.A. Bush (ed.)

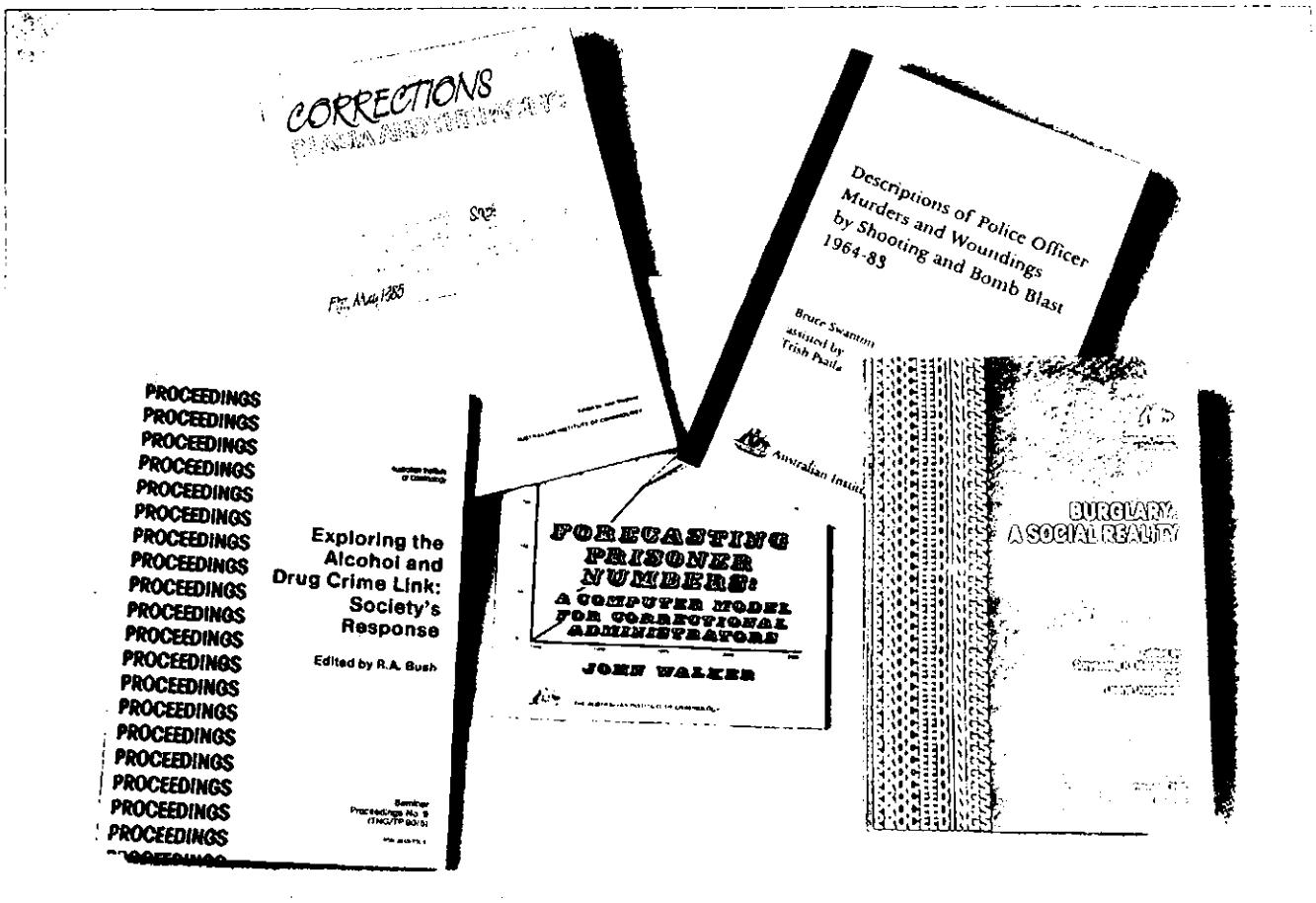
Society's emotional response to the drug problem often assumes a link between drugs and crime. This, however, fails to recognise the complexities of criminal behaviour and drug use, according to reports contained in this volume, the proceedings of a seminar for those working in the criminal justice and health and welfare fields, organised by the Australian Institute of Criminology in associaition with the N.S.W. Drug and Alcohol Authority.

Confusion over the link exists because there is no comprehensive and reliable database in Australia from which conclusions can be drawn; too many value judgments have been made to explain links between crime and the statistics that are available; and responses vary according to the position of the observer, be they lawyers, police officers, judges, probation officers, health workers, rehabilitation counsellors, policy planners, or researchers.

The papers from the seminar cover four areas: the links that do exist between crime and drugs; responses to alcohol and drug use; policy, law, enforcement, and health care provisions; and recommendations covering social policy, pre-trial diversion, and therapeutic approaches in the community and prisons.

