ANZSOC 2006 Conference

The Australian & New Zealand Society of Criminology
19TH ANNUAL CONFERENCE

Criminology and Human Rights

WREST POINT CONFERENCE CENTRE

HOBART TASMANIA AUSTRALIA

TUESDAY 7 – THURSDAY 9 FEBRUARY 2006

HANDBOOK

Convenors:

Rob White   **Kate Warner**   **Roberta Julian**

www.cdesign.com.au/anzsoc2006

Convenors' Welcome

We are most pleased to welcome you to ANZSOC 2006. Hobart is a wonderful place to live and work, and we hope you take the time to appreciate fully the beauty of the city. Tasmania is known as the 'clean and green' State and so hopefully you'll have a chance to venture to other sites as well.

Our island is steeped in history, with all of its tragedies and joys – and over time Tasmanians have been united and divided by social issues that are profound in their implications for all of us, ranging from the use of the convict system versus imprisonment, through to how and where to engage in forestry. Criminologists have an important role in attempting to interpret and act upon their social worlds. This is no less true of local incidents, events and trends in Tasmania than it is for things more apparently relevant on a global scale. What happens, here, matters. From the role of the police in prosecuting abalone poachers to legislative reform on gay and lesbian relationships, Tasmania has much to offer the rest of the world. It also has much to learn – about dealing with drug offenders, about prison reform, about community-based and restorative justice.

We hope your stay here will be pleasant and productive. This ANZSOC conference builds upon the ideas, format and success of previous conferences and we hope to offer a stimulating programme that features various conference special events. The plenary sessions will, we are sure, be provocative and thought-provoking. And don't forget the welcome at Government House, and of course, the conference dinner. Great food, great setting, and a great night. In the end, a conference 'works' because of the interactions of the people who attend and participate. We want you to enjoy yourselves, catch up with old friends, make new ones, and generally take in the best of what Australian criminology has to offer.

As Convenors, we would like to especially thank Reannan Rottier for basically 'carrying the can' in terms of doing the nitty-gritty organisational work for the conference. Reannan has done a terrific job, and has worked incredibly hard to make it the best event possible. Della Clark and Lyn Devereaux from the School of Sociology & Social Work are, as usual, vital people in making things tick over smoothly and enjoyably. And, our friends at Conference Design ensured that the abstract preparation, website interface and events development were undertaken professionally and well.

There are many others to thank as well – the staff and postgraduate volunteers, chairs of sessions, the IT support people, the book sellers and publishers, the Faculty of Arts and the Faculty of Law (especially for their financial assistance), and the Wrest Point Conference Centre. For everyone who has participated in the conference planning and delivery, thank you very much.

Rob White, Kate Warner, Roberta Julian
ANZSOC Conference Convenors

President's Welcome

Welcome to the 2006 conference of the Australian and New Zealand Society of Criminology. It is exciting that the conference is being held in Tasmania, the first time ever. The conference venue, with its beautiful river and mountain views, will offer a contemplative respite for us as we consider human rights in an international context. There is a special urgency to this year's conference, with its thematic emphasis on state crime, war crime, the treatment of refugees, and the oxymoronic "war on terror." These themes disturb the criminological field, not least because they challenge us to consider the state as offender. The conference convenors, Rob White, Kate Warner and Roberta Julian, are to be congratulated for choosing this timely thematic focus. For those interested to learn more about the Society and become involved in it, please make a note to attend the Special General Meeting on Wednesday, 8 February, from 1 to 2 pm.

I am especially pleased to welcome our criminological colleagues from other countries, including Canada, the UK, the USA, South Africa, India, and Taiwan among others. The Society and our annual conference benefit greatly from the participation of our international colleagues, both with the exchange of ideas and the forging of research ties and collaborations. The Annual Conference is a time to renew friendships and make new ones, as much as it is to present and listen to research papers and plenary addresses. For some, it is the very first time they have presented a conference paper, a scary prospect! Whether it is your first ANZSOC conference or your 19th, enjoy the feast and play of ideas and the social conviviality in our splendid setting in Hobart.

Professor Kathleen Daly, President, ANZSOC

Conference Co-Convenors

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Plenary Speakers

David Brown

Professor Brown teaches criminal law and criminal justice at the University of New South Wales in Sydney. He has been active in criminal justice movements, issues and debates for three decades and is a regular media commentator. He has published widely in the field with over 100 articles and chapters in books and conference proceedings. He has co-authored or co-edited *The Prison Struggle* (1982); *The Judgments of Lionel Murphy* (1986); *Death in the Hands of the State* (1988); *Criminal Laws* [in three editions] (1990); (1996); (2001) with the 4th in press (2006); *Rethinking Law and Order* (1998); *Prisoners as Citizens* (2002); and *The New Punitiveness* (2005).

Chris Cunneen

In February 2006, Professor Chris Cunneen took up the Global Chair in Criminology at the University of New South Wales. Previously, Professor Cunneen taught criminology at the University of Sydney Law School from 1990-2005, and was Director of the Institute of Criminology from 1999-2005. He has held research positions with the Aboriginal Law Centre, UNSW, and the NSW Bureau of Crime Statistics and Research. He is Chairperson of the Juvenile Justice Advisory Council which advises the Minister on juvenile justice matters. He is also a member of the Attorney-Generals' Taskforce on Sexual Assault in Aboriginal Communities. He has published a number of books on issues such as juvenile justice (*Juvenile Justice. An Australian Perspective, 1995; Juvenile Justice. Youth and Crime in Australia 2002)*; on Indigenous legal issues *(Indigenous People and the Law in Australia* (1995); hate crime (*Faces of Hate,* Federation Press, 1997) and policing *(Conflict, Politics and Crime,* 2001).

Penny Green

Penny Green is Professor of Law and Criminology at the University of Westminster, London. She has written widely on the subject of state crime; Turkish criminal justice; state organisational deviance and 'natural' disasters; European asylum policy and drug trafficking. Her publications include *State Crime: Governments, Violence and Corruption; Criminal Policy in Transition; Drugs, Trafficking and Criminal Policy* and *The Enemy Without.* She is currently researching the market in looted antiquities; and the role of civil society in controlling state crime, particularly in relation to illegal logging and regulatory capture.

Debbie Kilroy

Debbie Kilroy, OAM, is a former prisoner, a psychotherapist, a LLB candidate and a Masters in Forensic Mental Health candidate. She is the Director of Sisters Inside, a community organisation which exists to advocate for the human rights of women in the Criminal Justice System. In less than a decade, Debbie has successfully built Sisters Inside into a thriving multi-service, community based organisation, which provides services to young people and women in and from prison throughout Australia. She employs former prisoners, and the management of Sisters Inside is directed by a team comprised of women who are still currently imprisoned, augmented by a select few former politicians, lawyers, academics, and other professionals. Debbie Kilroy has structured the organisation so as to ensure that the decision making within Sisters Inside rests with those who are most likely to experience the discrimination and human rights violations. Sisters Inside was established to eradicate such injustices, in ways that are defined and determined by women who are in or from prison themselves. In addition, approximately twenty-five percent of the staff and steering committee of Sisters Inside are Indigenous Australian women.

Jude McCulloch

Dr McCulloch is a senior lecturer in Criminal Justice and Criminology in the Faculty of Arts at Monash University. Prior to working as an academic she worked in various community legal centres for 16 years. Dr McCulloch has researched and published on topics that include police shootings, crime and the media, women and policing, family violence, women and imprisonment, policing dissent, paramilitary policing, counter-terrorism, globalisation and the 'war on terror'. Her book, *Blue Army: Paramilitary Policing in Australia* was published in 2001. She is also the author of a Victoria Legal Aid publication, *Sexual Assault, The Law, Your Rights.* She is currently in the process of co-editing a collection (with Phil Scraton) on Violence and Incarceration.

Kim Pate

Kim Pate is the proud mother of Michael (15) and Madison (7), in addition to being the Executive Director of the Canadian Association of Elizabeth Fry Societies. A teacher and a lawyer by training, she has experience working with marginalised, criminalised, and imprisoned youth, men, and women. In addition to her current work with and on behalf of oppressed, marginalised, criminalised and imprisoned women and girls, Kim has been a strong advocate for social justice and has worked on criminal and social justice matters for more than two decades. She also has experience that ranges from grassroots organising to policy development and legislative formulation and reform at local, regional, national and international levels.

Margaret Piper

Margaret Piper was Executive Director of the Refugee Council of Australia (RCOA) from July 1991 to December 2005. RCOA is the peak refugee agency in Australia and its core roles are research, policy analysis, advocacy and sectoral capacity building. In recent years there has been massive change in refugee policy in Australia and internationally, in particular in relation to refugee protection, asylum and detention. Margaret has followed these developments closely, regularly participating in both national and international fora and spending time as a visiting research fellow with the Refugee Studies Program at Oxford University in 2003. She has also conducted field research in many parts of the world including SE Asia, the Balkans, the Middle East and Papua New Guinea and is the author of numerous reports and studies. Amongst her recent work have been papers relating to the return of failed asylum seekers and complementary protection, as well as a comprehensive report on UNHCR's 2005 Executive Committee meeting. Since leaving the Refugee Council, Margaret has been working as a consultant.

