

JOANNE BAKER

NSW Bureau of Crime Statistics and Research

Tuesday morning, session 2 - *Crime in Australia***THE NATURE OF JUVENILE CRIME IN AUSTRALIA**

To date juvenile justice policy in Australia has largely been informed by research based on official crime statistics or international research. While both sources can provide much valuable information, they do have their limitations. Local self reported offending surveys are generally regarded as providing a more complete and accurate picture. This paper presents the results of the first comprehensive large scale survey of self-reported offending among school students ever conducted in Australia. Key questions about juvenile crime are examined including: What is the prevalence of juvenile crime in NSW? How frequently do juveniles offend? Which juveniles are most likely to become involved in offending? A variety of statistical techniques are used to answer these questions including logistic regression. From the results it becomes apparent that there are two main groups of juvenile offenders - a large group of transient offenders who become involved in crime only on a very limited basis and a much smaller group of persistent offenders who become more entrenched in the criminal lifestyle. The policy implications for dealing with juvenile crime are then discussed. It is argued that we need new ways of thinking about juvenile crime if we are to be successful in combating the problem.

FIONA BAVINTON

University of Melbourne

Thursday afternoon, session 5 - *Popular culture and crime***A PLAGUE ON ALL YOUR SOFTWARE!
DECONSTRUCTING THE MYTH OF THE COMPUTER VIRUS**

Viruses conjure up all sorts of exciting images - the type of images that would set the imagination of a writer of cyber-thrillers ablaze. Just the name, "virus", suggests contagion, death, epidemics and the dark side of human nature. Computer viruses have featured in films such as "Hackers" and made guest appearances on TV shows like "Star Trek" as well as being the subject of many books and myths. While viruses have stirred the popular imagination, not many people can tell you what they are, where they originated and what they are for. The computer virus was born in the mid 1980s, when programmers discovered that they could write code that would attach itself to other programs. One of the first uses of this utility was to test the performance of computer networks by tracking how far and how fast the modified program would travel. To other programmers, such as the "Dark Avenger", the discovery of this utility provided some unique programming challenges, for example writing highly efficient code which would be undetectable when it attached itself to another program. Over the years, many programmers have honed their skills by writing viruses which require highly sophisticated, efficient code. There are, on average, over a thousand new computer viruses created each year. Of those, only a small number are malicious in intent, with the clear majority being what could be termed "nuisance" viruses. This paper will explore the myths surrounding computer virus-writing, particularly the challenges and paradoxes that "nuisance" viruses create for software developers (including developers of anti-virus software), consumers and regulatory bodies.

SHANNON BELLETT

Child Witness Service, WA Ministry of Justice

Tuesday afternoon, session 3 - Courts and alternatives

CHILD WITNESS SERVICE – WHAT’S SO SPECIAL ABOUT IT? A NEW SOLUTION TO THE POTENTIAL FOR TRAUMA FOR CHILD WITNESSES IN THE CRIMINAL JUSTICE SYSTEM

In November 1992, in recognition of and in response to, the special needs of children and other vulnerable witnesses in the giving of their evidence, significant changes were made to the *Evidence Act*. The changes constitute major reforms in the criminal justice system and have potential to significantly reduce the level of stress and potential trauma for the child. In 1995 the Child Witness Service was established to offer non-evidential, emotional and practical preparation and support to child witnesses; the majority of whom are the identified victim of sexual abuse. Relieving the emotional distress of child witnesses, thereby facilitating their involvement in the Judicial proceedings will assist the child to give credible evidence. This can be achieved without adding to the stress and trauma already experienced by the child. This paper will explore a range of issues which arise for child witnesses. In addition to service delivery issues, roles, responsibilities and resources will be examined. In the 4 years of the operation of the Child Witness Service in Perth it has become apparent that children have greatly benefited from receiving child focussed non-evidential preparation and support service in a child orientated manner. To be successful it is essential that a child witness service be supported by personnel within the key government agencies who directly relate and refer to the Service. This includes the need to develop clear policies and protocols across agencies. This paper will provide participants with an overview of key issues for child witnesses and a non-evidential approach to providing practical preparation and support to child witnesses in the Criminal Justice System. The effective emotional, practical preparation and support for child witnesses, the majority of whom are the complainant children, while not a new concept has been developed and embodied in the Child Witness Service. This Service has been recognised by the Australian Law Reform Commission as the recommended model for implementation throughout Australia.

HARRY BLAGG

Crime Research Centre

Tuesday afternoon, session 1 - Indigenous issues

“IT BREAKS ALL LAW”: PREVENTION AND INTERVENTION IN INDIGENOUS FAMILY VIOLENCE

This paper draws together the experience gathered from a number of recent research projects on Aboriginal violence related issues undertaken at the Crime Research Centre. These include:

- an action research project in the West Kimberley region of WA intended to develop models of intervention specifically focused on preventing family violence through work with Indigenous youth
- an action research project conducted throughout Western Australia intended to develop new models of intervention at the point of crisis in Indigenous family violence.

The projects share a common underpinning belief that Indigenous family violence, while it shares characteristics in common with “domestic” and other forms of violence between intimates in non-Aboriginal social relationships, needs also to be situated within a framework of colonial relations and their legacy. Intervention strategies need to be devised which respect and empower Indigenous narrative and actively place Indigenous organisations at the centre, rather than on the margins, of intervention.

JOHN BRAITHWAITE

Australian National University

Thursday afternoon, 2.00-2.30 - keynote address

ZERO TOLERANCE, NAMING AND SHAMING: IS THERE A CASE FOR IT WITH CRIMES OF THE POWERFUL?

Australia has a Prime Minister who likes “zero tolerance”. Mr. Howard says schools that detect children using drugs should always expel them. It is hard to think of any policy better calculated to increase crime than automatic expulsion from school of children alleged to be guilty of minor delinquencies. On the left, some are tempted to respond to such irresponsibility by suggesting zero tolerance for fiddling parliamentary expense accounts, tax cheating by the wealthy and corporate crime. It will be argued that it is more responsible to keep documenting the hypocrisy and then contend that zero tolerance would be an equally knuckle-headed policy for crimes of the powerful as it is for crimes of the powerless. Naming and shaming, however, raises different issues. It will be argued that while naming and shaming is overwhelmingly counterproductive for both juvenile and adult common crime, with organizational crime there is a much stronger case for selective use of naming and shaming.

DAVID BRERETON

Queensland Criminal Justice Commission

Tuesday afternoon, session 2 - *Police: New techniques and technologies*

MAKING POLICE MORE EFFECTIVE: A CRITICAL REVIEW OF ZERO TOLERANCE POLICING AND OTHER CRIME REDUCTION STRATEGIES

The ‘zero tolerance’ approach to policing, especially as practised by the New York Police Department, has been widely represented in media and political circles as an effective crime reduction strategy. This paper reviews the available evidence on the efficacy of this strategy, explores the assumptions which underpin it and considers its’ applicability to the Australian policing context. The paper also addresses the issue of whether ‘zero tolerance’ policing has a greater capacity than other policing strategies, particularly problem-oriented policing and community policing approaches, to deliver sustainable reductions in crime and disorder.

ROD BROADHURST

University of Hong Kong

Thursday afternoon, session 4 - *Violent crime*

CAMBODIA — LETHAL VIOLENCE, STATE FORMATION AND CRIME

This paper estimates homicide and murder rates and describes the nature of lethal violence and crime for Cambodia. Limited and fragmented data allows only a partial picture of the nature of lethal violence. The post-war and post-revolutionary conditions in Cambodia combined with a weak “legal culture” contribute to an elevated rate of homicide. Frequent acts of mayhem, political violence and banditry present a major threat to development and modernisation. A murder rate of approximately 5.7 per 100,000 but a homicide rate of about 9.0 per 100,000 was estimated, higher than most countries in the region except Thailand and the Philippines. Victims were mostly male and murder between affines, murder-robbery, and disputes and quarrells were commonplace with most deaths arising from gunfire. Extra-judicial death arising from police action or “mob actions” accounted for high rates of offender/suspect death and contributes significantly to the homicide rate. Rates of violent crime were higher in rural areas but Phnom Penh experienced high levels of property crime compared to the provinces. The homicide rate is compared with neighbouring countries and aspects of modernisation and development and crime discussed

ROD BROADHURST

University of Hong Kong

Tuesday afternoon, 4.30-5.00 - keynote address**INDIGENOUS CRIME AND JUSTICE: THE 'NEW JUSTICE' AND SETTLER SOCIETIES**

Theories of crime applied to explain the over-representation of Indigenous people in the Australian criminal justice system are re-examined by applying three anthropological approaches to the Indigenous predicament in post-colonial societies: Aboriginalism or Orientalism, Welfare Colonialism and Institutionalism. Culture-conflict and stress explanations account for most variation in criminalization and imprisonment between the several states of Australia but do not fully account for extreme differences found amongst Aborigines. High culture-conflict and stress were associated with punitiveness arising from continued contest over 'country,' especially in frontier states. The frontier, in its post-modern form, also provides sites of sanctuary from criminalization but not crime. The diversity of the Aboriginal response to new modes of post-colonial governance amplify differences in criminalization along spatial, class and identity dimensions in cross-border environments. The Aboriginal encounter with criminalizing institutions exemplifies the ambivalence of ethnic identities and the concomitant problems of regulating social order in hyper-modern post-colonial states.

MORAG BUDISELIK and ROSEMARY COWPER

Disability Services Commission

Thursday morning, session 4 - *Offenders and the courts***EXPERIENCES WITH THE CRIMINAL LAW (MENTALLY IMPAIRED DEFENDANTS) ACT**

This paper will provide a brief overview of the *Criminal Law (Mentally Impaired Defendants) Act 1996*. This is a West Australian Act dealing with people who come before the courts and are found unfit to stand trial, or who are acquitted on account of unsoundness of mind. The paper will present several case examples involving people with intellectual disabilities who have come under this legislation. Areas for future review will also be discussed.

CLARE CAHILL University of Melbourne**CHRIS SOMERS** University of Western Australia**Thursday morning, session 1 - *Gender and social control*****WHATEVER HAPPENED TO BABY JOHN? THE MEDICO-SOCIO-LEGAL ISSUES ARISING OUT OF GENDER AMBIGUITY AND INTERSEX CONDITIONS**

This paper examines the effects that the current medical and legal definitions of sex and gender have on intersexed children, adolescents and adults. Intersexed people often experience sex and/or gender ambiguity as a consequence of chromosomal, hormonal or physical anomalies. The first part of this paper addresses the impact of medical intervention on children and adolescents, with reference to the reported case of John/Joan, a child whose gender was reassigned following a surgical accident. The second part of the paper focuses on the lived realities of people with ambiguous gender, as they negotiate the maze of social institutions which seemingly have an investment in maintaining and enforcing a binary system of sex and gender.

ROSEMARY CANT AND RICK DOWNIE

Social Systems and Evaluation

Thursday afternoon, session 2 - *Restorative justice and corrections*

RESTORATIVE JUSTICE IN ACTION: AN EVALUATION OF WESTERN AUSTRALIAN JUVENILE JUSTICE TEAMS

Juvenile Justice Teams (JJT) were established as a partial response to the unacceptably high numbers of children appearing in Western Australian Children's Courts for minor offences. After an initial pilot in the Metropolitan area in 1993, JJTs were given a legislative basis by the *Young Offenders Act* (1994) and subsequently implemented statewide. The JJTs are based on the theory and philosophy of restorative justice and to a lesser extent on Braithwaite's theory of reintegrative shaming. The New Zealand model of Family Conferences has influenced aspects of their functioning but there are some fundamental differences between the two models. The JJTs represent a uniquely inter-agency approach to establishing a diversionary alternative to court processes for juveniles involving the Ministry of Justice, the Police Service and to a lesser extent the Education Department in the partnership. Some of the objectives of the JJTs are:

- To divert early and minor offenders from the criminal justice system.
- To ensure young persons are held accountable for their offending behaviour and make amends.
- To empower parents by involving them in negotiation of a solution to the offending behaviour and supporting them in its implementation.
- To provide victims with an opportunity to be part of the process and to contribute to a resolution of the offences committed against them.

The JJTs were evaluated in 1998 in the context of a wider evaluation of the *Young Offenders Act* (1994). This paper will discuss the findings of the evaluation of the JJTs conducted by the authors for the Ministry of Justice. The evaluation included the perspectives of the young people, their parents and victims and of key stakeholders in the justice system.