Robert A. Bush is a lecturer in the School of Humanities and Social Sciences at the Murray-Riverina Institute of Higher Education.

Proceedings, 278 pp. $12



Copies of these publications can be obtained from the publication section of the Institute (062) 833833

CORRECTIONS IN ASIA AND THE PACIFIC

Proceedings of the Sixth Asian and Pacific Conference of Correctional Administrators

Jane Mugford (ed.)

Representatives from the sixteen countries attending this conference agreed that human rights are important in the prison system; the incarcerated individual may have lost the right of freedom, but, nonetheless, they maintain the right to participate in rehabilitative programs, and to be treated in as civilised manner as any other human being.

The papers delivered at the conference each detail, for their country, how the rights of the prisoner have been recognised and how the role of the correctional administrators has subsequently changed. The topics examined were:

I Investigation of incidents in prisons,
II Facilities and programs for female prisoners including those inmates with children,
III Extent and use of minimum force in prisons,
IV Recruitment and development training, and
V Changing responsibilities of correctional administrators.

Jane Mugford is the Principal Programs Officer at the Institute.

Proceedings, 264 pp. $12.

FORECASTING PRISONER NUMBERS: A Computer Model for Correctional Administrators

2nd Edition

John Walker

The potential number of prisoners can be estimated to calculate the future prisoner accommodation requirements and provide a basis for possible building programs.

Mr Walker observed the links between demographic and crime trends in the past and incorporated mechanisms to simulate sentencing and penal policies to develop a procedure for forecasting future trends in prisoner numbers. This monograph again details the model which assists in the identification of future trends in prisoner numbers, both in the presence and absence of diversionary policies, such as community-based corrections or prisoner early release schemes.

Mr Walker's model has formed the basis of forecasting prisoner numbers in Victoria, Queensland, the A.C.T., and New Zealand.

New to this edition are comparisons between the age distributions of offenders in Victoria and Queensland, and the differences between types of sentences handed down for various offences. The data show that it is principally these differences in sentencing practices which account for the differing rates of imprisonment in these two jurisdictions, thus confirming the validity of the modelling approach. Also, the computer program has been improved so that the specification of forecasts is much easier.

John Walker is a Criminologist with the Institute.

Research Report, 71 pp. $4.

DESCRIPTIONS OF POLICE OFFICER MURDERS AND WOUNDINGS BY SHOOTING AND BOMB BLAST 1964-83

Bruce Swanton

While there is a widely held belief that violence in society is increasing, and that violence against police officers is a significant aspect of violence generally, there is no evidence to suggest that murders and shootings of police officers are increasing, according to the analysis of statistical data by jurdisdiction for the twenty-year period from 1964 to 1983.

The data reveal that: 21 police officers were murdered, 74 were wounded, and 93 were shot and bombed/mined. Rifles were the most used weapon with which to shoot police officers; junior, uniformed, married male police officers predominated among those murdered and shot/bombed and no female officers were murdered or shot/bombed for the period under review. While violence of this sort is not increasing the author emphasises that this conclusion cannot be generalised to other forms of violence against police.

Bruce Swanton is a Senior Research Officer with the Institute.

Research Report 56 pp. $6.

Statistics

Juveniles Under Detention

Compiled by Anita Scandia

Statistics on persons in juvenile corrective institutions for the quarter ended 30 June 1985 are shown below. Definitions of terms used in the tables can be found in the September 1985 issue of the *Reporter*. Rates are calculated using estimated June 1983 population figures supplied by the Australian Bureau of Statistics.

Our persistent efforts by telephone and correspondence have failed to obtain the necessary information from the Northern Territory. Since one of the main aims of this series is to produce juveniles under detention figures as quickly as possible to make them relevant, we decided to publish this time without the Northern Territory. However, as soon as we have received a report from the Northern Territory, we shall issue a revised version of series number 31.

Persons Aged 10-17 in Juvenile Corrective Institutions as at 30 June 1985

		Total		Detention Status		Reason for Detention	
		Male	Female	Not Awaiting	Awaiting	Offender /Alleged Offender	Non Offender
NSW	n	248	30	195	23	273	5
	r	67.9	8.6				
VIC	n	218	51	224	45	130	139
	r	79.3	18.4				
QLD	n	114	11	90	35	107	18
	r	62.7	6.3				
WA	n	96	14	96	14	109	1
	r	95.6	14.7				
SA	n	40	2	29	13	42	0
	r	43.0	2.3				
TAS	n	16	1	12	5	14	3
	r	50.9	3.3				
NT	n	—	—	—	—	—	—
	r	—	—				
ACT	n	10	3	10	3	8	5
	r	54.8	17.2				
AUST	n	742	112	656	198	683	171
	r	69.7	10.8				

Note: n = number, r = rate per 100,000 relevant population.