Tony Raymond

Dr Raymond worked in the forensic laboratory in Rhodesia (now Zimbabwe) in 1981/82, before immigrating to Australia to join the Victoria Forensic Science Centre as Assistant Director and in charge of the Biology Division. In 1997, he moved to New South Wales to assume the post of Director of the Forensic Services Group (FSG) for the NSW Police. He moved to his current position of Director, National Institute of Forensic Science in March 2004. Dr Raymond is a past president of the Australian and New Zealand Forensic Science Society and helped initiate and facilitate the adoption of a forensic society Code of Ethics by that Society. He has given evidence in a range of courts in Zimbabwe, Victoria, Western Australia, the ACT and NSW in relation to all aspects of forensic science, including DNA-related, crime-scene-related and bloodstain-pattern-related casework.

Phil Scraton

Phil Scraton is Professor of Criminology in the Institute of Criminology and Criminal Justice, Queen's University, Belfast. He is author of *The State of the Police* (1985) and *Hillsborough: The Truth* (2000), co-author of *In the Arms of the Law: Coroners' Inquests and Deaths in Custody* (1987), *Prisons Under Protest* (1991) and *No Last Rights: The Promotion of Myth and the Denial of Justice in the Aftermath of the Hillsborough Disaster* (1985), and editor of *Causes for Concern: Criminal Justice on Trial* (1984), *The State v The People: Lessons from the Coal Dispute* (1985), *Law, Order and the Authoritarian State: Readings in Critical Criminology* (1987), *'Childhood' in 'Crisis'?* (1997) and *Beyond September 11: An Anthology of Dissent* (2002). His most recent work includes co-authored research for the Northern Ireland Human Rights Commission, 'The Hurt Inside: The Imprisonment of Women and Girls in Northern Ireland' (2005) and for the Northern Ireland Commissioner for Children and Young People, 'Children's Rights in Northern Ireland' (2005).

Pierre Slicer

Justice Slicer is a Judge of the Supreme Court of Tasmania. After high school and university studies in Hobart, Pierre Slicer studied at the Academy of Political Science at Columbia University in New York. He has had a wide and varied legal career, as a Barrister, Director of Legal Aid, Legal Counsel to the Aboriginal Legal Service, member of the Law Reform Commission, and Judge. He has been the chair of the Tasmanian United Nations Human Rights Committee since 1996, and on the United Nations National Human Rights Committee since 2003. He is also a member of the International Committee of Jurists. Justice Slicer has been a member and State Secretary (Tasmania) of Amnesty International for several decades.

Caroline Taylor

Dr. Taylor is a Post-Doctoral Research Fellow at the University of Ballarat. Her field of research has been child sexual abuse and the psychosocial and socio-legal response to this crime. Her book, *Court Licensed Abuse,* deals with the socio-legal construction of children and adults in legal trials who alleged sexual abuse against their parent. Another book, *Surviving the Legal System,* has been endorsed by Victorian Police as a reference tool that is currently used by Victorian police officers from the Sexual Offences and Child Abuse Unit . She established the Children of Phoenix Foundation as a means to promote advocacy, educational opportunities and research on behalf of victims/survivors of child sexual abuse.

Tim White

Judge White is a judge of the Provincial Court of Saskatchewan and he sits at Saskatoon, Saskatchewan. He has been a judge for eleven years and for seven of those years he served in Northern Saskatchewan where he had a circuit which required him to travel extensively by small aircraft and motor vehicle to many rural and Aboriginal places. He has written extensively on a wide variety of legal topics for the national judges' journal in Canada and has given many lectures to community groups, lawyers, judges, law students and probation officers. Judge White was primarily a trial lawyer during his seventeen year career before his appointment to the bench. He is a graduate of Queen's University in Kingston, Ontario where he received a B.A. (Hons.) in History and Dalhousie Law School, Dalhousie University, Halifax, Nova Scotia where he received his LL.B.

CONVENTION PROGRAM

Monday 6 February

1600 - 1800	Registration	
1630 - 1800	ANZSOC Management Meeting	Executive Board Room
1700 - 1800	Welcome Reception – Wrest Point Conference Centre	Exhibition Foyer

Tuesday 7 February

1730 - 0900 Registration

0900 - 1030 Welcome to Country/Welcome to Conference   Plenary Hall
Vice Chancellor, Professor Daryl Le Grew

Official Opening
The Governor, His Excellency, the Honourable Mr William Cox, AC, RFD, ED

Plenary Address 1

'Refugees and Human Rights'
Chair: Rob White
Margaret Piper, Consultant
Sharon Pickering, Monash University

1030 - 1100 Morning Tea

1100 - 1230 **Panel Session 1**

1A Crime and Human Rights 1   Plenary Hall
1B Age and Crime 1   Tasman Room A
1C Environmental and Ecological Justice 1   Boardwalk
1D Drugs, Crime and Criminal Justice 1   Tasman Room C
1E Race, Ethnicity and Criminal Justice 1   Wellington Room 1
1F Gender, Sexualities and Crime 1   Green Room
1G Corrections and Punishment 1   Wellington Room 2
1H Policing, Governance and Anti-Social Behaviour 1   Tasman Room B

1230 - 1330 Lunch

1330 - 1430 **Sub-Plenary Sessions**

1. The Judiciary, Human Rights and Criminal Justice   Plenary Hall
Chair: Kate Warner
Pierre Slicer, Tasmanian Supreme Court
Tim White, Saskatchewan Provincial Court

2. Forensic Studies and Human Rights   Tasman Room A
Chair: Roberta Julian
Tony Raymond, National Institute of Forensic Science, Melbourne
Caroline Taylor, University of Ballarat

1430 - 1530 **Panel Session 2**

2A Crime and Human Rights 2   Plenary Hall
2B Age and Crime 2   Tasman Room A
2C Crime and the Media   Boardwalk

	2D Drugs, Crime and Criminal Justice 2	Tasman Room C
	2E Race, Ethnicity and Criminal Justice 2	Wellington Room 1
	2F Gender, Sexualities and Crime 2	Green Room
	2G Corrections and Punishment 2	Wellington Room 2
	2H Policing, Governance and Anti-Social Behaviour 2	Tasman Room B

1530 - 1600	Afternoon Tea	

1600 - 1730	**Panel Session 3**	
	3A Crime and Human Rights 3	Plenary Hall
	3B Age and Crime 3	Tasman Room A
	3C Inside the State: technologies and cultures of border control	Boardwalk
	3D Drugs, Crime and Criminal Justice 3	Tasman Room C
	3E Race, Ethnicity and Criminal Justice 3	Wellington Room 1
	3F Gender, Sexualities and Crime 3	Green Room
	3G Corrections and Punishment 3	Wellington Room 2
	3H Policing, Governance and Anti-Social Behaviour 3	Tasman Room B

1745	Buses depart Wrest Point for Government House
1800 - 1900	Government House Reception Note - no satchels to be taken into Government House

Wednesday 8 February

0800- 0900	Registration	
0900 - 0930	ANZSOC Award Presentations Presented by Kathleen Daly, President, the ANZ Society of Criminology	Plenary Hall
0900 - 1030	**Plenary Address 2**	Plenary Hall
	'State Crime and Human Rights' *Chair: Rob White* *Chris Cunneen,* Institute of Criminology *Penny Green,* University of Westminster	

1030 - 1100	Morning Tea	

1100 - 1230	**Panel Session 4**	Plenary Hall
	4A Age and Crime 4	Tasman Room A
	4B Globalisation of Deviance 1	Boardwalk
	4C Drugs, Crime and Criminal Justice 4	Tasman Room C
	4D Race, Ethnicity and Criminal Justice 4	Wellington Room 1
	4E Gender, Sexualities and Crime 4	Green Room
	4F Corrections and Punishment 4	Wellington Room 2
	4G Policing, Governance and Anti-Social Behaviour 4	Tasman Room B

1230 - 1330	Lunch	

1230 - 1400	Poster Presentations	Exhibition Foyer
1300 - 1400	ANZSOC Special General Meeting	Tasman Room A
1400 - 1500	**Plenary Address 3**	Plenary Hall

'Violence, Incarceration and the War on Terror'
Chair: Kate Warner
Phil Scraton, Queen's University, Belfast
Jude McCulloch, Monash University

| 1500 - 1530 | Afternoon Tea | |
| 1530 - 1700 | **Panel Session 5** | Plenary Hall |

	5A Crime and Human Rights 5	
	5B Social Exclusion, Crime Prevention and Crime Control 1	Tasman Room A
	5C State Crime, Globalisation and Immigration 1	Boardwalk
	5D Violent Crime 3	Tasman Room C
	5E Policing, Governance and Anti-Social Behaviour 5	Wellington Room 1
	5F Gender, Sexualities and Crime 5	Green Room
	5G Corrections and Punishment 5	Wellington Room 2
	5H Policing, Governance and Anti-Social Behaviour 6	Tasman Room B