CARLOS CARCACH and GLENN MUSCAT

Australian Institute of Criminology

Wednesday morning, session 5 - *Crime patterns*

ASSESSING REGIONAL VARIATIONS IN CRIME

Crime maps are becoming significant tools in crime and justice. What to map is an important issue. Mapping population-based rates can give an inaccurate representation of the geographic distribution of crime due to variations in the size of "at risk" populations in the regions. Crime rates for regions with small populations are more variable than rates for the larger regions. Another problem with using rates is the selection of a denominator. Published crime rates are based on the total population, yet not all crimes occur to persons. For example, burglary occurs on dwellings and businesses, so the appropriate denominator is the total numbers of residential and non-residential premises. Data on these variables may not be readily available. There is a need to look for alternative crime measures that are free from this problem. This paper discusses the results of an analysis of regional variations in crime using Location Quotients of Crime (LQCs). LQCs address the crime structure of areas and provide a measure that helps identify whether a specific crime pattern is disproportionately high or low in a particular place. They provide a contextual view of crime and help in understanding crime patterns so priorities and approaches in crime prevention can be developed. The analysis is based on published crime statistics for New South Wales, Queensland and South Australia.

KEITH CARTER

John Moores University, Liverpool

Wednesday morning, session 2 - Prisons administration

AN INFUSION OF CHANGE - NEW STAFF IN THE PRIVATE SECTOR

Most prison research to date and academic dialogue into the contemporary market of penal privatisation examine the costs of privatisation or challenge the aspect that prisons should not be run for profit. It is surprising that the emphasis of much of the research has majored on these issues, and the staff attitudes and the treatment of offenders (the reluctant consumers) in the private sector appears to have been left well alone. The attitudes of those reluctant consumers and the attitudes of the new providers (staff working with prisoners) are an integral part of the debate surrounding privatisation. This paper posits that all staff (whether in the public or private sector) are the central heating system of prisons which can provide the right atmosphere for humane containment, treatment and change. The author argues that when the socio-psychological environment of a prison is altered (better staff/inmate interaction), inmates respond positively because they feel that their needs are being legitimately fulfilled. This paper will investigate the staff/inmate perspective of privatisation in the recently opened private sector prison HMP Altcourse, Liverpool, England run by Group 4 Prison Services Ltd.

JANET CHAN

University of New South Wales

Tuesday afternoon, 1.30-2.15 - keynote address

**NEGOTIATING THE FIELD:
NEW OBSERVATIONS ON THE MAKING OF POLICE OFFICERS**

This paper refines and expands on the conceptual framework of police culture developed in Chan (1997). Drawing on a longitudinal study of police recruits in New South Wales, the paper describes the socialisation process using questionnaire data, ethnographic accounts and field observation. It argues that a deeper understanding of the socialisation process must take into account the interaction between the occupational 'habitus' and the changing 'field' of policing in New South Wales in the wake of the Wood Royal Commission.

JANET CHAN University of New South Wales and

DAVID BRERETON Queensland Criminal Justice Commission

Tuesday afternoon, session 2 - Police: New techniques and technologies

**THE IMPACT OF INFORMATION TECHNOLOGY ON POLICING:
SOME PRELIMINARY FINDINGS**

This paper reports on preliminary findings of a project designed to examine the impact of information technology (IT) on an Australian police organisation. Two competing perspectives have emerged from the literature about the extent to which IT has changed policing. One suggests that IT is discredited and resisted by the police occupational culture and thus has limited impact on policing (Manning 1992). The other, however, demonstrates that IT has profoundly changed the structure and culture of police organisations (Ericson and Haggerty 1997). This paper will argue that as a technology of the 'new accountability' (Chan 1999), IT has enormous potential to change the way in which police work is managed. Factors which limit the realisation of this potential will be explored.

ENG CHEE

Australian Bureau of Statistics

Tuesday morning, session 2 - *Crime in Australia*

**FAMILY VIOLENCE: FINDINGS FROM THE 1998 CRIME AND SAFETY SURVEY,
AUSTRALIA**

The 1998 National Crime and Safety Survey was conducted in April 1998 by the Australian Bureau of Statistics. Approximately 42,000 respondents in 21,000 households completed the questionnaire which covered the household crimes of break-in and motor vehicle theft, and the personal crimes of assault and robbery. Females aged 18 years or above were also asked to complete questions on sexual assault. This paper will present the characteristics of assault victims who experienced some kind of family violence in the 12 months prior to the survey. In this paper, family violence is defined as those incidents involving partners, ex-partners, family members (eg sibling, parents) and other relatives irrespective of where such incidents took place. The findings will be presented in the following sections: socio-demographic characteristics of victims, characteristics of the most recent assault incident, eg type of assault, whether injured, weapon used, whether reported to police and whether discussed the incident with others. For those victims who experienced more than one family violence incident, the characteristics of the three most recent incidents will be examined as well as the characteristics of these victims.

HELENA COLLINS

International Foundation for Androgynous Studies

Thursday morning, session 1 - *Gender and social control*

**THE PROCESS OF PASSING: THE DIFFICULT
PASSAGE OF LAWS PROTECTING TRANSGENDERED PEOPLE IN WESTERN
AUSTRALIA**

In 1996, the Western Australian Parliament made news when a Bill to recognise the rights of transgendered people was introduced. Years later, the Bill has languished on the table and the promised law reform has not even been debated. This paper examines the current treatment of the transgendered by the law, including accounts of transsexuals regarding the experiences they have reported about the criminal justice system. Of particular interest is a description of the known trends of criminal activity as they apply to male-to-female and female-to-male transsexuals and which are distinct to them. This paper will look towards the future of law reform in Western Australia - what is likely to happen, and what should happen.

ANNIE COSSINS

University of New South Wales

Tuesday afternoon, session 4 - *Sex crimes*

MASCULINITIES, SEXUALITIES AND CHILD SEXUAL ABUSE

Empirical evidence shows that child sexual abuse is overwhelmingly a male activity in that the majority of child sex offenders are male, irrespective of the sex of the children they abuse. This sex specificity raises both a sex and a gender question, as well as the epistemological question of how to characterise the relationship between male offenders and this particular crime. In attempting to answer these questions, this paper considers the usefulness of two different theoretical approaches for understanding the link between men and crime. First, the relationship between masculinities, sexualities and child sexual abuse is analysed in order to explain the predominantly male problem of child sex offending. In other words, this paper argues that child sex offending, rather than being a deviant sexual practice, is related to normative masculine gender practices, that is, practices structured on dynamic and changing relations of power. As such, in examining the usefulness of the concept of masculinity, this paper eschews the dualistic notions of men's sexuality that typify cultural and psychological explanations of child sexual abuse: that is, the 'depraved' sexuality of the child sex offender compared to the 'natural' sexuality of 'normal' men. Therefore, this paper argues that in order to understand child sex offending as a gender specific practice, it is necessary to examine the role that sexual behaviour with children plays in offenders' lives as men. Secondly, this paper considers the 'sexed bodies' approach to explain the 'maleness' of child sex offending in light of criticisms that have been made of the usefulness of the concept of masculinity in explaining the relationship between men and crime. Finally, this paper examines the relationship between the concepts of masculinity and sexing in the context of child sexual abuse.

CHRISTINE COUMARELOS and JACQUI ALLEN

NSW Bureau of Crime Statistics and Research

Tuesday morning, session 2 - *Crime in Australia*

PREDICTING VIOLENCE AGAINST WOMEN IN AUSTRALIA - ANALYSIS OF THE 1996 WOMEN'S SAFETY SURVEY

The Women's Safety Survey was the first large-scale nationally representative sample survey focussing on violence against women in Australia. Over 6,000 women aged 18 years or over were interviewed by the Australian Bureau of Statistics (ABS) in 1996. The Survey assessed the extent and nature of violence against women with a view to guiding programs and policies aimed at preventing, and responding to, such violence. The ABS Survey report suggested that bivariate relationships existed between violence and various demographic variables. The present study conducted multivariate analyses of the Survey data to determine whether the relationship of each demographic variable to violence remained when the effects of the other variables were taken into account. Logistic regression models were fitted for each of four violence types: physical violence in the last 12 months, sexual violence in the last 12 months, emotional abuse by current male partner in the last 12 months and repeat violence since 15 years of age. The demographic variables examined were the victim's age, birthplace, education, labour force status, income, experience of childhood abuse and experience of prior violence as an adult. The analyses revealed that victimization risk can vary dramatically for different women. Young women, unmarried women, women who had experienced childhood abuse and women who had previously experienced violence as an adult were generally at increased risk of all four types of violence examined. Education and income also predicted physical violence. The results suggest that targeting high-risk groups of women may be a worthwhile prevention strategy.

KATHY CSABA

Ministry of Justice

Thursday afternoon, session 2 - *Restorative justice and corrections*

ADULT PRISON WORK CAMPS - A NEW APPROACH TO JUSTICE SUPERVISION FOR SELECTED PRISONERS IN WESTERN AUSTRALIA

Given the resurgence of interest and research into prisoner rehabilitation the Western Australian Ministry of Justice continues, along with other correctional agencies, to develop prison based programs which address offending behaviour and recidivism. However successful rehabilitation programs depend, not only on the type of treatment offered, but also on the conditions under which they are delivered. There is now evidence available that suggests that programs delivered in community settings produce better outcomes than those delivered in prisons, and yet prisons are more likely to contain those offenders with the greatest potential to benefit from such programs. One program that currently operates in Western Australia that is addressing this dilemma is the Adult Prison Work Camps. Work Camps allow low risk minimum security prisoners, who meet a strict selection criteria, to live outside the prison environment, in the community, at a base camp. Prisoners work on a range of community projects under the supervision of a prison officer who lives and works with up to eight prisoners 24 hours a day. Work Camps provide prisoners with the opportunity to get involved in meaningful work in a community environment and to repay a debt to society, as well as address some of their “criminogenic” needs, develop vocational and personal skills and, for those prisoners nearing the end of their sentence, make the transition to “normality”. The work camps currently operating are providing evidence that this type of approach to offender care, custody, reparation and rehabilitation is producing positive outcomes, particularly in terms of increasing a prisoner’s chance of making a successful transition from prison to the community on release.

CHRIS CUNNEEN

University of Sydney Law School

Tuesday afternoon, session 1 - *Indigenous issues*

CRIMINOLOGY, GENOCIDE AND INDIGENOUS PEOPLE

This paper argues that understanding the nature of genocide in its various manifestations goes to the core of developing a ‘postcolonial’ criminology. Ultimately, the fact of genocide involves a re-theorising of the ‘colonial question’ in criminology. It involves a shift in the focus from Indigenous people as the object of inquiry usually as offenders, to the survivors of systematic crimes against humanity. Certainly in the Australian context, the greatest crime that has been committed on the continent since European conquest was genocide. Genocide also demands a rethinking of the criminalisation process, particularly in relation to ‘crimes of the state’. How can the state be held responsible? What form can responsibility take, and what type of reparations are commensurate with the nature of the offence? Is the concept of ‘State crime’ adequate for understanding the nature of genocide? How do we conceptualise notions of ‘deviance’ and ‘normality’ in matters of genocide?

MICHAEL DALTON, INEZ DUSSUYER and MICK NIEUWESTEEG

Department of Justice, Victoria

Tuesday afternoon, session 5 - *Drugs and drug measurement*

VICTORIAN ILLICIT DRUGS DATABASE (IDDB)

At a time when governments are devoting more resources to the illicit drugs problem, the statistical information on illicit drug use, cultivation, manufacture or trafficking remains fragmented, and can limit the effective development and assessment of policies and strategies to deal with the illicit drugs problem. The Department of Justice in Victoria has recently established an Illicit Drugs database (IDDB). Funded under the Victorian Government's 'Turning the Tide' strategy, the database contains data on illicit drugs from a range of justice sources which include:

- * Victoria Police data on alleged drug offenders
- * Victorian Courts data on defendants with proven drug charges
- * Office of the Correctional Services Commissioner data on persons held in Victorian prisons.

The significance of having a more co-ordinated and consolidated source of data on illicit drug offending, will be demonstrated and discussed.

KATHLEEN DALY

Griffith University

Wednesday afternoon - 4.00-4.30 - *keynote address*

DOES PUNISHMENT HAVE A PLACE IN RESTORATIVE JUSTICE?

A common convention in the restorative justice literature is to draw a strong oppositional contrast between "retributive" and "restorative" responses to crime. This framing offers apparent clarity in a messy justice field, and it provides a secure normative footing for restorative justice advocates.

Less clear is whether the retributive-restorative contrast can be sustained empirically. One major point of contention is what place, if any, "punishment" has in restorative justice. Advocates eschew punishment, arguing that restorative justice practices should not be about the "intentional infliction of pain" but rather about "repairing the harm caused by crime." But how do crime offenders and victims view the matter? If they view restorative justice practices as "punishment," then restorative justice advocates may need to re-examine assumptions and claims. Drawing from my on-going research in South Australia, in particular, interviews with young people (offenders) and victims who have participated in a family conference, I assess their views of the place of punishment in practices termed restorative.