Australian Community-based Corrections Data

Compiled by Ivan Potas, Criminologist
Assisted by Diane Grant-Jones

The following table provides the number and rates of adult persons on probation and parole as at the first day of March 1986:

	General Pop.* ('000)	Probation Number	Probation Rates#	Parole Number	Parole Rates#
NSW	5526	9811	177.5	1841	33.3
VIC	4151	3918	94.4	936	22.5
QLD	2572	5094	198.0	576	22.4
WA	1421	2144	150.9	790	55.6
SA	1370	2298	167.7	483	35.2
TAS	445	1458	327.6	61	13.7
NT	146	431	295.2	94	64.4
ACT	258	262	101.5	71	27.5
AUST	15889	25416	160.0	4852	30.5

The following table provides the number and rates of persons who were subject to current Community Service Orders (CSOs or their near equivalent) as at 1 March 1986:

COMMUNITY SERVICE ORDERS

	Number	Rates#
NSW	1671	30.2
VIC	1153	27.8
QLD	1628	63.3
WA	751	52.8
SA	322	23.5
TAS	304	68.3
NT	40	27.4
ACT	32	12.4
AUST	5901	37.1

Notes:

* Projected population end of February 1986 derived from *Australian Demographic Statistics* June Quarter (Catalogue No. 3101.0).

\# Rates are calculated per 100,000 of the general population. Only those under actual supervision are included in the data presented in these tables.

New South Wales:

The probation figure includes 429 persons who were under the age of 18 years at the time of release to supervision and 923 persons who were released on probation after serving a short term of imprisonment ('after care probationers'). Some persons subject to CSOs are included in the probation figure. The parole figure includes 314 licensees. The total number of persons under supervision of all types in NSW was 12,379 ('multiple status' offenders are counted only once).

Victoria:

The parole figure includes persons supervised from interstate. There were 575 persons subject to CSOs and 578 persons subject to Attendance Centre Orders (total 1153). A small proportion of these may also be on probation and are included in the probation figure. There were also 241 pre-releasees from prison. Many of the latter persons will become parolees in the future.

Queensland:

The probation figure includes 647 persons released on probation after serving a short term of imprisonment, 274 interstate probationers and 41 persons subject to Commonwealth recognizances. The parole figure includes 128 interstate parolees and 28 Commonwealth licensees. Approximately one third of those subject to CSOs were also given probation and are included in the probation figure. The figure for CSOs also includes 785 persons who received 'fine option' orders. There were 45 dual community service and fine option orders.

Western Australia:

Of those who were subject to CSOs 448 were also placed on probation and are included in the probation figure. Only 303 persons were subject to CSOs without probation and these are not included in the probation figure. There was a total of 802 pre-parolees in that state.

South Australia:

The probation figure includes 322 persons who were subject to CSOs. With regard to parole it is advised that a further 8 persons received voluntary supervision in the community by the parole services. A further 9 prisoners were supervised in prison.

Tasmania:

The probation figure includes 112 juveniles. It also includes 30 probationers from interstate. The parole figure includes 16 parolees from

interstate. The number of persons having a legal obligation under the Work Order Program, the Tasmanian equivalent of CSOs, was 453. This figure includes absconders so that in fact there were 304 currently available and discharging their orders. Of the latter figure 246 were also subject to probation and are included in the probation figure.

Northern Territory:

9 persons subject to CSOs were also placed on probation and are included in the probation figure. The parole figure includes those on licence.

Australian Capital Territory:

The CSO figure includes 10 persons included in the probation figure and 1 person included in the parole figure.

Australian Prison Trends

By David Biles, Deputy Director

During the period January to March 1986 the numbers of prisoners increased in all jurisdictions except New South Wales, Northern Territory, and the Australian Capital Territory. The national total for the first time has exceeded 11,000 prisoners. The numbers of prisoners in all states and territories for March 1986 with changes since December 1985 are shown in Table 1.

Table 1
Daily Average Australian Prison Populations
March 1986 with changes since December 1985

	Males	Females	Total	Changes since December 1985
NSW	3602	189	3791	− 18
VIC	1836	104	1940	+ 35
QLD	1977	74	2051	+ 28
WA	1597	87	1684	+ 135
SA	787	39	826	+ 83
TAS	258	9	267	+ 14
NT	363	8	371	− 13
ACT	75	2	77*	− 3
AUST	10495	512	11007	+ 261

* 64 prisoners (including 1 female) in this total were serving sentences in N.S.W. prisons.

Table 2 shows the imprisonment rates (daily average prisoners per 100,000 population), for March 1986. The national rate of 69.2 compares with 68.2 found in December 1985.