1700 - 1800	Book Launch	Exhibition Foyer
1900	Pre-dinner drinks	Portlight Bar
1900 - 2300	Conference Dinner – Wrest Point	Derwent Room

Thursday 9 February

| 0800- 0930 | Registration | |
| 0930 - 1100 | **Panel Session 6** | |

	6A Crime and Human Rights 6	Plenary Hall
	6B Social Exclusion, Crime Prevention and Crime Control 2	Tasman Room A
	6C Violent Crime 1	Boardwalk
	6D Policing, Governance and Anti-Social Behaviour 7	Tasman Room C
	6E Restorative Justice and System Alternatives 1	Wellington Room 1
	6F Corrections and Punishment 6	Green Room
	6G Corrections and Punishment 7	Wellington Room 2
	6H Policing, Governance and Anti-Social Behaviour 8	Tasman Room B

| 1100 - 1130 | Morning Tea | |
| 1130 - 1230 | **Plenary Address 4** | Plenary Hall |

'Prisoners and Human Rights'
Chair: Roberta Julian
Debbie Kilroy, Sisters Inside, Queensland
David Brown, University of New South Wales
Kim Pate, Canadian Association of Elizabeth Fry Societies

1230- 1330	**Panel Session 7**	
	7A Cultural Criminology 1	Plenary Hall
	7B Fear of Crime	Tasman Room A
	7C Organised Crime	Boardwalk
	7D Crime and the Lifecourse	Tasman Room C
	7E Restorative Justice and System Alternatives 2	Wellington Room 1
	7F Violent Crime 2	Green Room
	7G Crime and Risk Assessment	Wellington Room 2
	7H Policing, Governance and Anti-Social Behaviour 9	Tasman Room B
1330 - 1430	Light Lunch, followed by Ice-cream Social	
	Conference Handover	

Social Program

Tickets will be required at all Social Functions.

Tuesday 7 February
Government House Reception

The Governor, His Excellency, the Honourable Mr William Cox, AC RFD ED and Mrs Cox will host a reception at Government House.

It is a requirement that you present the invitation included in your registration pack when you arrive at Government House. Only those previously registered for the reception are able to attend. Please advise the Registration Desk if you have been invited and do not wish to attend the Reception.

Complimentary buses depart from the Wrest Point Conference Centre, at 5.45pm and return (via Sullivans Cove and Salamanca) at 7.00pm.

If you would like to make your own way there, a taxi to Government House costs approximately $8.

Dress: Jacket and Tie

Please note that conference satchels cannot be taken into Government House. If you wish to leave your satchel on the bus please use the satchel name tags provided.

Wednesday 8 February
Conference Dinner

The Conference Dinner will be held at Wrest Point in the Derwent Room which is located in the original section of the Wrest Point complex featuring classic art deco style. Pre-dinner drinks will be held at 7.00pm in the Portlight Bar adjoining the Derwent Room.

Enjoy a three course meal, local wines and entertainment by local contemporary guitarist Cary Lewincamp followed by infamous Hobart rock band the Giant Hamsters, renowned for their toe-tapping and table-dancing music.

If you wish to attend the Conference Dinner and have not yet registered please do so by the close of sessions on Tuesday.

Time 7.00 – 11.00pm
      7.00pm Pre-dinner drinks in the Portlight Bar

Dress: Jacket and Tie

Thursday 9 February
Ice-cream Social

In keeping with ANZSOC Conference tradition, the Conference Conveners farewell you with the offering of an ice-cream. You'll be treated to a delicious 'Sticky Fingers' homemade ice-cream at the close of sessions on Thursday. Choose your flavour!
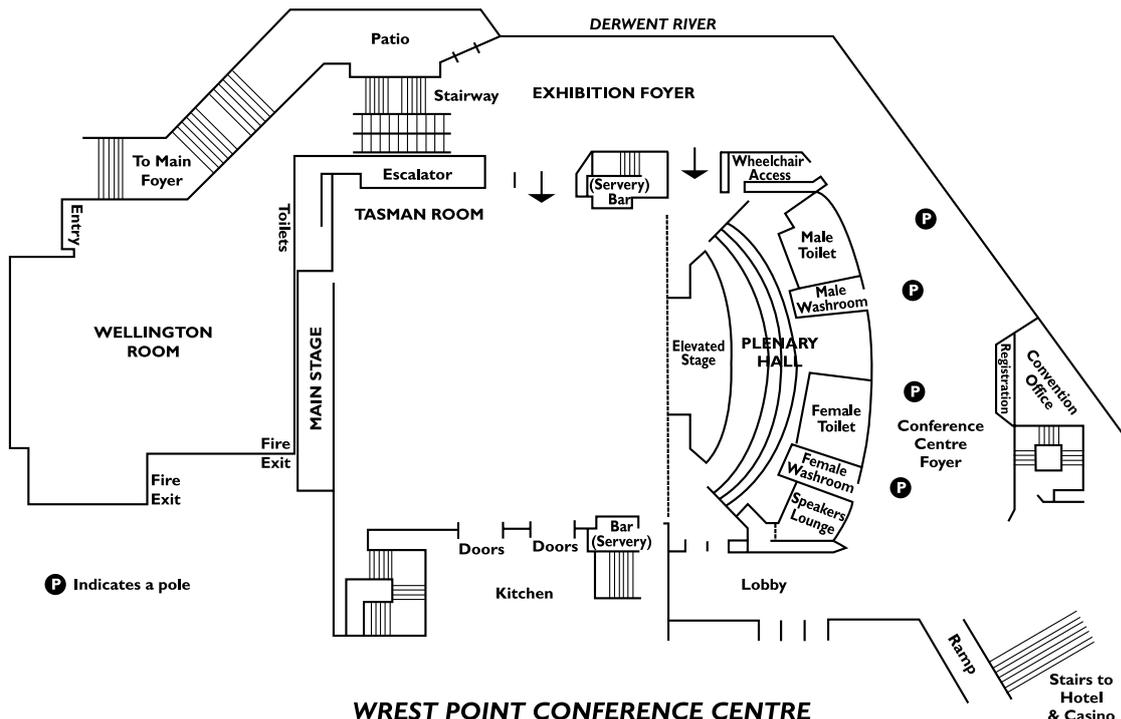
Tours

Friday 10 February

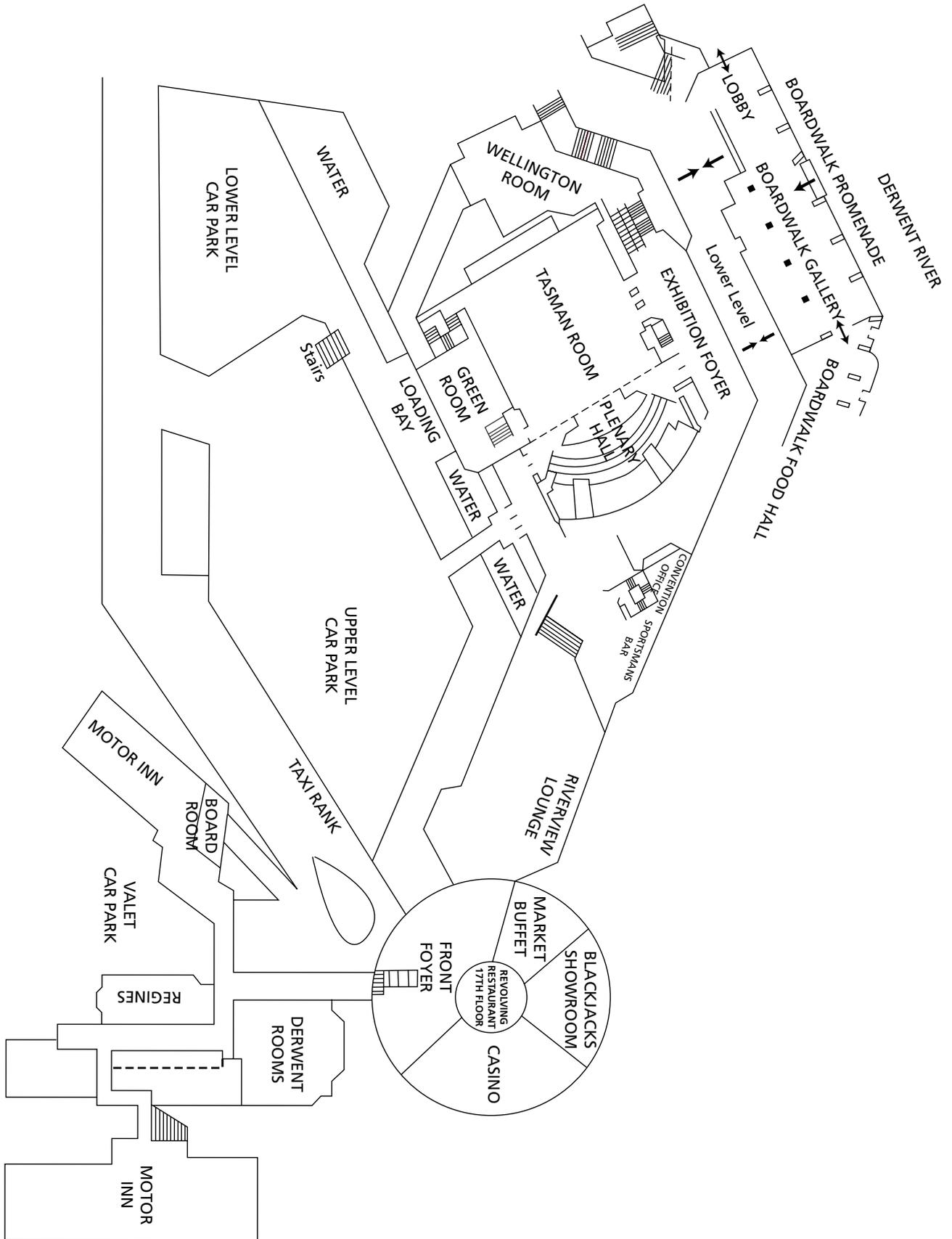### Port Arthur Convict Site, Tasman National Park