FIONA DAVID

Australian Institute of Criminology

Thursday afternoon, session 5 - *Popular culture and crime*

**HUMAN SMUGGLING AND TRAFFICKING:
THE EMERGENCE OF NEW THREATS OR THE REVIVAL OF OLD STEREOTYPES?**

The practices of human smuggling and trafficking are not new. Human smuggling and trafficking have existed for as long as there have been nation-states, human conflict, opportunistic or criminal tendencies and wealth disparities. The concept of “trafficking” is, however, a relatively new phenomenon, that originated in the moral panics of the nineteenth century. While the practices of smuggling and trafficking have developed in new and innovative ways, the conceptualisation of these phenomena has remained largely unchanged. The result is that newer manifestations of human smuggling and trafficking are largely unrecognised by the general population, ignored by researchers, and unreported by the media. This paper will consider the state of knowledge with respect to human smuggling and trafficking from one of Australia’s near-neighbours, the Republic of the Philippines. It will be suggested that what we know about smuggling and trafficking from the Philippines says less about the reality of the situation in that country, and more about the assumptions that underpinned the research. It will be suggested that there is a need for a reconceptualisation of smuggling and trafficking, so that attention will be paid to the equally problematic but less recognised forms of human smuggling and trafficking.

GREG DEAR

Edith Cowan University

Wednesday morning, session 2 - *Prisons administration*

**PREVENTING SELF-HARM IN PRISON:
THE NEED TO ADDRESS SITUATIONAL FACTORS THAT GIVE RISE TO DISTRESS**

There have been calls in the media for more mental health clinicians working in prisons, and a commonly expressed view is that delivering this will help prevent suicides in prison. While mental health professionals might be the best persons to assist prisoners who have self-harmed, or who display other manifestations of a breakdown in coping resources, they will not successfully reduce the self-harm rate if they limit their activities to clinical services of this type. Apart from the fact that it is acting after the event, a clinical approach to the prevention of self-harm in prison is inadequate because it fails to account for the most important causative factors. Local and international research findings will be briefly summarised in support of the contention that the prevention of self-harm relies on the prevention of distress, and that this requires attending to the environmental factors (including social factors) that give rise to distress. This paper will outline two broad types of initiative that need to be undertaken in order to reduce the incidence of self-harm within a prison system: (1) strategies that prison authorities can employ in order to reduce the level of distress in the prison population, and (2) interventions that prison psychologists can deliver in order to enhance the coping resources of vulnerable prisoners. The paper will argue that prison officers have a crucial role to play in the prevention of distress, and therefore self-harm, in prison.

IAN D'MELLO

Ministry of Justice WA

Thursday afternoon, session 1 - *Criminal justice system modelling*

THE WESTERN AUSTRALIAN EXPERIENCE IN PREDICTING PRISONER POPULATIONS

Since June 1998, there has been an unprecedented and sustained growth in the WA prisoner population. In the seven years to June 1998, the State's prisoner population had grown by 20%. In the twelve months since June 1998, the prisoner population has grown by over 30% due mainly to harsher sentencing legislation and the delayed effects of the Fines Enforcement System. This has been an important issue for the Ministry of Justice and Government in terms of our ability to accurately plan, budget and anticipate future accommodation and resource needs. To this end the Ministry has adopted a four pronged approach to predicting the State's future prisoner population. This included the development of :

- a short-term (2 years) prisoner population predictive model
- a high level criminal justice process map
- an Online Justice Information System (OJIS) with particular emphasis on lead indicators which impact the prisoner population
- a simulation model which predicts the prisoner population in the medium-term (5 years) based on the flow of offenders through the criminal justice process map.

Both the short-term and simulation models will be demonstrated.

BENOIT DUPONT

University of Toulouse

Thursday morning, session 5 - *Police education and effectiveness*

THE IMPACT OF WORLD CUP 98 ON FRENCH LAW ENFORCEMENT AGENCIES

In the summer of 98, France hosted one of the major sports events of this century, with a cumulative TV audience close to 40 billion people. This unique showcase, with huge potential economical windfalls and political implications, mobilized the resources of all law enforcement agencies. It also prompted interesting international cooperation initiatives with foreign police services. This paper seeks to present the security arrangements that permitted to face this challenge. It will try to identify best practices, but also organizational failures, in the fields of information management, crowd control, anti-terrorist activities, etc. The second part of this presentation will then assess the long term impact, if there is any to be found, of an event of such magnitude on participating law enforcement agencies and their perception by the public.

INEZ DUSSUYER, CHRIS WIGHT and MICK NIEUWESTEEG (Presented by Mike Dalton)

Department of Justice, Victoria

Wednesday morning, session 5 - *Crime patterns*

RISK FACTORS IN BECOMING A VICTIM OF CRIME: THE 1998 VICTORIAN CRIME VICTIMISATION SURVEY

Findings from the Crime Victimization Surveys, conducted in Victoria (Australia) in 1997 and 1999 are presented. People were asked about crimes they had experienced in the previous year, and about various topics such as their perceived probability of becoming a victim of crime and their feelings of safety. The surveys used samples of about 5,500 households and 5,500 individuals, and enable risk factors associated with becoming a victim of crime to be clarified. Results also show how local government areas (LGAs) vary in their victimisation rates, across Victoria. This paper presents an analysis of the relationships between victims of household crimes (including break and enter, motor vehicle theft) and victims of personal crimes (including assault, sexual assault and robbery) and related topics, as well as providing perspectives on how fear of crime interacts with experience of victimisation.

ANNE EDWARDS

Queensland Criminal Justice Commission

Wednesday afternoon, session 3 - *Police administration*

THE DEFENDANTS SURVEY - FINDINGS FROM THE SECOND STUDY

The Criminal Justice Commission's survey of magistrates courts defendants in Queensland has been designed to fulfill three purposes:

- To assess the impact of the *Police Powers and Responsibilities Act 1998* on defendants' understanding and experience of arrest, questioning and search procedures, and the level of awareness of their rights.
- To provide a measure of the incidence of inappropriate police behaviour reported by suspects.
- To provide a measure of complaints about police behaviour that are not officially reported.

This survey, which was first conducted in 1996 (and prior to the new legislation), collects information about defendants' recollections of the arrest, questioning and searching procedures. The value of the survey will be maximised with its repetition in 1999. This paper will present the key findings from the survey, compare them with the benchmark data, and draw conclusions in relation to the three key purposes of the project.

BRUCE FLAHERTY, Crime Prevention Division and
CHRIS MILNE Attorney General's Department
Wednesday morning, session 3 - *Offenders and programs*

MENTORING PROGRAMS FOR YOUNG JUVENILE CRIME OFFENDERS: OVERVIEW OF A TRIAL PROGRAM FROM NEW SOUTH WALES AND ITS EVALUATION

Mentoring of at risk adolescents by trained and well supervised adults has been identified as a “promising” crime prevention approach. In New South Wales, the Crime Prevention Division of the NSW Attorney General's Department and the Department of Juvenile Justice are sponsoring a trial over three years of a mentoring program for approximately 200 young juvenile offenders. Specifically, the target population will be young people (aged 14-17 years) who have come to the attention of police or the juvenile justice system through cautioning or conferencing under the terms of the NSW Young Offenders Act, 1997. The mentoring program known as One2One will be designed and delivered by the YWCA. The approach which is based on its well established Big Brother/Big Sister program will be briefly described. The associated independent evaluation project aims to provide information for improving the delivery of the program and for reaching conclusions about the program's effectiveness and potential for replication. The paper also describes briefly the results of two overseas mentoring programs as well as the development of the current evaluation strategy.

ARIE FREIBERG and RICHARD FOX

University of Melbourne

Wednesday afternoon, session 2 - *Crime policy and evaluation of crime prevention*

EVALUATING THE EFFECTIVENESS OF AUSTRALIA'S CONFISCATION LAWS

Australian jurisdictions have been enthusiastic in enacting wide-reaching laws which allow for the forfeiture and confiscation of the instruments and proceeds of crime. These were intended to provide new and powerful weapons against organised crime. Despite the lack of empirical evidence regarding their effectiveness against this type of crime, the legislation has been made progressively more severe. This paper enquires how such legislation has been applied in practice, whether it has been properly targeted, and whether it has achieved the intended deterrent effect. It argues that it is for government to demonstrate that the criminal activities against which the confiscation laws have been directed for more than a decade have been significantly diminished before enacting ever more oppressive measures.

ARIE FREIBERG

University of Melbourne

Wednesday morning, session 1 - *Sentencing symposium*

WHAT'S IT WORTH?: A CROSS-JURISDICTIONAL COMPARISON OF SENTENCE SEVERITY

This paper is an attempt to explore what might be called ‘relative penal value’. It is an attempt to measure whether, how, and possibly why, jurisdictions vary in the severity of their sentences by constructing a broad measure of severity which is cross-jurisdictionally valid and robust, which expands the notion of sentencing beyond the prison and takes into the actions of criminal justice actors other than the sentencing officers. It does so in relation to the sentencing of a single offence: burglary. At this stage the paper is concerned more with establishing the validity and usefulness of the methodology than with analysing and explaining data. Feedback obtained from the conference will help determine the validity and usefulness of the approach adopted.

IRENE D. FROYLAND Centre for Police Research , Edith Cowan University
DUANE BELL Detective Sergeant, Police Academy , Western Australia Police Service
Thursday morning, session 5 - Police education and effectiveness

A NEW P&C IN THE EDUCATION SETTING: POLICE AND CRIMINOLOGISTS

Culture has a boundary-defining role; it creates distinctions between one organisation and another. Organisations such as the Police and Universities have traditionally had clear physical and cultural boundaries. In Western Australia, work has commenced to co-locate the Police Academy with Edith Cowan University for the new millennium. With physical boundaries crumbling, this paper examines what is to become of the meeting of these two organisational cultures, and the new solutions that this offers.

ANITA GIBBS
University of Otago

Tuesday morning, session 5 - Crime measurement and research

FUTURE RESEARCH STRATEGIES FOR CRIMINOLOGY

This paper will consider current and new research approaches and strategies for criminology in the next century. 'Traditional' research in criminology has a heavy bias towards positivistic, quantitative and structured methodologies; although there are examples of the use of qualitative techniques. I believe that the qualitative spectrum has not been fully explored in criminology; especially the use of action research, collaborative forms of enquiry, practitioner evaluation, culturally sensitive or safe practice and focus group research. In this presentation I will draw upon my work as both a practitioner and researcher in criminal justice and social work contexts in the UK and more recently New Zealand. It is anticipated that the discussion will consider alternative research strategies with an emphasis on strategies that empower participants before, during and after research begins. There is an enormous potential for a plurality of experiences, understandings and attitudes about crime, deviance and responses to criminal activity to be gained from these 'new' research strategies and the challenge for criminology researchers is to relinquish power but not at the expense of a compromised or reduced research quality.

PETER GRABOSKY
Australian Institute of Criminology
Thursday morning, 9.00-9.45 - keynote address

CRIME CONTROL AND POLICING IN THE 21ST CENTURY

This paper will explore what society's response to crime will look like in the year 2020. Following a brief discussion of the anticipated criminal environment, and trends which will influence the delivery of public services, the paper will suggest some of the forms which future institutions of crime control are likely to take. In addition to the transformation of Australian police services, the paper will discuss private and non-profit institutions of crime control, and how these will interact with public institutions. The paper will conclude with a discussion of trade-offs between personal safety and individual freedom, and how these will shift over time. It predicts greater societal investment in personal safety at the expense of individual freedom.

FELICITY HAYNES, CHRIS SOMERS University of Western Australia
CLARE CAHILL University of Melbourne
Thursday morning, session 1 - *Gender and social control*

THE ANDROGYNE AS CITIZEN

To what extent is it possible to so consider the androgyne, that is, someone who is both male and female, or neither male nor female, as a citizen? With sophisticated surgery making sex-change more accessible, naturalistic definitions of male and female generate legal and social paradoxes. To be born a male and change one's identity into a female, or vice versa, is to transgress an unwritten law of personal identity, and deny oneself legal status in one's chosen gender. For instance, in a country in which same-sex marriage is illegal, two women can be legally married if one is a male-to-female transsexual. While a birth certificate might be changed to fit a person's current gender, in most countries there is only a choice of male or female. The person then who is born hermaphrodite, unlike the transsexual, has no choice about his/her gender identity. They are by definition confined to same-sex relationships and subject to persecution where discrimination on the basis of sexuality is not prohibited. Well-meaning doctors often perform genital surgery to make those of "ambiguous gender" to make them appear more "human". Such practices contravene Article 2 of the 1948 Universal Declaration of Human Rights which proclaims "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status". This paper presents narratives of transsexuals and intersex persons which contest the assumptions of civic rights as presented within the law.