Table 2
Sentenced Prisoners Received, Daily Average Prison Populations and Imprisonment Rates by Jurisdiction March 1986

	Sentenced Prisoners Received	Prisoners	General Pop.* '000	Imprisonment Rates
NSW	591 (196)	3791	5533	68.5
VIC	356 (170)	1940	4155	46.7
QLD	493 (139)	2051	2575	79.7
WA	251 (102)	1684	1423	118.3
SA	233 (139)	826	1371	60.2
TAS	75 (2)	267	445	60.0
NT	107 (50)	371	146	254.1
ACT	—	77	259	29.7
AUST	2106	11007	15907	69.2

* Projected Population end of March 1986 derived from *Australian Demographic Statistics* March Quarter 1985 (Catalogue No. 3101.0).

Note: The figures shown in brackets represent the numbers who were received into prison for fine default only.

Table 3
Total Prisoners, Remandees and Federal Prisoners as at 1 March 1986

	Total Prisoners	Prisoners on Remand	Percentage of Remandees	Remandees/ 100,000 of Gen. Pop.	Federal Prisoners
NSW	3758	760	20.2	13.8	116
VIC	1929	233	12.1	5.6	51
QLD	2041	147	7.2	5.7	31
WA	1591	154	9.7	10.8	33
SA	815	197	24.2	14.4	21*
TAS	243	33	13.6	7.4	3
NT	359	67	18.7	45.9	2
ACT	77	13	16.9	5.0	—
AUST	10813	1604	14.8	10.1	257

* 3 of the federal prisoners in South Australia were transferred from the Northern Territory

Prison Statistics for Asia and the Pacific

Compiled by David Biles, Deputy Director
Assisted by Majorie Johnson

Correctional administrators in the countries listed below have supplied the basic information which is incorporated in the following tables. The notes contain a number of explanations that should be borne in mind when making comparisons between countries. For countries marked * the data refer to 1 January 1986.

Table 1
Total Prisoners as at 1 April 1986

	Males	Females	Total	Population ('000)	Rate[1]
Australia[2]	10495	512	11007	15907	69.2
* Canada[3]	12129	164	12293	25445	48.3
Fiji	1059	20	1079	700	154.1
Hong Kong	5672	163	5835	5467	106.7
Japan	52880	2510	55390	121320	45.7
Korea (Republic of)	45998	2534	48532	41440	117.1
Macau	613	34	647	400	161.8
Malaysia	20925	561	21486	15300	140.4
New Zealand	2333	99	2432	3308	73.5
Papua New Guinea	3347	219	3566	3368	105.9
Philippines	12886	199	13085	48500	27.0
Singapore	3534	96	3630	2502	145.1
Sri Lanka	11696	357	12053	15189	79.4
Tonga	104	5	109	97	112.4
* Western Samoa	124	8	132	159	83.0

NOTES

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 March 1986.
3 Federal prisoners only.
4 Includes 1,054 inmates who are detained in rehabilitation centres on the basis of allegation of facts under Public Order for Prevention of Crime, 1969.
5 As at 1 March 1986.
6 Released on Licence.

Table 2
Convicted and Remand Prisoners as at 1 April 1986

	Convicted Prisoners	Remand Prisoners	Per cent Remand	Remand Rate[1]
Australia	9405	1676	15.1	10.5
* Canada	12293	—	—	—
Fiji	714	365	33.8	52.1
Hong Kong	5394	441	7.6	8.1
Japan	46445	8945	16.1	7.4
Korea (Republic of)	26122	22410	46.2	54.1
Macau	412	235	36.3	58.8
Malaysia	12219	9267[4]	43.1	60.6
New Zealand	2102	330	13.6	10.0
Papua New Guinea	2718	848	23.8	25.2
Philippines	12946	139	1.1	0.3
Singapore	3151	479	13.2	19.1
Sri Lanka	5227	6826	56.6	44.9
Tonga	108	1	0.9	1.0
* Western Samoa	127	5	3.8	3.1

Table 3
Offenders on Probation and Parole as at 1 April 1986
(in those countries where these options apply)

	Probationers	Rate[1]	Parolees	Rate[1]
Australia[5]	25416	160.0	4852	30.5
* Canada[3]	—	—	7398	29.1
Fiji	—	—	240	34.3
Hong Kong	3715	68.0	3823	69.9
Japan	21109	17.4	8720	7.2
Korea (Republic of)	1644	4.0	2116	5.1
Macau	—	—	30	7.5
New Zealand	5882	177.8	2280	68.9
Papua New Guinea	198	5.9	—	—
Sri Lanka	—	—	78[6]	0.5
* Western Samoa	267	167.9	73	45.9

Publications

Where prices are shown they include postage. Publications shown with an asterisk will be reprinted if the demand for them is sufficient.

BOOKS

BEVAN, C.R. (ed.)		
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