Departs from Wrest Point main hotel reception area: 8.20am Returns: 5.00pm

Cruise the Derwent to Peppermint Bay

Departs from Brooke Street Pier: 11.45am
Returns: 5.15pm

WREST POINT CONFERENCE CENTRE

WREST POINT

WATER

LOWER LEVEL CAR PARK

Stairs

WELLINGTON ROOM

LOADING BAY

GREEN ROOM

WATER

TASMAN ROOM

EXHIBITION FOYER

PLENARY HALL

Lower Level

LOBBY

BOARDWALK GALLERY

BOARDWALK PROMENADE

DERWENT RIVER

BOARDWALK FOOD HALL

WATER

UPPER LEVEL CAR PARK

CONVENTION OFFICE

SPORTSMAN'S BAR

TAXI RANK

MOTOR INN

BOARD ROOM

VALET CAR PARK

RIVERVIEW LOUNGE

REGINES

DERWENT ROOMS

FRONT FOYER

MARKET BUFFET

REVOLVING RESTAURANT 17TH FLOOR

BLACKJACKS SHOWROOM

CASINO

MOTOR INN

Book Publishers and Trade Displays

University Co-operative Bookshop Ltd

NetAlert Limited

The Federation Press Pty Ltd

SAGE Publications

Institute of Criminology, Sydney University Law School

Footprint Books Pty Ltd

Presenters Guidelines

- Each room will be equipped with a computer (PowerPoint enabled), data projector, microphone and a laser pointer.

- For those wishing to load PowerPoint presentations please report to the Speakers Room where a technician will be available to load your presentation. You will need to advance your own PowerPoint slides from the lectern.

- Specific upload times have been allocated for each day (please refer below). The Speakers Room will not be available for upload outside of these times.

If you would like to take the opportunity to load your presentation before the Conference opening, the Speakers Room will be open on Monday 6 February from 4.00 – 6.00pm during registration.

Speakers Room PowerPoint Upload Times

Monday 6 February
4.00 - 6.00pm
General upload time (during registration)

Tuesday 7 February
7.30 – 9.00am
For those presenting on Tuesday Morning ONLY

12.30 - 13.30pm
For those presenting on Tuesday Afternoon ONLY

Wednesday 8 February
8.00 – 9.00am
For those presenting on Wednesday Morning ONLY

12.30 – 2.00pm
For those presenting on Wednesday Afternoon ONLY

Thursday 9 February
8.00 - 9.30am For those presenting on Thursday

- Keep an eye on the time during your presentation. The session chairs will end all presentations after 20 minutes (5 and 1 minute warnings will be given); questions will then be taken from the floor for up to 10 minutes.

- Go to the session room 15 minutes prior to the start of your session to meet the session chair.

Media

Local and national media have been notified that the conference is on. It is anticipated that the conference will attract considerable media interest and generate requests for interviews with some presenters. Such requests should be directed to the ANZSOC media contact, Reannan Rottier on 0438 859 565. Presenters should periodically check the media notice board (near the Registration Desk) to see whether such requests have been made.

Mobile Phones, Pagers and Laptop Computers

Please ensure that all mobile phones and pagers are switched off or set to silent mode during sessions. The use of individual laptop computers is not permissible during the sessions.

Name Badges and Function Tickets

Each Conference delegate will receive a name badge at registration. This badge is your official pass and must be worn to gain entry to all conference sessions, morning and afternoon teas, and lunches and social functions.

If you require a name badge for a partner attending the social functions please enquire at the Registration Desk.

Tickets to social functions have been provided. Please be ready to supply these upon request.

Dress

The dress code for the Conference will be relaxed casual. Dress for the Governor's Reception and Conference Dinner will be jacket and tie.

Special Diets

Daily catering

If you have requested a special diet please note that you have been catered for. Please ask at the Registration Desk for more information.

Conference Dinner

Please advise a member of the waiting staff at Wrest Point as soon as you are seated that you have requested a special diet.

Messages

At the time of the conference messages for delegates can be left at the Registration Desk where they will be displayed on the message board.

Registration Desk

The Registration Desk will be open from 7.30am on Tuesday and from 8.00am on Wednesday and Thursday until the close of sessions on each day. Phone: 6221 1720

Airport Transfers

A regular shuttle bus service runs to the airport from all major hotels in Hobart and costs $12 per person. Airporter Shuttle Buses connect with every departing flight. Call 0419 382 240 or 0419 383 462 to arrange for collection from your hotel.

A taxi to the airport from Wrest Point Conference Centre costs approximately $40

Hire Cars

Thrifty offers special conference rates on hire cars. Quote booking code 4908001647.
p: 1800 030 730 (within Australia)
p: +61 3 6231 2475 (International)
f: 03 6231 2475
e: thrifty@tasvacations.com.au

FULL ACADEMIC PROGRAM

Monday 6 February

1630-1800	ANZSOC Management Meeting	Executive Board Room
1600-1800	Registration	
1700-1800	Welcome Reception	Exhibition Foyer

Tuesday 7 February

0730-0900   Registration

0900-1030   **Opening Session**   Plenary Hall

Welcome to country/welcome to Conference
Vice Chancellor, Professor Daryl Le Grew

Official Opening
The Governor, His Excellency, the Honourable Mr William Cox, AC, RFD, ED

Plenary Address 1

'Refugees and Human Rights'
Chair: Rob White
Margaret Piper, Consultant
Sharon Pickering, Monash University

1030-1100   Morning Tea

1100-1230   **Panel Session 1**

            1A   Crime and Human Rights 1   Plenary Hall
Chair: Elizabeth Stanley
Sedition and security: an Australian history
Mark Finnane

A democratic right to disobey? Defending civil disobedience and
political protest in contemporary Australia
Lucy Fiske

The sacred cow of human rights: which human? Whose rights?
Rob McCusker

            1B   Age and Crime 1   Tasman Room A
Chair: Paul Mazerolle
Imagining youth justice
Kerry Wimshurst and *Troy Allard*

Sentencing in the children's court: an ethnographic perspective
Max Travers

Single stay versus repeat juvenile detention: an examination of risk
and protective factors
Lynne Roberts

            1C   Environmental and Ecological Justice 1   Boardwalk
Chair: Chris Platania-Phung

Fire signs: community change, environmental awareness and responses to
arson in bushland environments
Matthew Willis

Crime, ecological systems and environmental harm
Rob White

Policing the environment
Kevin Tomkins

            1D   Drugs, Crime and Criminal Justice 1   Tasman Room C

Chair: Adam Sutton
An evaluation of the first three years of the NSW Cannabis Cautioning Scheme
Joanne Baker

Drug courts and the 'crisis of penal modernism'.
Glenn Took

Partnerships between police and community services
Raul Foglia

1E Race, Ethnicity and Criminal Justice 1   Wellington Room 1
Chair: Garry Coventry
" ... If blood should stain the bottle": "permission to hate" and "race riots"
in Sydney, December 2005
Scott Poynting

Human rights and hate/bias-motivated crimes in Wellington, New Zealand
Jennifer Ross

1F Gender, Sexualities and Crime 1   Green Room
Chair: Ania Wilczynski
Legislating against historical legacies: victims rights charters and rape survivors, Part I
Jan Jordan and *Denise Lievore*

Legislating against historical legacies: victims rights charters and rape survivors, Part II
Denise Lievore and *Jan Jordan*

Evaluation framework to review the New Zealand *Prostitution Reform Act 2003*
Elaine Mossman and *Jan Jordan*

1G Corrections and Punishment 1   Wellington Room 2
Chair: Alison Liebling
Time for accountability: the search for effective oversight of Canadian women's prisons
Debra Parkes and *Kim Pate*