BRUCE HEATHCOTE and DUANE BELL
WA Police Service
Thursday afternoon, session 4 - *Violent crime*

USING VIOLENCE TO STEAL CARS: A GROWING PROBLEM FOR THE NEW MILLENNIUM

Motor vehicle theft is a major crime issue in Western Australia with over 14 thousand vehicles reported stolen in the 1998-99 financial year. One of the strategies to address this issue was the voluntary fitting of subsidised immobilisers. This initiative, combined with the fitting of immobilisers by manufacturers, has been extremely effective in preventing vehicle theft. The success of the voluntary scheme led to legislation requiring all vehicles to be fitted with an immobiliser when sold, effective as of July 1, 1999. One of the potential side effects identified with this initiative is the increased use of violence to steal motor vehicles. Although this potential for violence has yet to be realised, it is of a serious enough nature to warrant strategies to track the extent of any diversion to a more serious crime type. This paper will discuss the extent of motor vehicle theft using violence or aggressive behaviour over the last five years in Western Australia. The information described will provide useful base-line knowledge to measure if there are any unintended consequences of the legislation.

ROGER HOOD

University of Oxford

Wednesday morning, 9.00-10.00 - keynote address

PENAL POLICY AND CRIMINOLOGICAL CHALLENGES IN THE NEW MILLENNIUM

This lecture will discuss - in the light of the contribution that criminological theory and research has made to penal policy and practices - the problems raised for criminology by the changing penal climate that has emerged at the end of the 20th century. It will pay particular attention to the conflicts that have emerged between, on the one hand, the demands for 'policy relevant research', the bureaucratic identification of research issues, the conditions placed on funding, and, on the other hand, the pursuit of criminological research as a social scientific endeavour. While recognising the value of attempts to understand and interpret the influences shaping penal developments at a time of accelerating social change, I shall argue that, in the new millennium, the need for fundamental empirical research on the system and application of criminal sanctions will be as great as ever. The problems associated with researching some of the key areas will be discussed.

HUGH HUGHES and ANDREA HUGHES

Thames Valley Police

Thursday morning, session 5 - Police education and effectiveness

POLICE EDUCATION AND PRACTICE FOR THE NEW MILLENNIUM

This paper examines the purpose for which Police Officers in England & Wales work, and whether this is reflected in practice. We propose that the principles of Restorative Justice which have been demonstrated to be useful in behavioural change projects, can equally be applied through a model of education for all officers. By incorporating the principles of restorative justice with the development of the skills of understanding, critiquing and implementing research, the democracy and effectiveness of police would be increased. Policing needs to go beyond having pockets of expertise to having all practitioners conversant with analysing and using research. Once enabled to develop their own skills, police officers will be able to reflect on which options are most relevant to solving problems in their own areas, as advocated by Goldstein (1970) in his Problem Oriented Policing approach. This model promotes life long learning, encourages creativity and innovation and encourages ethical practice at all levels of the police institution. British Nursing has attempted to develop research awareness skills in all new recruits and in existing practitioners through continuing professional development. Thus, education has encouraged the development of evidenced-based practice as well as contributing to the body of knowledge called 'nursing'. Ultimately, within these professions, each individual is both professionally and personally accountable in their practice. It is the responsibility of all individuals to enhance their practice by developing skills in research utilisation and for organisations to enable this to happen, through the principles of Restorative Justice.

HUGH HUGHES and DAVID PURNELL

Thames Valley Police

Thursday afternoon, session 2 - *Restorative justice and corrections*

**RESTORATIVE JUSTICE IN THE BRITISH CRIMINAL JUSTICE SYSTEM:
A POLICE OFFICER'S PERSPECTIVE**

The aim of this paper is to present a broad overview of the developments of Restorative Justice as a method of disposal within the British Legal System, examining the implications of the Crime & Disorder Act 1998 especially with regard to the Cautioning of Young Offenders. Drawing on our research for the Home Office we shall discuss the impact it appears to have on offenders and those affected by crime. We shall propose that Restorative Justice does make a difference and offers more of a human touch to the current Criminal Justice System, in addition to offering greater satisfaction to the victims of crime. However, this paper will suggest potential problems to the British Criminal Justice System if the implementation of Restorative Justice is not correctly evaluated.

DAVID INDERMAUR

Crime Research Centre

Thursday afternoon, session 5, *Popular culture and crime*

THE CHALLENGES OF POPULIST CRIME POLICY

The phenomenon of a populist penal policy that has swept the English speaking world over the last decade is now well documented. Populist crime policy (advocating more police, tougher and longer punishment, zero tolerance and less judicial discretion) has become a "sure fire winner" in the run up to election campaigns. As Beckett (1997) noted the crime issue has been exploited ruthlessly by politicians. Against the well worn groves of this political reality what hope is there for a more rational crime policy? This paper will make some tentative suggestions. First the evidence that public opinion follows, rather than leads, political and media initiative will be discussed. Against the emotional and dramatic appeal of populist crime policy, "rational" information based and "criminological" perspectives are often considered irrelevant. It is argued that what has a greater prospect of encouraging a rational crime policy will come from developing the concept of the community safety budget. Rather than arguing defensively against more imprisonment, tougher sentences, zero tolerance and so forth it may be more effective to point to the squandering of public monies and the relative non funding of effective crime prevention leading to losses in public safety. By educating the public to demand responsibility and accountability in the area of crime and justice it is hoped a more effective crime policy will evolve.

PATRICK C. JOBES, HERB WEINAND University of New England

JOSEPH DONNERMEYER and ELAINE CROSBY The Ohio State University

Tuesday morning, session 5 - *Crime measurement and research*

**RELIABILITY (AND REALITY) OF SOCIO-DEMOGRAPHIC MEASURES OF SOCIAL
"CAUSES" OF CRIME: A COMPARISON OF AVAILABLE MEASURES OF SOCIAL
COHESION AND INTEGRATION FROM CENSUS AND CRIME DATA IN AUSTRALIA**

Empirical analyses of crime and social problems are increasingly relying on integrated data sets that include the census of population. A crucial theoretical matter is that census data are being used as indicators of social cohesion and integration that influence crime. Although alternative theoretical orientations of such analyses may interpret the relatively small number of existing measures as indicators with different theoretical

referents, the measures themselves often remain the same. Two crucial issues emerge from this practical limitation imposed by the relatively few census measures that are available to be used as indicators of social cohesion and integration. The first issue pertains to reliability. Relevant questions include how crime is associated with particular census measures and which measures are most reliable for particular types of crime. The more difficult question pertains to validity. At issue is whether census measures are valid indicators of social cohesion and integration. The issue of validity is discussed through a review of recent empirical research articles that have incorporated census measures of theoretical variables. The issue of reliability is addressed through a multivariate analysis of the relative reliability of measures drawn from the 1996 Census of Population for explaining four independent measures of crime. Crime data are drawn from the BOCSAR data set for New South Wales.

JAN JORDAN

University of Wellington

Tuesday afternoon, session 4 - *Sex crimes*

“FALSE” RAPE COMPLAINTS AND THE POLICE

Widespread beliefs about the high incidence of allegedly false rape complaints have been a recurring theme in rape research since the 1970's. It is possible that a major reason underlying the frequency of police beliefs in false rape complaints relates to misleading impressions generated by the police classification of reported rapes. The high proportion of rape complaints filed as “no offence disclosed” may be interpreted as indicating these complaints to be unfounded and false in origin, when in actuality this mode of clearance includes also “genuine” cases for which there is insufficient evidence to proceed to court. This paper is a work-in-progress presentation based on preliminary analysis of police rape files in New Zealand. Cases filed as ‘no offence disclosed’ are being analysed to determine the reasons for such classification, in an attempt to ascertain the factors which influence the police in deciding to discontinue investigation of a reported rape or sexual assault. Those cases where the police allege the complaint to be false are being further examined for indicators of the variables affecting police decision-making in this regard. While data-gathering and analysis is not yet complete, this paper explores major themes and tensions in files studied to date, with a view to establishing a basis for subsequent examination of this material, and encouraging discussion with researchers in related areas.

DEBBIE KILROY and MARGARET STRONG

Sisters Inside Inc.

Wednesday afternoon, session 5 - *Gender and imprisonment*

WHITE WALL SYNDROME: THE SILENCED WOMEN

This paper will look at how the “White Walls” of Bogga Road create a boundary to all outsiders. How this creates the culture of the silenced women. The “White Wall Syndrome” feeds into the culture within these walls that women live in, day in day out. The culture is one that does not operate in the outside world. Once entering the prison you are inducted into this culture. Your crime and length of sentence will depend where you sit within the culture. It will determine how you will survive or not survive your prison term. Whether you are accepted by the prison system or ostracized. The women and staff are part of the prison culture and both groups are responsible for its life. If anyone tries to change the culture they will be silenced. Furthermore, if you are a staff member and if you try to make changes you will be isolated, possibly threatened and then you will eventually resign or conform to the culture. If you are a woman in prison who tries to change the culture you also will be isolated and eventually silenced and in some cases threatened with passive or overt violence. This paper will continue to explore that the culture of the women’s prison and how the Transition Worker Program breaks down the culture and support the integration back into the community.

SUE KING

University of South Australia

Wednesday morning, session 3 - *Corrections: Policy and programmes*

REMAND IN CUSTODY - A SEARCH FOR INDICATORS THAT WILL SHAPE POLICY DEVELOPMENT

Remand in Custody research has most commonly focussed on the judicial decision to remand an individual. This is the result of the appreciation that the primary justification of remanding a person in custody is to:

- * ensure that the accused appears before the court as required;
- * ensure that witnesses are not influenced and that the accused is safe;
- * ensure the safety of the community including victims, pending the outcome of the trial.

For recent research a broader focus was developed. This focus recognised that Remand in Custody outcomes for individuals or within individual jurisdictions were shaped by a series of decisions taken by successive decision-makers within the justice system. This paper describes the remand in custody process in terms of the key filter points identified in the research and the research questions which were the focus of consideration around each of these filter points. It describes the research questions that arose from this model of the Remand in Custody process. The remand rate currently calculated for Australian jurisdictions provides useful information about the ultimate effect of Remand in Custody decision-making on resource utilisation within jurisdictions. However it is inadequate to provide direction for policy-makers about the effect of particular practices in relation to Remand in Custody. It does not enable the policy maker to distinguish between those jurisdictions that have a low remand in custody rate as a result of low rates of criminal behaviour from those which have a low Remand in Custody rate as a result of their management of accused persons. The paper argues that a new indicator is needed which compares the number of people required to appear before the court to the number of people remanded in custody. This indicator would identify a jurisdiction as having a low remand indicator if a low proportion of those required to appear before the court were remanded in custody. It would enable policy makers to evaluate the impact of different practices in different jurisdictions on the use of remand in custody.

STUART KINNER

University of Queensland

Thursday morning, session 4 - *Offenders and the courts***PSYCHOPATHY AND CRIME PREVENTION**

The fact that psychopaths and sociopaths are different from one another psychologically is important for policies related to crime prevention and rehabilitation, as individuals with different personalities respond differentially to early interventions and to later rehabilitation efforts. Based on one-to-one interviews with incarcerated offenders in Queensland prisons, the researchers (1) differentiated between psychopaths and sociopaths (using a version of Robert Hare's well-validated Psychopathy Checklist); (2) investigated the differing emotional and cognitive abilities of these groups with specific reference to perspective-taking and social manipulation; and (3) tested the proposition that the personality attributes underlying psychopathy may lead to above-average rates of pro-social "heroic" behaviour as well as to their better-known anti-social behaviour. Implications for the prevention and correction of anti-social behaviour are discussed.

DOUGLAS D. KOSKI

Rutgers University, USA

Tuesday afternoon, session 4 - *Sex crimes***WOMEN NOT BELIEVED:
WIVES AS 'NON-IDEAL' VICTIMS IN DOMESTIC RAPE CASES**

Rape and other sex crimes cases in which consent to the act are at issue are perhaps the prototypical high-ambiguity criminal case. When the victim is the wife of the alleged perpetrator, such cases become especially problematic. Researchers (Bennett & Feldman, Pennington & Hastie) have developed a theory of jury decision making that posits that the means by which verdicts are reached in criminal cases is generally by "story construction": since the evidence is the same for all jurors, but the way it is perceived is not, jurors must have some "shorthand" device by which to resolve differences among them. This examination attempted to determine whether, in that class of cases where ambiguity arguably runs highest—the domestic rape case—jurors would tend to engage in "story construction" to resolve issues of credibility that often comprise much of the ambiguity inherent in marital sex crimes cases. It was hypothesized that in the marital rape circumstance, credibility-resolving story construction may be dependent on the extent to which the victim is viewed as something less than the "ideal" victim. Precisely due to her prior intimate relationship with the perpetrator, she may be denied an "ideal" victim's "complete and legitimate" status (Christie 1986, Stanko 1981). When measured against control groups consisting of stranger and acquaintance rape victims, wives of alleged perpetrators may be bestowed less credibility, and consequently less "legitimacy," than these more "ideal" victims. OLS regression and qualitative ("ask Sam") data analysis tended to support the hypothesis presented.

KATALIN KRASZLAN et al.

Edith Cowan University

Tuesday morning, session 3 - *Drugs and drug policy*

**THE WESTERN AUSTRALIAN COURT DIVERSION SERVICE:
AN EVALUATION OF OUTCOMES**

The Western Australian Court Diversion Service (CDS) is a pre-sentence program which aims to reduce recidivism and increase the likelihood of rehabilitation of offenders with a substance use problem by placing offenders in treatment prior to sentencing. Defendants in the program are given a range of treatment options to choose from and CDS staff co-ordinate placement in a treatment program. Once the defendant is in treatment their progress is monitored by CDS staff, this monitoring includes the use of regular urinalysis. The progress of the defendant in treatment is reported back to the referring court by CDS staff and the progress of the defendant is then taken into account during sentence. A positive CDS report should result in a non-custodial sentence. Although the CDS has been in operation since 1988 a formal evaluation of the outcomes had not been conducted. Thus, there appeared a need to identify the characteristics of CDS clients who complete and do not complete the program and how participation in a CDS directed treatment affects sentence outcome and recidivism rates. The following study reports data, which investigated the profile of CDS clients. Logistic regression was conducted to investigate the effect of various demographic and behavioural variables on outcome. The findings of this study have important implications for assessing the extent to which the CDS is reaching its target population, its cost effectiveness and various system impacts. With current trends towards increasing the scope of diversion programs in Australia, the data from this study provides valuable information on the viability of such programs.

ALISON LIEBLING

University of Cambridge. UK

Wednesday afternoon, 12.15-12.45 - *keynote address*

SHAPING PRISON LIFE: PRISON OFFICERS AND THE USE OF DISCRETION

The study of decision-making, relationships and the use of discretion, is a significant omission in prisons research. There is a consensus amongst prisoners and prison staff that prison work consists mainly of grey areas with small areas of clarity, despite the existence of an increasing number of rules and guidelines. There are constant tensions between common sense and the rule book, just as in policing, and other areas of law in action. Recent policy changes have introduced new areas of discretion into prison life. Prison officers are invested with increased power to distribute highly-prized goods and services to prisoners on the basis of their behaviour. The ways in which officers form judgments is an important feature of prison life, with analogies in all areas of criminal justice decision-making. In a case study' maximum security prison explored in this ethnographic research, power flowed through relationships. Staff and prisoners sometimes described themselves as almost like enemies and in another moment as almost like friends. Our appreciation of this area of prison life is sociologically impoverished. Prison staff have rarely been included in satisfactory ways in accounts of the prison. This paper outlines the use of an innovative Appreciative Inquiry technique, aimed at describing empirically the nature and quality of staff-prisoner relationships, the ways in which they are accomplished, and the broader context of prison officer work. The research shows that the use of discretion and the 'peacemaking' skills of prison staff are underestimated. Prisons are sociologically highly complex, and resistant to management by mechanical rules. This has important implications for those who seek to shape prison life.

JACQUELINE LIPTON

Monash University

Thursday morning, session 2 - *New crimes*

PROPERTY AND CRIMINAL LAW

In the global information age, the legal concept of 'property' is becoming increasingly amorphous, particularly with respect to emerging forms of electronic property / quasi-property. This evolution in the property concept has the potential to impact dramatically on the effectiveness and application of criminal laws aimed at protecting property owners from wrongful interference with their property rights. Recent case law and legislation in the United Kingdom has begun to deal with the impact of the increasing use of electronic funds transfer payments in place of physical payment by cash or cheque on the effective prosecution of property offences. Similar questions are poised to arise in Australia, and many other jurisdictions, in coming years. This paper will examine varying approaches to drafting and prosecution of property offences such as theft, obtaining property by deception and obtaining financial advantage by deception. It will focus on the comparative advantages and disadvantages of these approaches in an age where property is becoming increasingly intangible in practice.

WENDY LOXLEY

National Centre for Research into the Prevention of Drug Abuse, (NCRPDA) Curtin University

Tuesday afternoon, session 5 - *Drugs and drug measurement*

ALL REVVED UP: DRUG USE, INTOXICATION AND OFFENCE TYPE IN TWO GROUPS OF ALLEGED OFFENDERS IN PERTH

The "Psychostimulant Use and Reckless or Violent Behaviour Study" was undertaken by researchers at NCRPDA in collaboration with the WA Police Service. The study consists of two cross-sectional surveys, conducted with a) at liberty volunteer juveniles and adults under suspicion of having committed an offence and b) volunteer adults remanded in custody in Perth prisons. The focus of this paper is drug use, patterns of offending and reported intoxication before the most recent alleged offence. There were high rates of use of most drug classes in both study groups and most respondents could be characterised as polydrug users. Community respondents reported that they had an average of 14 convictions and remand respondents an average of 33.5 convictions. In both study groups the majority of reported offences were breaking and entering or burglary. Almost all respondents reported that they had been using at least one drug in the 48 hours before the most recent alleged offence(s) took place. Between half and two thirds considered themselves to have been intoxicated before the offence(s), and almost one in three stated that they had been in withdrawal for drugs in the 6 hours before the alleged offence(s). The relationships between different types of drugs used before the offence, reported intoxication and withdrawal, and different categories of offences will be explored.

MARK LYNCH

Queensland Criminal Justice Commission

Thursday afternoon, session 1, *Criminal justice system modelling*

**MODELLING THE CRIMINAL JUSTICE SYSTEM:
AN INTEGRATED BUT SHARPLY FOCUSED APPROACH.**

This paper focuses upon the bases of the 116 per cent increase in the Queensland prisoner population since 1993 in an examination of the potential role of statistical models in the delivery of criminal justice services. There is considerable interest at present in models of this type both nationally and internationally. The objective of these endeavours is to contribute towards more effective policy formulation, implementation and evaluation. Because of the promise such statistical models appear to offer, there is a temptation to attempt “grand” models which reveal the underlying dynamics of the criminal justice system by taking into account the complex relations between the key justice system agencies. However, in the interests of maximising the return on our intellectual investment, it is useful to consider the advantages associated with less ambitious approaches to the modelling, and more ambitious approaches to coordinating data management strategies across the criminal justice system. Dramatically reducing the number of parameters considered does not necessarily greatly reduce the usefulness of models of the justice system. Indeed, a strong case can be made that a modest approach which focuses upon particular aspects of the criminal justice system for which cross agency compatible data is available, has the greatest potential to yield policy relevant data which can actually be acted upon by those delivering criminal justice services.

MARK LYNCH

Queensland Criminal Justice Commission

Wednesday afternoon, session 2 - *Crime policy and evaluation of crime prevention*

TOWARDS A RATIONAL CRIME POLICY

Queensland currently has the highest rate of imprisonment in Australia. In the five years between June 1993 and June 1998, the number of persons imprisoned in Queensland increased by 116 per cent. This paper focuses upon the key agencies involved in this sudden increase in the prisoner population. The process of delivering criminal justice services is typically described as the “criminal justice system”. The implication entailed in the use of the word “system” is that a range of discrete arms of government operate in a coordinated and mutually interdependent manner in order to achieve a common goal. This conception ignores the very obvious fact that in most jurisdictions the key agencies involved are characterized by divergent operational imperatives and a highly developed interest in preserving their independence. The failure to coordinate the delivery of criminal justice services can ultimately result in the implementation of irrational and fiscally unsustainable strategies. The price of this irrationality is the sacrifice of the very social services which would provide the most effective long term response to crime.

DOUG McCAFFERY

Assistant Commissioner

Western Australia Police Service

Tuesday morning, session 1 - *WA Police symposium*

WA POLICE SERVICE HAS THE RECIPE RIGHT

For a number of years it has been acknowledged internationally that there is a need for a new direction in policing, one that sees a whole of community approach to law and order, one that addresses the underlying causes of crime and anti-social behaviour, and one that certainly sees police expanding on their traditional

role as law enforcers. Despite this acknowledgment, governments and policing agencies throughout the world have had limited and varying success in having this new philosophy embraced at a whole of government and whole of community basis. The Western Australia Police Service is at the leading edge in achieving this profound change and has already attracted international interest. Through its Delta Program the Western Australia Police Service is transforming the agency's Style, Standards, Structure and Systems, which encompasses changes to the organisational culture and individuals' attitude and behaviour. There is improved efficiency and effectiveness in the more traditional roles of law enforcement, including the apprehension of offenders and the resolution of crime. Simultaneously the Western Australia Police Service has been able to introduce many innovative and new strategies to address the social issues that underpin and contribute to the incidents of crime and anti-social behaviour. In this special symposium senior police personnel will describe how "world class policing" has been introduced and embraced by the organisation, the broader public sector and the community in general. This session will demonstrate how the application of a local level, problem solving approach, featuring 'partnerships' can and is delivering service improvements in both the proactive and reactive spheres.

DOUG MCKENZIE and BRUCE FLAHERTY

NSW Police Service/Attorney General's Dept

Thursday afternoon, session 3 - *Effective crime prevention*

SAFER TOWNS AND CITIES HOUSEBREAKING REDUCTION PROJECT

Residential burglary is one of the most common crimes in Australia and a major issue of concern to the Australian public. Traditional Law enforcement response to crime have been largely reactive and respond primarily to single incidents, recidivist offenders and audits of pawnbroker and second hand dealer businesses. These responses have only marginal impact on overall crime levels. One of the most promising strategies is the concentration of scarce police resources and community crime prevention activity on multiple victimisation. Using the United Kingdom's Homesafe Project as a model, the Safter Towns and Cities Housebreaking Reduction Project was introduced in the NSW Local Area Commands of Ashfield and Mid North Coast in January 1999. Funding for the project was provided by the Crime Prevention Unit of the NSW Attorney General's Department. The aim of this project is to introduce a multi-faceted housebreaking strategy as part of a standardised police response to reduce property theft. The core activity is the Security Assessment conducted on each premises burgled throughout 1999. Burglary victims are then forwarded information on how to reduce their burglary risk and followed-up by phone a month later about any repeat victimisation and changes to their household security. Responses to these calls have been overwhelmingly positive. General security information is also mailed to each residence in the two local area commands. Specific operations on hotspot areas, target hardening of highly victimised premises, and increasing the rate of fingerprint collection at burgled premises are also critical elements. Evaluation of the project will enable recommendations to be made about future policing in NSW.

SHANE MCKENZIE

University of Melbourne

Tuesday morning, session 4 - *Crime prevention*

CHILD SAFETY ON THE INTERNET IN VICTORIAN SCHOOLS

Technological innovations such as the Internet have extended the boundaries and horizons to which parents, teachers and care givers must look to prevent physical and mental harm to children. Modern schools present a unique environment for both criminal opportunities and crime control. Following an introduction to the study presented at last year's ANZSOC conference, this paper reports the findings of a thesis study which examined issues of criminal opportunities, child safety and crime prevention in relation to Internet use in Victorian schools and homes. The study involved analyses of school websites, "acceptable use" policies, and Internet management software contracted for schools by the Victorian Department of Education, and an exploratory survey of the knowledge and experiences of primary and secondary school staff, parents, Internet service providers and government agencies. The paper will also discuss some traditional crime prevention theories.

DIANNE MCKILLOP Edith Cowan University

JEFFREY PFEIFER University of Regina, Canada

Wednesday morning, session 4 - *Policing domestic violence*

DECISION MAKING AND DOMESTIC VIOLENCE INTERVENTION: EXAMINING THE ROLE OF DISCRETION IN POLICE JUDGMENTS

Police employ a significant amount of discretion when intervening in domestic violence incidents. Decisions may be influenced by factors such as officers' experience, perceptions, attitudes and beliefs. The dynamics surrounding these discretionary decisions deserve examination given research suggesting they may be subject to cognitive biases. This paper presents data from Western Australia police officers' reports on incidents involving domestic violence. The reports include information regarding specific reasons for the action taken and the cognitive weight assigned to them. Results indicate consistencies. The data are discussed in terms of their value in producing a training package for officers dealing with domestic violence.

DIANNE MCKILLOP, EDWARD HELMES Edith Cowan University

ADELMA HILLS University of Western Sydney

Thursday morning, session 4 - *Offenders and the courts*

WHO DO WE TRUST? CONTEMPORARY PUBLIC VIEWS ON THE STATUS AND TRUSTWORTHINESS OF LAWYERS, POLICE OFFICERS AND OTHERS

Recent studies that examined the relationship between perceived social status and trustworthiness of various groups produced interesting and topical data on public views of lawyers and police. Broadly, thirty-seven per cent of respondents saw lawyers as having high social status as a result of their perceived high income, wealth, education and power, respectively. Six per cent of the same sample of people nominated police as a high status group because of their power and the trust and respect that people have for them. Thirteen per cent of people in a comparable sample volunteered that lawyers are a group of people they distrust because "they lie for a living" and "they are motivated by greed". Eleven per cent of these people distrusted police because they saw them as corrupt and/or as abusers of power. However, twenty-seven per cent of the same sample perceived police as a group they can trust because it is their job to protect and help people. Results will be compared to the perceived status and trustworthiness of other groups.