The right to 'safe' accommodation: rights and obligations to a standard for prison accommodation
Elizabeth Grant

Disciplining women: maintaining discipline in women's prisons
Bronwyn Naylor

1H Policing, Governance and Anti-Social Behaviour 1   Tasman Room B
Chair: Arie Freiberg
Making sense of police reforms: the enactment of culture in a changing field
Janet Chan

Adjusting to life 'on the beat': investigating adaptation to the police profession
Karena J. Burke, Douglas Paton, Jane Shakespeare-Finch and *Michael Ryan*

Redistributing responsibility for policing problems: lessons for problem-oriented policing from
the field of illicit synthetic drug control
Adrian Cherney

1230-1330	Lunch
1330-1430	**Sub-Plenary Sessions**

1. The Judiciary, Human Rights and Criminal Justice   Plenary Hall
Chair: Kate Warner
Pierre Slicer, Tasmanian Supreme Court
Tim White, Saskatchewan Provincial Court

2. Forensic Studies and Human Rights   Tasman Room A
Chair: Roberta Julian
Tony Raymond, National Institute of Forensic Science Melbourne
Caroline Taylor, University of Ballarat

1430-1530	**Panel Session 2**	

2A Crime and Human Rights 2   Plenary Hall
Chair: David Brown
Towards a criminology for human rights
Elizabeth Stanley

2B Age and Crime 2   Tasman Room A
Chair: Richard Wortley
Peril, pre-emption, paternalism and the whole damm thing: policy discourse
and young people in South Australia
Steve Mather

Review of juvenile remandees in Tasmania
David K. Fanning

2C Crime and the Media   Boardwalk
Chair: Scott Poynting
Have I got news for you: politicians, policy and the press
Elaine Fishwick

"Don't give up your sources": journalists and their relationships with police
 Alyce McGovern

2D Drugs, Crime and Criminal Justice 2   Tasman Room C
Chair: Adam Sutton
Dry areas and human rights
Nichole Hunter

The role of alcohol in injuries presenting to St Vincent's Hospital Emergency Department
and the associated short-term costs
Suzanne Poynton, Neil Donnelly, Don Weatherburn, Gordian Fulde and *Linda Scott*

2E Race, Ethnicity and Criminal Justice 2   Wellington Room 1
Chair: Roberta Julian
An analysis of sentencing outcomes in the Northern Territory
Phil Kleinschmidt

Diversion of indigenous young people from the criminal justice system
Damon Muller

2F Gender, Sexualities and Crime 2   Green Room
Chair: Bronwyn Naylor
The processing of sexual assault matters through the criminal justice system: a study of
attrition rates and timeliness
Joy Wundersitz and *Carol Castle*

Why so few reported sexual offences result in conviction: the attrition of sex offences from the
NSW criminal justice system
Jacqueline Fitzgerald

2G Corrections and Punishment 2   Wellington Room 2
Chair: Rick Sarre
The Victorian Sentencing Advisory Council
Arie Freiberg

Public opinion and sentencing: myths, misconceptions and the Sentencing
Advisory Council
Karen Gelb

2H Policing, Governance and Anti-Social Behaviour 2   Tasman Room B
Chair: Adrian Cherney
Improving the police interviewing of suspected sex offenders
Mark Kebbell, Emily Hurren and *Paul Mazerolle*

Police interviewing of suspected domestic violence offenders: increasing rates of
true confessions and convictions
Mark Kebbell, Emily Hurren and *Paul Mazerolle*

1530-1600	Afternoon Tea

1600-1730   **Panel Session 3**

3A Crime and Human Rights 3   Plenary Hall
Chair: Rick Sarre
Pre-trial disclosure: the good idea that didn't quite catch on
Chris Taylor

Responding to Bagaric: the limits of utilitarian theory
Penny Weller

Questioning policies of deterrence in the mandatory detainment of asylum seekers
Lauren Gradstein

3B Age and Crime 3   Tasman Room A
Chair: Joy Wundersitz
Child maltreatment and subsequent offending: examining a Queensland birth cohort
Cassandra Rayment

Transitions and turning points: examining the links between child maltreatment and juvenile offending
Anna Stewart, Michael Livingston and *Susan Dennison*

Fragile pathways: identity construction as a pathway into criminal activity
Karen Willis

3C Inside the State: Technologies and Cultures of Border Control   Boardwalk
Chair: Sharon Pickering
Beyond the blame game: exploring culture, context and conscience in immigration enforcement
Leanne Weber

Biometrics, identity and criminalization: an Australian case study
Dean Wilson

What can criminologists make of the Rau and Solon cases?
Michael Grewcock

3D Drugs, Crime and Criminal Justice 3   Tasman Room C
Chair: Max Travers
Evidence-based or "pragmatic" decision-making: the new era of Australian drug policy making?
Caitlin Hughes

The long term effectiveness of corrections-based treatment for drug-involved offenders
James Inciardi and *Hilary L. Surratt*

Police powers and volatile substance misuse
Angela Carr, Susan Johnson and *Mark Lynch*

3E Race, Ethnicity and Criminal Justice 3   Wellington Room 1
Chair: Rob White
Fostering human rights through the provision of culturally appropriate policing services
Nicole Asquith

Human rights and fair trials: problems of cultural and linguistic diversity
Kate Storey-Whyte

3F Gender, Sexualities and Crime 3   Greeen Room
Chair: Jan Jordan
Mad, bad, or victims? Examining mother-daughter sexual abuse
Tracey Peter

Violent women are victims - or are they?
Debra Stainsby

Ten myths about child sex offending
Richard Wortley

3G Corrections and Punishment 3   Wellington Room 2
Chair: Arie Freiberg
Human rights and corrections: a prison ombudsman's perspective
Howard Sapers

The Alexander Maconochie Centre and human rights: conceptualisation to implementation
John Paget

Practices of freedom: women prisoners and human rights
Vicki Chartrand

3H Policing, Governance and Anti-Social Behaviour 3   Tasman Room B
Chair: Adrian Cherney
Developing future policing: the Auckland Metro initiative as an answer to ratcliffe
Charl Crous

Community policing and refugee settlement in regional Australia: a case study of Tasmania
Danielle Campbell

1745   Buses depart Wrest Point for Government House

1800-1900   **Welcome Reception, Government House**

Wednesday 8 February

0800-0900	Registration	

| 0900-0930 | ANZSOC Award Presentations
Presented by Kathleen Daly, President, the ANZ Society of Criminology | Plenary Hall |

| 0930-1030 | **Plenary Address 2**
Chair: Rob White
'State Crime and Human Rights'
Chris Cunneen, Institute of Criminology, Sydney
Penny Green, Law School Research Centre, University of Westminster | Plenary Hall |

| 1030-1100 | Morning Tea | |

| 1100-1230 | **Panel Session 4** | Plenary Hall |

4A Age and Crime 4 — Tasman Room A
Chair: Max Travers
Sentencing youthful sex offending: discourse and outcomes
Brigitte Bouhours and *Kathleen Daly*

Juveniles and involvement with the police in Victoria for offending
Shasta Holland

4B Globalisation of Deviance 1 — Boardwalk
Chair: Cindy Davids
Fending off catastrophe: risk management and public assurance in Australian society
Adam Sutton and Chris Platania-Phung

Emerging fraud risks and countermeasures in government welfare programs
Phillip Hoskin

Can workplace violence be prevented?
Peter Waddington, Ray Bull and *Doug Badger*

4C Social Exclusion, Crime Prevention and Crime Control 1 — Tasman Room C
Chair: Peter Grabosky
Prison as social exclusion in Taiwan
Hua-Fu Hsu

Repeated victimisation in property and violent offences: untrodden pathways to link criminology, crime prevention and victimology.
Frank Morgan

4D Race, Ethnicity and Criminal Justice 4 — Wellington Room 1
Chair: Scott Poynting
What all Australians should know about race, racism and crime: A beginning
Garry Coventry and *Glenn Dawes*

White terror: policing and the neoliberal racial state
Vicki Sentas

Maledictory patterns of Anglo-Australian hatred: cross-cultural experiences of verbal and textual hostility
Nicole Asquith

4E Gender, Sexualities and Crime 4 — Green Room
Chair:
Re-writing the script? Young people's negotiations of dominant love/sex discourses
Anastasia Powell

Women's experiences of negotiating sexual consent
Moira Carmody

The 'other' violence: Gender, identity and understandings of violence
Kate Seymour

4F Corrections and Punishment 5 — Wellington Room 2
Chair: David Brown
Sentence and release options for high-risk sexual offenders
David Biles

Justice and safety: sorting out the tangled relationship between sentencing, rehabilitation and community safety
David Indermaur

NSW child sexual assault specialist jurisdiction: an evaluation
Judy Cashmore and Lily Trimboli

4G Policing, Governance and Anti-Social Behaviour 4   Tasman Room B
Chair: Adrian Cherney
Youth Community Alliance – enhancing police relationships
Jenny Fleming

Exploring young people's perceptions of police
Christine Bond, John Western and *Michelle Hayes*

Police-researcher partnerships: adopting and implementing a collaborative model to address anti-social behaviour
Roberta Julian and *Matthew Richman*

1230-1400	Lunch	

1230-1400	**Poster Presentations**	Exhibition Foyer

Characterising the resilient officer: the process of adjustment to the police profession
Karena Burke

Victims of violent crime: social-cognitive aspects of adaptation and recovery
Douglas Paton and Karena Burke

1300-1400	ANZSOC Special General Meeting	Tasman Room A

1400-1500	**Plenary Address 3**	Plenary Hall

Chair: Kate Warner
Violence, Incarceration and the War on Terror
Phil Scraton, Queen's University, Belfast
Jude McCulloch, Monash University

1500-1530	Afternoon Tea	

1530-1700	**Panel Session 5**	Plenary Hall

5A **Crime and Human Rights 5**
Chair: Adam Sutton
Human rights in the Digital Age
Russell Smith

Constructing the 'criminal', deconstructing the 'crime'
Ailsa Watkinson

Transborder crime, human rights and judicial interactions in the European Union: the construction of a legal area of cooperation in criminal law.
Marinella Marmo

5B **Social Exclusion, Crime Prevention and Crime Control 2**   Tasman Room A
Chair:
Conundrums in controlling crime in a complex community - an inner city experience
John Maynard

Crime mapping and CPTED: Measuring impact and fear of crime outcomes
Bruce Doran and *Adrian Cherney*

Residential burglary target selection in Western Australia: Replication and adaptation of the discrete spatial choice approach.
John Fernandez, Joe Clare and *Frank Morgan*

5C **State Crime, Globalisation and Immigration 2**   Boardwalk
Chair: Chris Platania-Phung
Psychological harassment a Canadian federal penitentiary: a "State crime"
Jean Claude Bernheim

State crime, supermax and deaths in custody
Bree Carlton

Whose rights? Countering terrorism in an era of globalisation: a balancing act
Annie Pettitt

5D Violent Crime 1   Tasman Room C
Chair: Kathleen Daly
Men and women working together to end Indigenous family violence:
Current Queensland research and practice

Panel discussion with *Heather Nancarrow, Ailsa Weazel, Lyndon Reilly,
Annette Hennessy* and *Carol Willie*

5E Policing, Governance and Anti-Social Behaviour 5   Wellington Room 1
Chair: Andrew Goldsmith
Serving the community: calls for police assistance
Jenny Fleming

Partner or protagonist? Oversight or over-identification? The relationship between
the WA Police and the Corruption and Crime Commission
Glenn Ross

'How willing would you be to help police if asked?'
Cooperation and compliance – the crux of community policing
Jenny Fleming

5F Violent Crime 2   Green Room
Chair: Bronwyn Naylor
Patterns of child homicide by parents
Kathy Ahern and *Angela Downing-Brown*

Kidnapping in Taiwan: the significance of geographic proximity, improvisation, and fluidity
Shu-Lung Yang

Reduced right hemisphere activation in violent offenders
GA fMRI Study of Working Memory and Impulsivity
Rueih-Chin Lin, Ming-Ting Wu and *Victor Tiencheng Cheng*

5G Corrections and Punishment 6   Wellington Room 2
Chair: Arie Freiberg
Intergenerational effects of imprisonment: recognising the experiences of families of prisoners
Susan Dennison, Anna Stewart and *Denise Foley*

The Institution for Girls Hay NSW 1961-1974: an experiment in the
rehabilitation of incorrigible female delinquents
Lynette Aitken

Prison release: narratives of an uncertain time
Tiffany Bodiam

5H Policing, Governance and Anti-Social Behaviour 6   Tasman Room B
Chair: Roberta Julian
When police go shopping
Peter Grabosky and *Julie Ayling*

Policing and the law of private security
Rick Sarre

Awareness of forensic science by non-specialist police in Tasmania
Mathew Osborn and Roberta Julian

1700-1800	Book Launch – '*Reshaping Juvenile Justice:*	Exhibition Foyer
	the NSW Young Offenders Act 1997'	
	By Janet Chan	

| 1900 | Pre-dinner drinks | Portlight Bar |
| 1900-2300 | **Conference Dinner, Wrest Point** | Derwent Room |

0800-0930	Registration

0930-1100   **Panel Session** 6

6A Crime and Human Rights 6
Chair: Elizabeth Stanley

Pleanry Hall

Conditions for persons in custody and the role of the Victorian Ombudsman
John Taylor

Prisoners' needs in Jordan: toward rights-based practice
Faker Al Gharaibeh

6B Social Exclusion, Crime Prevention and Crime Control 3
Chair: Nicole Hunter

Tasman Room A

Intervention logic, evidence-based policy and the transformation of community-based crime control in New Zealand
Trevor Bradley

Crime prevention: beyond the 'what works?' mantra
Adam Sutton and *Adrian Cherney*

6C Gender, Sexualities and Crime 5
Chair: Ania Wilczynski

Boardwalk

Mandatory reporting of intimate partner violence: a conundrum for human rights
Romy Winter

Male entitlement, sexual jealousy and intimate partner violence
Paul Mazerolle

Rewriting the ideal police corporeality: women in policing
Natasha Sugden

6D Policing, Governance and Anti-Social Behaviour 7
Chair: Roberta Julian

Tasman Room C

Invisible victims of serial crime: the contribution of intelligence-led policing
Natalie Scerra

Policing research: a police perspective
Michelle Sced

The 2004 Victorian Police Code of Practice: a service view
Georja Jane Power

6E Restorative Justice and System Alternatives 1
Chair: Rick Sarre

Wellington Room 1

Adult conferencing in the sentencing process: the Adelaide restorative justice pilot project
David Bamford and *Andrew Goldsmith*

Evaluation of the New Zealand court referred restorative justice pilot
Venezia Kingi

Youth justice diversion in Tasmania - collaboration and innovation
Paulette Muskett

6F Corrections and Punishment 7   Green Room
Chair: Alison Liebling
"Shot, whipped, and hanged to "no smoking" and lethal injection --
human rights and corrections, a Washington State, USA perspective.
R. Pete Parcells

The impact of closed circuit television surveillance on misbehaviour and planned
and unplanned assaults in prison
Troy Allard, Richard Wortley, and *Anna Stewart*

6G Corrections and Punishment 8   Wellington Room 2
Chair: John Dawes
Negotiating the prison and the state
Megan Peacock

The changing of the guard: the prison officer as peacemaker and manager
Sue King

Australian prison populations in the wake of population ageing
Lisa Rosevear

6H Policing, Governance and Anti-Social Behaviour 8   Tasman Room B
Chair: Andrew Goldsmith
Regimes of insecurity? Citizen security initiatives as regulatory
Pamela Leach

Shaping Australian counter-terrorism: trigger events and policing responses
Janet Ransley

The (mis)use of confidential police information: delineating the problem
and its effect on integrity and public trust in policing
Cindy Davids

1100-1130	Morning Tea	

1130-1230   **Plenary Address 4**   Plenary Hall

Chair: Roberta Julian
'Prisoners and Human Rights'
Debbie Kilroy, Sisters Inside, Queensland
David Brown, Law, University of New South Wales
Kim Pate, Canadian Association of Elizabeth Fry Societies

1230-1330   **Panel Session 7**   Plenary Hall

7A Cultural Criminology 1
Chair: Donna Spears
A matter of shame: apologising for international indifference to the Rwandan genocide
Nesam McMillan

Justice, equity and diversity: Sexual assault of women from diverse
communities and the criminal justice system
Katherine McLachlan

7B Social Exclusion, Crime Prevention and Crime Control 4   Tasman Room A
Chair: Julia Davis
Measurements of crime and risk perception: The social amplification of
risk framework appraised
Mary Eckhardt

Inventing fear of crime: from dangerous classes to the enumeration of anxiety
Murray Lee

7C Violent Crime 3   Boardwalk
Chair: Rick Sarre
The problem of illegal immigration and prostitution of mainland Chinese females in Taiwan:
from the perspective of organised crime
Tzu-Hsing Chen

The Emperor's new corrections strategy: what children can teach us about punishment
Marc Forget

7D Crime and the Lifecourse   Tasman Room C
Chair: Mark Finnane
Persistent offenders and their lifecourses, 1880-1940
Barry Godfrey and *David Cox*

The saga of villains or victims?:
The Committee of Vigilance (1851) and the Sydney ducks
Garry Coventry

7E Restorative Justice and System Alternatives 2   Wellington Room 1
Chair: Janet Chan
Learning to do justice restoratively: the role of entry training on convenor socialisation
Jasmine Bruce

Paradigm shift from crime and criminal justice to violence and peacemaking
Hal Pepinsky

7F Violent Crime 4   Green Room
Chair: Joy Wundersitz
On riots and mobs: understanding group violence
Rob White

Not all assaults are crimes: Another level of complexity to the relationship
between victimisation and reporting to the police
Joe Clare and *Frank Morgan*