NEIL MORGAN

Crime Research Centre, UWA

Wednesday morning, session 1 -*Sentencing symposium*

**ACCOUNTABILITY, TRANSPARENCY AND JUSTICE:
DO WE NEED A SENTENCING MATRIX?**

US 'grid'-style sentencing appears destined to become part of the Australian sentencing scene. In October 1998 a Bill was tabled in the Parliament of Western Australia to pave the way for a 'Sentencing Matrix'. The Bill is currently under consideration by the Parliament of Western Australia and has attracted political interest across Australia. The official rationale behind the Bill is to provide greater 'accountability and transparency' to the sentencing process. It envisages a three-stage process with respect to selected offences. The first stage will require the courts to quantify the weight that has been given to each factor in reaching a sentence. The second stage will involve the publication of 'benchmarks' or 'indicative sentences' but will permit a degree of flexibility on the part of the courts. The third stage will be a regime of 'presumptive' sentences from which it will be extremely hard to depart. The first part of the paper traces the factors behind the proposed 'matrix' and compares the US experience. It argues that in Western Australia, the factors are primarily political rather than being based on a rational appraisal of the current system. However, the courts must also take some responsibility for the situation because they have failed to utilise mechanisms such as the guideline judgement in order to 'package' and 'market' their practices to best effect. The second part of the paper evaluates the proposed three-stage process. The model has profound ramifications at all stages, but especially the second and third stages. It will not result in greater transparency and accountability. It will however, inevitably lead to injustice. By stage three, politics will have become the direct determinant of sentencing levels.

DALE MURRAY

Queensland Police Service (QPS)

Wednesday morning, session 4 - *Policing domestic violence*

THE QUEENSLAND POLICE SERVICE AND DOMESTIC VIOLENCE

This paper discusses the commitment of the QPS in addressing domestic violence in the community and how this commitment is reflected in QPS policy and procedure. The paper also outlines:

1. The quantity and quality of training QPS officers receive in relation to domestic violence;
2. The police role when attending domestic violence incidents;
3. The role of divisional, district and regional domestic violence liaison officers;
4. The limitations of the police response to domestic violence incidents;
5. Some of the difficulties encountered by police when responding to domestic violence incidents;
6. The cost and time associated with the police response to domestic violence incidents;
7. Some of the dangers faced by police when attending domestic violence incidents;
8. Examples of successful projects the QPS has implemented in Queensland to assist domestic violence victims.

JOHN MYRTLE

Australian Institute of Criminology

Tuesday morning, session 5 - *Crime measurement and research*

WEBSITE WORK AT THE AUSTRALIAN INSTITUTE OF CRIMINOLOGY

[The Australian Institute of Criminology's website \(www.aic.gov.au\)](http://www.aic.gov.au) was launched in June 1996. Since that time it has developed to be a significant source of information for students, teachers and practitioners. This paper will outline the approach taken by Institute staff in developing the website; 'text-rich' in terms of both documents and data. In recent months the Institute has contracted to develop websites for two other organisations and the paper will also comment on these developments

BRONWYN NAYLOR

Monash University

Wednesday afternoon, session 3 - *Domestic violence and the courts*

VIOLENT MOTHERS: MEDIA AND LEGAL DISCOURSES

Mothers who kill or injure their children challenge understandings both of 'the maternal' and of crime itself. Criminal prosecutions of violent mothers, and media reports of these proceedings, construct explanatory narratives which draw centrally on notions of the maternal, whether to excuse or condemn. This paper will analyse the construction of the good and bad mother in criminal proceedings involving women charged with violence towards their children, with a focus on textual analysis of court transcripts and associated media reports.

PAUL OMAJI

Edith Cowan University

Thursday afternoon, session 3 - *Effective crime prevention*

EVALUATING POLICE CRIME PREVENTION INITIATIVES

As law enforcement agencies around the world come under increasing pressures to increase crime prevention strategies, the call to have their initiatives in this area evaluated has equally hit a high pitch. Against this background, this paper discusses the critical issues that emerged from a recent evaluation of a Western Australia Police Service community policing and crime prevention initiative. The PC COPS project, which was the subject of this evaluation, is a computer-based communication tool used by the police to provide an alert system and an inquiry service for the public. As the paper will show, its history and implementation highlight key lessons that are relevant to the evaluation of criminological projects.

DONNA PATERSON

WA Domestic Violence Prevention Unit

Tuesday morning, session 4 - *Crime prevention***FREEDOM FROM FEAR CAMPAIGN AGAINST DOMESTIC VIOLENCE:
A revolutionary approach to changing the beliefs, attitudes and behaviour of violent men**

The Western Australian Government, through its Domestic Violence Prevention Unit, has extended the boundaries of domestic violence prevention campaigns by developing a campaign targeting male perpetrators and men 'at risk' of perpetrating domestic violence. This campaign is a unique initiative, being the first non-punitive campaign focussing primarily on perpetrators (and potential perpetrators), asking them to seek help to change their violent ways. The logic is that if violent men voluntarily change their violent behaviour, this will not only reduce the incidence of violence, but also reduce the fear felt by their women partners (and children). An enormous amount of consultation and research was conducted specifically to ascertain how the issue of domestic violence could be addressed in a new and meaningful way that could result in a long-term reduction of violent behaviour. The challenge in developing this campaign was how to effectively engage and communicate to male perpetrators through the mass media, without colluding with or justifying their behaviour. At the same time, it was essential to avoid any negative consequences on victims of domestic violence, such as blaming or creating feelings of guilt or helplessness. The campaign is led by a comprehensive mass media "umbrella" which in the first phase utilised television, radio, press and poster advertising. This "umbrella" is supported by a combination of strategies that work to support and reinforce the key campaign messages, and create environments that promote and sustain intentions towards and actual behaviour change. Examples of the campaign advertising and promotional material, and phase one evaluation results will also be presented.

GEORGE PAVLICH

University of Auckland

Thursday morning, session 3 - *Criminological futures***POSTMODERN ACCUSATION: THE ART OF GOVERNING THE RISKY**

This paper explores the possibility of a radical criminology under contemporary (post-disciplinary? Postmodern?) conditions. In particular, it calls for attention to be focused on the 'logic' of an emerging art of governing through 'accusation' outside modern legal structures. This approach could examine an emerging 'governmentality' that assumes various guises. It will point to some examples, including that of 'crime prevention' strategies which 'accuse' by developing profiles of individuals 'at risk of offending'. Drawing on a grammar of critique beyond that of founded judgement, the proposed radical criminology would seek to develop 'mentalities' that address the possibility of how not to be governed in this way.

JOHN PRATT

Victoria University

Thursday afternoon, 1.30-2.00 - *keynote address***PUNISHMENT, SHAME AND SOCIAL ORDER**

Over the course of the last decade or so, it has become increasingly apparent that the modern penalty is undergoing significant change. New strategies, technologies and cultural values seem to be reversing or reshaping many of the hitherto well established assumptions about the trajectory of punishment in the modern world. One aspect of these new penal arrangements - perhaps an aspect that would have been most unthinkable just a little more than a decade ago - involves growing recourse to the use of shaming

punishments. ‘Unthinkable’ would seem an appropriate term to use to describe the disjuncture that existed between shame and punishment at that point. When we consult the leading textbooks on sentencing of that period, most include no reference at all to shame or shaming sanctions (see Ashworth 1983; Boyle and Allen 1985; Wasik and Pease 1987); or, if there is any reference, the issue is one of how this then unwanted feature of the penal world might be minimised (Walker 1985). That it has since become such an important motif of penal development from all sides of the political spectrum (see, for example, Braithwaite 1989, Anderson 1995) would seem to indicate that we may well be in the process of moving into a distinctly new penal realm. What I thus want to explore in this paper is the general relationship between punishment, shame and modern society. Why was it the case that shaming sanctions had become so unthinkable just a short time ago; why is that since then they have become so prominent; and what is this resurgence of shame telling us about the nature of social order today?

HANK PRUNCKUN

Courts Administration Authority, South Australia & University of South Australia

Tuesday morning, session 3 - *Drugs and drug policy*

HEROIN POLICY

This study analysed the Australia’s policy aimed at reducing the supply of heroin into the country during the years 1988 to 1996. Australia has a prohibition policy, enshrined in legislation, which forbids the importation of heroin for all purposes, including medical. Compliance is the responsibility of various Commonwealth and State law enforcement agencies. Since the 1960s, successive governments have employed a “target hardening” policy to combat heroin trafficking. Target hardening is a reactive approach based on a theory that finds its origins in rational-choice theory. This policy has been in contrast to taking a more interventionist stance, such as crop eradication programs like the US Drug Enforcement Agency in South America. The target hardening approach was also favoured over a medical model of addressing the problem - one employing a demand reduction approach. Target hardening has been employed for several decades in many Western industrialised countries to deal with domestic crime issues and its successes are well documented. However, its application in Australia to heroin trafficking has not been extensively analysed. The research methodology employed in this study was based on a goal-oriented approach. It employed time-series analyses to analyses outcomes related to Australia’s prohibition of heroin. Data were collected from each state’s bureau of criminal intelligence or drug squad and consisted of illicit drug prices. This hitherto classified intelligence were obtained with the approval of the nation’s Police Commissioners. The results of the analyses showed that there was no statistically significant reduction in the amount of heroin being illegally imported into Australia during over the eight years of the study. Indicators of this was the fact that no reduction in the price paid for heroin either at street-level or in dealer quantities occurred during this time, and the purity of the heroin offered for sale was found to have increased. The study was able to estimate a more accurate estimate for the price being paid for heroin (\$3 billion) and likely to be “laundered” out of the country. The study concluded that there was no empirical evidence to support the a law enforcement supply reduction policy. However, the data suggests that a solution which places its emphasis on demand/harm reduction instead is more likely to achieve the policy’s goal.

CAROL QUADRELLI

Queensland University of Technology

Wednesday afternoon, session 5 - *Gender and imprisonment*

THE GILDED CAGE: GENDER AND REHABILITATION

Female imprisonment rates, for both juveniles and adults, have dramatically increased over the last two decades at state, national and international levels. Yet the experiences of such large numbers of women remain relatively invisible. The purpose of this paper, therefore, is to explore the gendered space of a women's prison, the Brisbane Women's Correctional Centre, from the women's perspective and how stereotypical notions impact upon the support services and programs provided to women inmates. The data has been collated from 60 face to face interviews conducted with BWCC residents. Critical issues identified by the women hold serious ramifications if the desired outcome of the 'rehabilitated good woman' is to be realised. The findings presented are part of a soon to be completed doctoral thesis titled *The Social Construction of Women as Offenders: Female Experiences of the Queensland Criminal Justice System*. The central tenet of this research posits that it is not whether women are treated differently per se, but how different categories of women are perceived and socially constructed within criminal justice discourses and the judicial system's 'processing' of such categories of women.

SHAMS-UR RAHMAN Graduate School of Management, University of WA

JOHN FERNANDEZ Crime Research Centre, University of WA

Thursday afternoon, session 4 - *Violent crime*

ASSESSING VIOLENT CRIMES IN WESTERN AUSTRALIA: A UNIVARIATE ANALYSIS

The most widely cited statistics on crime rates in Western Australia come from the Western Australia Police Service (WAPS). Violent crimes recorded by the WAPS shows that the incidence of recorded crimes has been increasing steadily over the past two decades. In September 1994, the WAPS launched the 'Delta Program', designed to achieve profound, radical and lasting change within the WAPS and create a safer and more secure Western Australia by providing quality police services. While positive media attention has been directed towards the WAPS, acclaiming success of its 'Delta Program', there has also been some scepticism about the significance of the decline in crime rates relative to resources allocated for this program. Much of the work on analysing crimes has utilised a regression approach, modeling recorded crime rates as a function of economic and demographic variables. Research on violent crimes in the Western Australian context is limited. Most of the studies have applied time series plots to identify trends of crime rates. The purpose of this study is to determine if there has been a statistically significant change in recorded violent crimes over a specified period, and particularly since the inception of the WAPS's 'Delta Program', by employing a univariate approach such as the process control charts. Results from a preliminary analysis on crimes such as homicide are presented, and a more rigorous analysis using this methodology on a larger data set for violent crimes is proposed.