7G Crime and Risk Assessment   Wellington Room 2
Chair: Paul Mazerolle
The risks of risk assessment: new directions in juvenile justice
Emilie Priday

The micro-politics of danger in the assessment and management of risk
Mark Hardy

7H Drugs, Crime and Criminal Justice 4   Tasman Room B
Chair: Jenny Mouzos
Methamphetamine use and violent crime: exploring the link amongst a
sample of police detainees in Australia
Jenny Mouzos

Using and selling amphetamines: three profiles of users in the Queensland amphetamine market
Jeremy Prichard

1330-1430   Light Lunch, followed by Ice Cream Social
             Conference Handover

ANZSOC 2006 Conference

The Australian & New Zealand Society of Criminology
19TH ANNUAL CONFERENCE

Criminology and Human Rights

ABSTRACTS

Sedition and security: an Australian history

Mark Finnane

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In spite of the post-9/11 security climate, a passing knowledge of Australian history suggests this is far from the first time settler Australia has confronted perceived internal and external threats with significant assertions of state power. Current controversies over the law of sedition, including criticism of it as archaic law, have generally been conducted in the absence of any consideration of the transmission into Australian law and politics of this ancient offence. By contrast it is argued here that such consideration has the potential both to deflate present hyperbole about perceived insecurity and to recognise distinctive features of the Australian political landscape that might be the very product of past contests over seditious words and treacherous intentions.

This paper considers these issues against a background sketch of the legal and governmental rationales for sedition prosecutions as an instrument of a sovereign or state under threat. It then examines the circumstances in which various kinds of political, nationalist and proto-nationalist campaigns have in the past been made the target of sedition prosecutions. The argument will consider in particular how far the contemporary identification of an Anglo-Celtic Australia under threat not only from international terrorism but from internal enemies disguises a more unsettled history in which major sources of disaffection were found in the very political and ethnic diversity of migration from the British Isles – disaffection against which the law of sedition might be directed.

The paper draws on the author's work in Irish and Australian history as well as current research on the biography of pioneering civil libertarian, criminologist and historian J V Barry.

A democratic right to disobey? Defending civil disobedience and political protest in contemporary Australia.

Lucy Fiske

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This paper explores the potential of civil disobedience to be used as a form of protest in Australia and argues that civil disobedience, adhering to certain codes of conduct for both pragmatic and philosophical reasons has a legitimate place on the spectrum of protest methods available to activists. I argue that the right to disobey is fundamentally protected by the philosophical foundations of democracy; that democracy and order can both be seen as being of secondary value; that is, concepts which exist to serve the higher principles of liberty and justice. Recent proposed changes to Australian laws seek to kerb democratically protected rights of dissent and protest. This paper explores the potential impact of such changes on activism in Australia and canvasses the importance of resistance and disobedience in the name of democracy.

The sacred cow of human rights: which human? whose rights?

Rob McCusker

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The concept of 'human rights' has been invoked most publicly and frequently since, and in relation to, the events of September 11 2001. Human rights issues are deemed to arise in relation to the continued activities of terrorist groups and also to the wider society which, as a result of official responses to terrorism, has begun to question the perceived impact upon its human rights of those responses.

The all-encompassing nature of that official response has led to wide-ranging operational, policy and legislative changes within societies. These include both direct and indirect responses to prospective terrorist activities which range from extending the lengths to which legitimate society can be monitored by intelligence agencies to increasing the regulatory burden upon business and financial sectors in relation to terrorist financing and money laundering. Equally, governments have also been criticised for breaching the human rights of actual and alleged terrorists under their control. There remains a tension between the pre and post 9/11 social environments in which freedoms deemed to exist prior to that date are perceived to have been removed, truncated or otherwise altered after that date.

There remains a tension too between the requirement for often draconian measures from the respective and often diametrically opposed perspectives of law enforcement and intelligence agencies and governments on the one hand, and civil society on the other. It seems unlikely that a compromise can be reached in which the freedom to operate within society as before co-exists with the perceived need for enhanced protection of society against terrorist and similar activity. However, it is vital that the concept of 'human rights' does not simply become the sacred cow of the post-9/11 world such that any attempts to impinge upon cherished rights are opposed only where the infringement constitutes a genuine abuse of the rules of proportionality and not simply because changes to the status quo per se are opposed.

1B Age and Crime 1

Imagining youth justice

Kerry Wimshurst & Troy Allard

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This paper explores how undergraduate students who are relatively new to a professional area conceptualise their (possible) future employment in youth justice. The research investigated the ways in which these anticipations about professional work roles were also related to participants' views about crime. While a considerable body of research literature has focussed on the juvenile justice system itself and on 'troubled and troublesome' young people, in fact we know far less about those who might one day be charged with statutory responsibilities for looking after the interests of young people in the justice domain. The research compared the views of students enrolled in two undergraduate courses concerned with working with young people: criminal justice students (n=80) and human services students (n=50). Findings indicated that there were significant differences between these two groups in terms of their views about crime causation, and about how they see the roles of youth justice workers. Given the (apparently) differing orientations with which these students enter their respective programs, the paper considers possible implications for professional practices in youth justice, and the potential (or otherwise) for 'cross disciplinary' collaborations once in the field. The findings also raise some intriguing questions at a time when universities are introducing 'double degrees' and 'joint degrees' which span supposedly complementary professional areas, in this case youth work allied with youth justice – but where the student body might hold differing conceptions about why they are doing their programs in the first place.

Sentencing in the children's court: an ethnographic perspective

Max Travers

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This paper presents some preliminary findings from an ethnographic study, based on observing hearings and interviewing practitioners in the Youth Division of the Magistrates' Court in Hobart, Tasmania. The focus is not so much on political debates about youth justice, but on what hearings reveal about the practical work involved in sentencing. Although there is a large academic literature by jurists on the philosophical principles, and social scientists on the attitudinal and institutional factors shaping the decision, there have been few studies that examine what happens in the courtroom. This paper argues that one can learn a great deal about the collaborative nature of judicial work, the administrative side of decision-making (neglected by most studies) and the welfare values informing work in this court, through examining sentencing hearings. The paper also considers the prospects for developing the project into a larger comparative study.

Single stay versus repeat juvenile detainees: an examination of risk and protective factors

Lynne Roberts

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This presentation will examine the risk and protective factors related to recidivism for juvenile offenders sentenced to detention. It builds on previous research on predictors of juvenile recidivism and desistance to explore the relative contribution of static and dynamic predictor variables.

A retrospective study was undertaken to determine risk and protective factors associated with recidivism of juveniles sentenced to their first period of detention in Western Australia between 1997 and 2000. Recidivism was defined as a return to juvenile detention (or imprisonment) within a two year period of release from detention. Department of Justice files were accessed and data extracted on a range of variables describing the individual and their situation at three time periods: immediately prior to detention, during detention and at point of release from detention. Usable data for 259 juvenile detainees was obtained.

Approximately seven out of ten (71%) of the detainees had returned to detention or imprisonment within a two year period of release from their first period of detention. Logistic regression analysis was used to identify risk and protective factors associated with return to detention. While indigenous and non-indigenous youth did not significantly differ in the rate of return to detention, the risk and protective factors associated with return to detention differed between the two groups.

Our research findings indicate that return to detention or imprisonment within two years of release from initial sentence to detention is the norm, rather than the exception. Identifying the risk and protective factors associated with the recidivism of juveniles sentenced to detention is an important area for research with potential application to the treatment of juveniles in detention. The research findings increase our understanding of the relative role of dynamic and static risk and protective factors in recidivism, and the varying pattern of predictors between indigenous and non-indigenous detainees.

1C Environmental and Ecological Justice 1

Fire signs: community change, environmental awareness and responses to arson in bushland environments

Matthew Willis

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Environmental changes occurring at a global scale are fundamentally altering the way we perceive the world around us. Recent decades have seen a growing awareness of the fragility and importance of the environment and the need for the global community to reconsider how it interacts with the natural world. Out of this changing perception has arisen recognition of the fundamental value of the bushland surrounding Australian cities and towns.

At the same time expanding cities and changing community profiles mean that an increasing number of people are living in close proximity to bushland areas. This proximity creates a major risk of widespread damage from bushfires. With most bushfires being human-caused, the majority deliberately lit, the interaction of communities and the bush is a potentially volatile mix.

Against this backdrop, most Australian jurisdictions have established a specific offence of starting a bushfire. The arson offences from which these were drawn require some damage to property as a result of the maliciously lit fire. The bushfire offences however were typically constructed so that the elements can be made out even if there is no tangible damage to property. The penalties attached to these offences have placed bushfire arson amongst the most serious of criminal acts.

This paper will examine how changes in awareness have in many ways created the offence of bushfire arson and shaped the legislative response to it. It will consider the background factors that contribute to bushfire arson behaviour, the motives underlying arson in bushland settings and implications for enforcement of these new offences. It will look at how police, fire and correctional services can respond to bushfire arson within the context of our changing perceptions and within a human rights framework.