JERRY RATCLIFFE

Charles Sturt University

Tuesday afternoon, session 2 - *Police: New techniques and technologies*

HOT SPOT ANALYSIS: POLICING THE RIGHT PLACE AT THE RIGHT TIME?

Crime mapping systems are a growing fashion in police forces around the world. A number of Australian forces are investing in the technology and almost 50% of UK forces now map crime at a divisional level.

With the current enthusiasm for intelligence-led policing, mapping is seen as another weapon in the police intelligence officers arsenal, but are mapping systems telling the police something they already know? The assumption is that by mapping the incidence of crime, patterns and intelligence will become obvious that would otherwise have remained hidden. This study examines this hypothesis by using crime hotspots as a means of assessing the local knowledge of police officers, and asks the question: Do the police, through their day-to-day work, already know where the high crime areas are located? Crime hotspots, generated by an innovative spatial two-stage process, are compared to a hotspot perception survey of officers on a police division in Nottingham, UK. The results showed that the local knowledge of patrolling officers varies with both the type of crime and the individual police station. The results suggest that in some circumstances a crime mapping systems would be beneficial, but more importantly the work has highlighted problems in the divisional intelligence dissemination process.

ERRY RATCLIFFE

Charles Sturt University

Wednesday morning, session 5 - *Crime patterns*

RELATING DEPRIVATION AND REPEAT VICTIMISATION IN SOUTH NOTTINGHAM

A study of most burglary patterns will show that there are certain premises that are burgled more than once, and it has been recognised that preventing these repeat attacks can help to reduce the level of crime. Modern computer systems can identify where repeats have occurred but the knowledge can often come too late to implement the necessary crime prevention action. An understanding of the relationship between repeat victimisation distribution and socio-economic conditions can assist crime prevention agencies in targeting their resources to the most vulnerable areas. In this paper, a geographical information system (GIS) is used to examine burglary locations against a measure of local deprivation in an attempt to elicit greater understanding of the relationship between repeat burglaries and socio-economic, but rarely in a spatial context nor in relation to premises that are not the victim of repeat attacks. A technique is demonstrated that uses an areally-weighted approach to minimise errors in police georeferenced crime points. The technique also considers the proximity of nearby deprivation values and includes their influence in the calculation of a weighted average. The result is a measure of deprivation in the vicinity of the crime location. This process is applied to one division of Nottinghamshire Police (UK) and the results show that repeat victimisation is concentrated in more deprived areas. With this technique, identifying repeat victimisation after it has happened can be augmented by an appreciation of future vulnerable repeat victimisation areas.

JEREMY RIGG

Crown Solicitor's Office

Wednesday morning, session 2 - *Prisons administration*

MEASURES OF PERCEIVED COERCION IN PRISON TREATMENT SETTINGS

Treatment programmes for offenders raise many ethical and legal dilemmas, in the context of an ongoing tension between enhancing community safety and preserving individual liberties. In particular, the presence of coercive authority presents conflicts for treatment providers, in terms of their ability to obtain voluntary, informed consent, the confidentiality of the treatment relationship and maintaining professional autonomy. This paper presents the results of a study examining the role coercive authority plays in inmates' participation in sex offender treatment programmes in a prison setting. A group of inmates participated in a semi-structured interview as a means of assessing their perceptions of coercion within the treatment process. The results of those interviews are presented, and the implications for inmates' rights to refuse treatment are discussed.

EMMA RYAN

Institute of Criminology, University of Melbourne

Wednesday afternoon, session 4 - *Police administration*

RIGHTEOUS BULLETS: THE MORAL DIMENSIONS OF POLICE USE OF DEADLY FORCE

This research looks at the moral complexities of the use of lethal force by police against citizens with a focus on four shootings in Victoria. The data is drawn from the files of the Victorian Coroner have resulted in findings of ‘justifiable homicide’, or in other words little or no contribution by police. The research explores the gaps between what is legally justified and what is morally or ethically justified and argues that when considering cases wherein police use lethal force against citizens. Coroners do not consider the issues from within a moral framework but rather from within a legal framework. As such, it is argued that many instances of police misbehaviour are being sanctioned by the Court; being legal is not always being moral. This tends to leave the community with the impression that there is no problem and that they do not need to demand higher standards of police. It has been argued that “the community gets the police force it deserves”; this research argues that the Victorian public deserves better and so must demand more of its police. It cannot do so without being properly informed. Accountability measures play a vital role in ensuring that police, as our representatives, operate as we would want them to, but the success of such measures is often premised on the successful fact finding of bodies such as the Coroner’s Office. It is therefore argued that investigatory bodies, such as the Coroner’s Court, play a vital role in the assurance of high standards of policing and that moral issues as well as legal issues should be considered in such a setting.

RICK SARRE

University of South Australia

Wednesday afternoon, session 2 - *Crime policy and evaluation of crime prevention*

GOVERNANCE

It is becoming quite apparent that governance is becoming increasingly de-centred and fragmented in modern western societies, and, as a corollary, justice systems are becoming less and less important in the processes of social ordering. Observing how governmental power, including the power to regulate and punish, is being re-ordered provides a renewed opportunity to theorise the nature of governance. This paper reviews these themes in light of related governance / regulatory practices currently manifesting themselves: the moves to corporate responsibility, to buy private policing and security, to manipulate insurance, to use the civil law as a tool of deterrence, and so forth. What are the consequences of these shifts towards de-centralised governance? What may be the dangers; the safeguards?

MARY C SCHOLLUM

New Zealand Police

Tuesday afternoon, session 3 - *Courts and alternatives*

POLICE DIVERSION: THE NEW ZEALAND PERSPECTIVE

The Police Adult Diversion Scheme, commonly known as diversion, was officially introduced in New Zealand in 1988. Under this scheme, selected cases (usually on the basis of offence severity, offender admitting guilt, victim agreement, and whether the offender is a first-time offender) are diverted from the formal court system after an offender's first court appearance. Satisfactory completion of the diversion conditions results in the charge being withdrawn. The paper will describe diversion, then examine it to see how, and where, it fits in a criminal justice system that has seen two contrasting trends evolve over the last 15 years or so. These have been described as the Conventional Justice model and the Restorative Justice model. Diversion incorporates aspects of both these models. Despite widespread acceptance of the scheme amongst criminal justice practitioners, recent research has revealed wide variations in police practice in terms of the selection of offences and offenders likely to be diverted, and the means by which diversion conditions are carried out. The research suggests these variations impact most particularly on Maori offenders and Maori service providers and organisations, and makes recommendations aimed at increasing Maori involvement in the diversion process. The research also makes recommendations aimed at improving diversion practice generally. The paper will present the findings of this research and the response of the New Zealand Police.

SUSAN SENIOR and BRIAN WOOLLER

Ministry of Justice Western Australia

Wednesday morning, session 3 - *Corrections policy and programs*

ABORIGINAL FAMILY SUPERVISION PROGRAM

This paper will examine the antecedents leading to the establishment of the Aboriginal Family Supervision Programme (AFSP) within the Community Based Services Directorate of the Ministry of Justice in July 1996. These antecedents include recommendations arising from the Royal Commission into Aboriginal Deaths in Custody 1991 and a survey of Aboriginal families in the northern suburbs of the Perth metropolitan area in 1995. The over representation of Aboriginal people within the criminal justice system as a major concern for program and policy development will be discussed. The target group for this program is Aboriginal young offenders, 16 to 21 years of age, who are provided with a mentor acceptable to both of them and their family in consultation with their respective case officer and Program Coordinator. This program is a recent initiative. The program was reviewed after the first year of operation and was evaluated in late 1998. The outcome of this evaluation will be shared with the participants along with more recent developments. The paper will also examine the theoretical, political and professional content of the program through an examination of its historical development, its objectives and outcomes.

RUSSELL G SMITH

Australian Institute of Criminology

Thursday morning, session 2 - *New crimes*

DEFRAUDING GOVERNMENTS IN THE 21ST CENTURY

Throughout the developed world, governments have found that considerable benefits can be derived through the delivery of services electronically. Not only are people able to respond to official requests for information via computers, but they can request the payment of benefits and receive funds by way of electronic transfers made directly to their bank accounts. In addition, computer technologies now play a critical role in the daily activities of public servants. This paper examines how these developments are able to be put to improper use and how the continued expansion in the use of computer technologies by government agencies will create additional risks of illegal and fraudulent conduct in the future. A variety of solutions to the problem, some new and some not-so-new, are also described.

ANNA STEWART

Griffith University

Wednesday morning, session 4 - *Policing domestic violence*

POLICE AND THE PREVENTION OF DOMESTIC VIOLENCE

It is extremely important to have a strong and consistent criminal justice response to domestic violence. However, the criminal justice system alone does not appear to be able to prevent this serious social problem. In this paper some of the reasons why police and the criminal justice system alone can not prevent domestic violence are explored. Most domestic violence does not come to the attention of the police. Additionally, the very nature of domestic violence makes it extremely difficult to intervene using traditional policing strategies. Furthermore, recent research has indicated that there are a number of unintended consequences of criminal justice interventions. Following police intervention perpetrators of domestic violence may increase the violence or, if the opportunity to victimise is blocked, move to another victim. This paper will draw on the current criminological literature and a number of studies conducted by the author examining the policing of domestic violence. The purpose of this paper is threefold. First, theoretical frameworks relating to the policing of domestic violence will be examined. Following this some of the reasons why policing can not fully prevent or control domestic violence will be explored. Finally, some of the recent innovative policing strategies for preventing domestic violence will be discussed.

HEATHER STRANG,

Australian National University, Canberra

Tuesday afternoon, session 3 - *Courts and alternatives*

RESTORATIVE JUSTICE CONFERENCING: WHAT HAVE WE LEARNT SO FAR ABOUT ITS EFFECTIVENESS COMPARED WITH COURT?

Restorative justice, as an alternative to the limitations of both retributive and rehabilitative models of dealing with crime, is a social movement riding a wave world-wide at present. Although encouraging reports are being received from many parts of the world on the value of the restorative approach, rigorous research of various kinds - both qualitative and quantitative - is needed to determine its effectiveness compared with the standard court approach to offending. Much valuable data is emerging from the Reintegrative Shaming Experiments (RISE) presently being conducted in Canberra and the paper will present an update of findings relating to the effectiveness of the ACT restorative justice conferencing program on a variety of outcome criteria, compared with court.

JULIE STUBBS

University of Sydney

Wednesday afternoon, session 3 - *Domestic violence and the courts*

MOVING BEYOND BATTERED WOMAN SYNDROME? A COMPARATIVE ASSESSMENT OF THE USE OF BWS IN AUSTRALIA, THE US AND CANADA

The paper compares the Australian use of expert testimony concerning battered women syndrome (BWS) with Canadian and US experience. Although Australian courts have been receptive to evidence concerning BWS, the nature and use of evidence concerning battering and its effects has been narrowly construed. Notwithstanding the recent decision of the High Court of Australia in *Osland*, Australia still lacks a lead decision which demonstrates clearly why evidence concerning battering and its effects might have value in self defence cases or other contexts. The paper documents recent developments in Canada and the United States which provide authority for the proposition that BWS is outmoded and unduly constraining. Consistent with feminist criticism, it is increasingly being recognised in North America that the construct 'battered woman syndrome' is understood to suggest pathology or incapacity and thus has the potential to undermine claims to self defence. The paper discusses the move towards broader 'social framework evidence' to assist decision makers at all stages of the legal process to understand the relevance of domestic violence and its effects.

DAVID TAIT

University of Melbourne

Wednesday afternoon, session 1 - *User Friendly Justice*

A panel session with Louise St John Kennedy, Marion Brewer and Ralph Simmonds

**USER-FRIENDLY JUSTICE:
TRANSFORMING SPACES AND PRACTICES IN WESTERN AUSTRALIAN COURTS**

The Western Australian Law Reform Commission has carried out a major review of a range of areas of criminal and civil law. One of these studies investigated the 'architectural psychology' of courts. How does the physical and aesthetic setting of the court promote or hinder the justice process? What practices and rituals allow lay users to participate more effectively, to feel safe and to have their dignity respected? The panel provides a critique of existing courtroom spaces and practices, and examine alternatives which could provide more user-friendly court environments.

TAKEMURA NORIYOSHI

University of Yokohama

Thursday morning, session 3 - *Criminological futures*

CRIME INFORMATION AND THEIR CONTROL IN POST MODERN SOCIETY

In the highly-informationalized society all incidents are informationalized and processed as information. As a distance between information and reality shrink, a boundary between reality and fiction becomes blurred. In the world of hyper-reality a representation is constructed more really than reality. In such an hyper-real world, there exist only plural latent possibilities and a so-called reality is only one hypothesis of those possibilities. What is selected and agreed as “reality” depends on “contingency.” A discourse system selects one out of plural latent possibilities and establish it as reality. Postmodern knowledge puts a self-organizing view of order against mechanical view of a modern science. It suggests a generic model of decentralized and paralogical order. According to Ilya Prigogine, it is necessary for a system to be open to its environment and coordinate itself through exchanges with its environment in order to maintain its order. We can imagine an open-system in which its order and structure are maintained through inputs and outputs of materials, enegies, information, and so on between a system and its environment. An amplification of uncertainty on the micro-level produces a pattern on the macro- level and, as a consequence, a self-organization of general order emerges. Such an order formation apparently differs from a control from the center with certain aims. In the postmodern situation, there appears not a results-oriented control but a “rhizome” in motion which eternally pursue an articulation of differences and a self-compilation of meanings.

BARBARA THOMPSON

NSW Department of Corrective Services

Thursday afternoon, session 1 - *Criminal justice system modelling*

PROJECTING THE PRISON POPULATION - A PERSPECTIVE FROM THE NSW DEPARTMENT OF CORRECTIVE SERVICES

This paper discusses four scenarios for population projections: (a) predicting the actual population in a stable situation assuming the stable situation continues, (b) predicting the actual population in an unstable situation assuming the unstable situation continues, (c) predicting the actual future population and (d) predicting a hypothetical population under a hypothetical change in the current situation. This includes a look at some factors relating to the recent sharp increase in the number of prisoners in NSW. The results lead to some conclusions about the practicality of modelling the Criminal Justice System.

STEPHEN THORNE

City of Gosnells

Thursday afternoon, session 3 - *Effective crime prevention*

CITY OF GOSNELLS SAFE CITY INITIATIVE

The City of Gosnells Safe City Initiative is of state, national and international significance, and has been acknowledged locally and nationally as an innovative, holistic and outcome focussed initiative.

During 1997 a customer survey highlighted community safety as the key issue and number one priority for the City of Gosnells community. In response the Council has developed the Safe City Initiative, which incorporates a range of strategies and measures to address the issue of community safety. The Safe City Initiative is a multi-dimensional package of measures, which proposes crime prevention strategies that are

integrated, and coordinated. The focus is on short, medium and long term preventative strategies, as well as the important issue of changing perception about crime in the community. Fundamental to the success of this has been community involvement. One interesting aspect of the Initiative is the introduction of the innovative computer-based Space Syntax technique, which has been introduced to attempt to “design out crime”. This are based on extensive evidence-based research of crime as it occurs in the City and the relationship of those crimes to key environmental factors. This has helped Council develop policies, which will result in safer communities by design. The findings of this analysis are comprehensive and controversial as they fly in the face of conventional planning wisdom, and the theories of “defensible space”. While the Space Syntax methods have been applied successfully in many cities around the world, this study is the first of its kind in an Australian city. Not only is it breaking new ground here in Australia, but because of the unique characteristics of Australian cities, is adding to international knowledge of the theory and practice of Space Syntax and crime prevention by design.

JAMES TUNNEY,

University of Abertay, Dundee, Scotland.

Thursday morning, session 3 - *Criminological futures*

A CRITIQUE, A PREDICTION AND A PARADIGM FOR FUTURE SYSTEMS OF CRIMINAL LAW

Legal systems, criminal law and criminology do not operate in a vacuum. They interact reflexively with each other and the forces around them. We are at a point, where the momentum of contemporary, flawed systems and the emergence of significant new ones, are causing a degree of instability and confusion. The paper will commence with a critique of criminal legal systems in western liberal democracies, many of which, it is suggested, derive from systems failures. Systems failures are inextricably linked to what lawyers do, how they are trained and how they operate. After criticising the status quo, it will identify a spectrum of contemporary forces of changes, which will affect existing criminal legal systems, directly and indirectly. It is imperative therefore to seek to predict, from an identification of the trends in law, where law is going. Then it will be argued that the principal solution will be a preventative or prophylactic one. The paper will articulate the main contours of such a paradigm in a practical way, drawing on a number of potentially complementary bases, such as management accounting, oriental and indigenous philosophy. It will seek to illustrate how they might apply to law in general, criminal legal systems, criminology and legal education. The author’s will draw on his experience in Ireland, Scotland, Lesotho, Finland, Canada, Java and Russia to illustrate how such a paradigm might be realised in practice, to prepare for the future of law, criminal law and criminology. Thus the paper will aim to be a useful theoretical analysis, but will also seek to combine a practical approach. It will draw from a number of disciplines in order to support its thesis.

BILL TYLER

Northern Territory University

Tuesday afternoon, session 1 - *Indigenous issues*

RACIAL IDENTIFICATION AND INDIGENOUS CRIME STATISTICS: THE DEMOGRAPHIC CHALLENGE

Demographic indications of an ‘explosion’ in Indigenous populations in the settler societies of Australia, Canada and the US pose a challenge to the estimation of trends in Indigenous criminal justice statistics. This paper addresses this issue through a socio-spatial model which explores the interaction between the socio-economic contexts of offending and the cultural dynamics of racial self-identification. This model provides the basis for a more context-sensitive analysis of the relationship between Aboriginal identity and crime, with implications for a developing critique of processes by which rates of Indigenous offending, victimisation and criminalisation are generated.

KATE WARNER

University of Tasmania

Wednesday morning, session 1 - *Sentencing symposium*

SENTENCING SEXUAL OFFENDERS IN THE UK AND AUSTRALIA

Concerns have been voiced that sentences for sexual assault show a lack of understanding of the impact of the offence on the victim's life and a general failure to take sexual assault seriously. There is a perception that in sentencing for sexual assault, judges demonstrate sexist attitudes. The suggestion that the rape of a prostitute is less grave than the rape of a 'chaste' woman is but one example. Others include the assertion that rape by someone known to the victim is not as bad as rape by a stranger, that is a mitigating factor if the victim is unconscious or drunk, if the victim was imprudently hitchhiking, or if the victim was dressed provocatively or had raised the offender's expectations. Nor are allegations of sexism confined to matters relating to the victim. It has been suggested that judicial attitudes to types of penetration display sexism, such as the suggestion that rape with an inanimate object is less serious than penile rape.

This paper will explore these criticisms. The sentencing patterns for rape will be examined in each jurisdiction and compared with sentencing patterns for robbery and grievous bodily harm to explore the suggestion that rape is dealt with too leniently. Then how the following sentencing issues have been treated by appellate decisions in Australia and the United Kingdom will be examined:

- the fact the victim was intimately known to the offender;
- the prior sexual history of the victim;
- imprudent behaviour by the victim, provocative behaviour or dress or encouraging the offender;
- the unconscious or intoxicated state of the victim;
- the type of penetration.

DON WEATHERBURN

NSW Bureau of Crime Statistics and Research

Thursday morning, 9.45-10.30 - *keynote address*

CRIMINOLOGY, PUBLIC POLICY AND THE FOURTH ESTATE

One of the great puzzles of criminology is that it exerts far less influence on public policy than other social sciences, such as economics, which rest on less secure theoretical and empirical foundations. Criminologists, both inside and outside the academy, usually blame this on the susceptibility of the general public to moral panics and the willingness of the media and politicians to exploit this susceptibility for commercial or party-political ends. But this is only half the story. Criminologists cannot escape part of the blame for the limited influence which criminology has had on public. We are too dismissive of public concern about crime, we make too little effort to understand short term trends in crime, we skirt around the fact that some coercive options for dealing with crime are probably quite effective even if they do raise real and justified concerns about violations of civil liberty, we are too dismissive of 'administrative criminology' and we often communicate poorly with the media and Government. Once upon a time this was all a loss to public policy but no real skin of the nose of criminology. That is no longer true. Pressures are emerging which threaten criminological research with death by a thousand funding cuts unless criminologists make a determined effort to assert more influence on public policy. Criminologists can and should take up this challenge. They should rise above what John Braithwaite once called 'their entrenched niches of expertise', go after the 'fourth estate' and engage Government in a more constructive dialogue. There are signs that this is happening.

DON WEATHERBURN and BRONWYN LIND

NSW Bureau of Crime Statistics and Research

Tuesday morning, session 3 - *Drugs and drug policy*

STREET-LEVEL DRUG LAW ENFORCEMENT AND ITS IMPACT ON ENTRY INTO METHADONE TREATMENT

This paper reports the results of a survey of over 400 heroin users designed to assess the impact of street-level drug law enforcement on the entry of heroin users into methadone maintenance treatment (MMT). Specific attention is paid to (a) the kinds of experiences with law enforcement and the criminal justice system which might increase the motivation to enter treatment (b) the role of other factors (e.g. peer influence, fear of illness/death) in motivating entry into treatment and (c) the possible adverse effects on public health of street-level drug law enforcement and (d) the features of MMT which inhibit entry into treatment.

CELIA WELLS

Cardiff University

Thursday morning, session 2 - *New crimes*

CORPORATE CRIMINAL LIABILITY IN THE 21ST CENTURY

The end of the century offers an opportunity to reflect on legal responses to changes in social and economic organisation. Increasing reliance on sophisticated technology, the developing popular vocabulary of risk, and attempts to deploy the resources of criminal law against business enterprises are some of the manifestations of those changes. This paper argues that the debate about potential criminal liability for 'Millennium Bug' disasters captures these key features of contemporary life. After discussing the broad theoretical framework of disaster and risk, the paper moves to a detailed analysis of recent developments in corporate criminal liability in England and Wales, and in other jurisdictions.

ROB WHITE

University of Tasmania

Tuesday afternoon, 5.00-5.30 - *keynote address*

ENVIRONMENTAL HARM AND THE POLITICAL ECONOMY OF CONSUMPTION

The aim of this paper is to map out some of the conceptual foundations for a political economy of environmental harm. In order to illustrate the theoretical issues and complexities in this area, the specific focus will be on 'consumption' relations. In addition to reviewing existing literature in environmental criminology, the paper will discuss the relationship between production and consumption; the developments underpinning the extension of 'consumerism' in capitalist society (e.g., privatisation and commodification); and the symbolic place of consumption and its association with the realisation of surplus value by capital (e.g., the production of meaning, identity and desire). Each of these areas has implications for how we conceptualise environmental problems, and how to regulate or respond to environmental harm.

RICHARD WORTLEY

Griffith University

Tuesday morning, session 4 - *Crime prevention*

**A CLASSIFICATION OF 16 TECHNIQUES FOR CONTROLLING 'SITUATIONAL
PRECIPITATORS' OF CRIME**

The most widely known classification of situational crime prevention techniques is that presented by Clarke and Homel (1997). Clarke and Homel proposed 16 techniques for preventing crime through opportunity-reduction. The present paper suggests a complementary classification of 16 techniques for controlling 'situational precipitators' of crime. The new classification is based on the argument by Wortley (1997, 1998) that there are two distinct situational forces acting upon potential offenders — factors that permit offenders to commit crime by providing the necessary opportunities (the basis of Clarke and Homel's classification) and factors that actively induce individuals to commit crimes that they would not have otherwise committed (the basis of the present classification).

RICHARD WORTLEY

Griffith University

Wednesday afternoon, session 4 - *Police administration*

**A SCALE FOR MEASURING POLICE ATTITUDES TOWARDS DISCRETION:
ITS CONSTRUCTION, VALIDATION AND USE IN A LONGITUDINAL STUDY**

This paper reports on the development of a scale for measuring police attitudes towards discretion. An initial pool of 28 items was given to 207 serving police officers and from this 22 items selected for the final version of the scale ($\alpha = .73$). The correlations between the scale and various other scales examining related concepts - including authoritarianism, ethnocentrism, attributions of crime causation - were examined on a new sample of 300 police. Their pattern of correlations was consistent with theoretical expectations (for example, that high-authoritarians would be low on discretion). Finally, the scale was used in a longitudinal study examining changes in discretion during the first year of police service. It is expected that police will become less committed to discretion as a function of their police experience. (Results of this stage are not yet available but will be presented at the conference).

FRANK ZIMRING

University of California at Berkeley

Tuesday morning, 9.15-10.30 - keynote address

**CRIME, CRIMINOLOGY AND CRIMINAL JUSTICE FOR A SMALLER WORLD:
A PEEK AT THE 21ST CENTURY**

One implication of transportation and communication is that citizens of the developed nations are now living on a smaller planet than ever before, a planet that continues to shrink at warp speed. One implication of this is that trends in knowledge based policy should converge. My analysis will discuss trends in crime, in criminal justice policy and in criminology in the last years of the 20th century and the implications of these trends for the first years of the 21st century. In developed nations, trends in general crime rates will not be as clear or as important as trends in specific offences—so the unit of analysis is shifting. But what will convergence mean in a western world where the U.S. and everybody else are using very different policy interventions? It means for sure that this divergence will be the major issue for policy debate across the developed world. And in the smaller world of the 21st century, every criminologist will have to be a comparative criminologist.