Crime, ecological systems and environmental harm

Rob White

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Green criminology often incorporates consideration of two broad strands of analytical thought and activist energy. *Environmental justice* tends to be concerned with issues of social inequality, while *ecological justice* tends to be concerned with issues of conservation of specific environments, animal rights and preservation of the bio-sphere generally. In the first instance, environmental harm is constructed around notions of harm to humans; the latter extends the concept to include the non-human. In either case, what actually gets criminalised by and large reflects an anthropocentric (or human-centred) perspective on the nature of the harm in question. This paper considers the complexities and conflicts associated with efforts to develop notions of ecological citizenship and eco-human rights that take into account consideration of both human and ecological systems. The strategic role and dynamics of human intervention, within a green criminological framework, will be discussed.

Policing and the environment

Kevin Tomkins

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Illegal, unreported and unregulated (IUU) fishing has far-reaching consequences for the long-term sustainable management of global fisheries. In the extreme cases IUU fishing can lead to the collapse of a fishery or seriously effect efforts to rebuild fish stocks that have already been depleted by legal over exploitation. IUU fishing occurs in virtually all fisheries, causing problems for those who depend on fisheries for economic benefits. IUU fishing can cause an entire fish stock and industries to collapse. In Australia illegal fishing has become of such concern that both federal and state governments have invested considerable resources to combating illegal fishers. The financial cost of enforcing Australian fishing laws are considerable, in 2005 the Australian government committed $217.2 million to continue a customs managed armed vessel patrolling southern ocean fishing zones until 2009-10. Governments invest huge sums of money in physical surveillance of EEZs using armed patrol boats, aircraft, satellite monitoring systems and the like. IUU fishing on the high seas is in fact a form of trans-national organised crime that has many similarities with other trans-national crimes such as piracy, arms trafficking, illegal migration, smuggling and narcotics trafficking. Illegal fishing is perhaps the most immediate challenge to environmental law enforcers this paper explores the role of Australian police services in policing IUU fishing.

1D Drugs, Crime and Criminal Justice 1

An evaluation of the first three years of the NSW Cannabis Cautioning Scheme

Joanne Baker

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State and territory governments across Australia are increasingly emphasising the diversion of minor and first time drug offenders from the traditional criminal justice system into education or treatment. The Cannabis Cautioning Scheme was introduced in April 2000 as a NSW Government drug diversion initiative. This paper presents the results of an evaluation of this Scheme, based on a series of key informant interviews and analysis of police, Local Courts and Alcohol and Drug Information Service data. The Scheme was successful in diverting offenders from court, with 38% fewer minor cannabis charges dealt with by the Local Courts in the three years since the Scheme commenced, compared with the three years prior. It was not so successful in diverting offenders toward education or treatment, with less than 1% of offenders seeking assistance for their cannabis use. Some of the difficulties and unintended consequences associated with implementing the Scheme are also highlighted.

Drug courts and the 'crisis of penal modernism'

Glen Took

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Drug courts are a new way for Australian criminal justice systems to deal with drug offenders. The New South Wales Drug Court aims to assist those eligible offenders with drug dependencies overcome both their drug dependency and their criminal behaviour. This paper forms part of a wider investigation into the New South Wales Drug Court and aims to explore the theoretical frameworks that can inform our understanding of the emergence and impact of drug courts in New South Wales. Specifically the paper will address the emergence and consequences of the drug courts in relation to the 'crisis of penal modernism' and 'contractual governance' and suggest an alternate and complementary framework of moral regulation to assist our understanding of the emergence and consequences of drug courts.

Partnerships between police and community services

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The Arrest Referral models were designed in the UK during the late 1990's. The initiative, aimed to the provision of treatment at the point of police contact, proved to be highly successful in contributing to the reduction of drug related crime among recidivist offenders. Research shows a cost to benefit ratio of 1:7. Since its inception in late April 2003, the Northern Assessment Referral and Treatment Team (NARTT) has pioneered the arrest referral model in Australia.Externally evaluated and proven successful, the program gained support among the different stakeholders including police, clients, mainstream services and local media. In recognition of its achievements the Australian government refunded NARTT for further 18 months. Other similar initiatives were created and the model was replicated in different settings. The "NARTT model" is mentioned at Family Violence forums as a viable approach to dealing with In spite of its success, the model. Some observers noted the programs' engagement rate and success in meeting outcomes.

1E Race, Ethnicity and Criminal Justice 1

"If blood should stain the bottle": "permission to hate" and "race riots" in Sydney, December 2005

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This paper attempts a preliminary analysis of the ideology surrounding the mass outbreak of racist violence against 'Lebs' and 'Wogs' on Sydney's Cronulla Beach in December 2005. It deploys and extends Barbara Perry's notion of 'permission to hate' as a causal factor in hate crime. The paper argues that the State is implicated in the production of (ultimately violent) racial hatred: firstly, through modelling, by racially targeted 'legitimate' violence via so-called 'ethnic profiling' in both the 'war on crime' and the 'war on terror'; secondly, through indulgence and refusal to condemn racial vilification, and disinclination to redress unlawful racist violence; and thirdly, through populist manipulation of xenophobic anxieties for electoral advantage and the maintenance of hegemony.

Human rights and hate/bias-motivated crimes in Wellington, New Zealand

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With immigrants from over 145 countries, New Zealand boasts a highly multi-cultural society. All members of New Zealand society, including those likely to be victimised by hate/bias-motivated crimes, are ostensibly protected by the 1993New Zealand Human Rights Act as well as various international treaties, such as The International Convention on the Elimination of All Forms of Racial Discrimination, Convention on the Elimination of All Forms of Discrimination Against Women, Commission of Human Rights, et cetera. In light of recent international experience, police knowledge of these laws, or lack thereof, is extremely important in relation to their ability to recognise incidents of and protect all members of New Zealand from hate/bias motivated crime.

This paper focuses on how a multi-cultural society like New Zealand deals with hate/bias-motivated crimes. In the light of the Police duty to protect all citizens and visitors, regardless of cultural or ethnic background or sexual orientation, this paper explores the relationship between police knowledge of various human rights legislation and police recognition of hate/bias-motivated crimes. The paper presents findings from research investigating the abilities to, and the ways in which, police officers in Wellington, New Zealand recognise bias-motivated crimes.

1F Gender, Sexualities and Crime 1

Legislating against historical legacies: victims rights charters and rape survivors, Part I

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During the last twenty years many jurisdictions, including New Zealand and most Australian states and territories, have introduced legislation, codes and charters ostensibly designed to protect the rights and meet the needs of crime victims. Despite the proliferation of such measures, many women victims of rape still struggle for support and recognition, and continue to experience revictimisation by the criminal justice system. This paper begins by identifying common rights articulated in victims' charters. It then reviews qualitative research conducted by the authors in New Zealand and Australia over the last three decades, with a view to ascertaining whether there has been a shift in rape victims' narratives about the extent to which their needs as crime victims are being met. In seeking to understand the barriers to change, attention is given to the on-going power of historical legacies to undermine and fundamentally prevent the rhetoric of victim rights becoming reality.

Legislating against historical legacies: victims rights charters and rape survivors, Part II

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During the last twenty years many jurisdictions, including New Zealand and most Australian states and territories, have introduced legislation, codes and charters ostensibly designed to protect the rights and meet the needs of crime victims. Despite the proliferation of such measures, many women victims of rape still struggle for support and recognition, and continue to experience revictimisation by the criminal justice system. This paper begins by identifying common rights articulated in victims' charters. It then reviews qualitative research conducted by the authors in New Zealand and Australia over the last three decades, with a view to ascertaining whether there has been a shift in rape victims' narratives about the extent to which their needs as crime victims are being met. In seeking to understand the barriers to change, attention is given to the on-going power of historical legacies to undermine and fundamentally prevent the rhetoric of victim rights becoming reality.

Evaluation framework to review the New Zealand *Prostitution Reform Act 2003*

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New Zealand's Prostitution Reform Act came into force at the end of June 2003. Included in the Act was the establishment of the Prostitution Law Review Committee (PLRC), which is required to review the impact of the Act and whether it has met its stated objectives within three to five years of its commencement. The Act has decriminalised prostitution (while not endorsing or morally sanctioning prostitution or its use); other objectives included safeguarding sex workers' human rights, protecting them from exploitation and promoting their welfare and occupational health. The findings of the review are likely to be subjected to intense scrutiny, as this legislation has been controversial, and has attracted strong and typically opposing views. This presentation will firstly provide a brief introduction to the Act. It will then describe the evaluation framework that has been developed for utilisation by the PLRC when they commence their review in June 2006.

1G Corrections and Punishment 1

Time for accountability: the search for effective oversight of women's prisons

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Numerous reports and commissions of inquiry have documented the need for oversight and accountability mechanisms to redress illegalities and rights violations in Canada's women's prisons. This paper examines the recent troubled history of women's imprisonment in which the calls for meaningful accountability and oversight have arisen, outlines some necessary criteria for any effective oversight body within this context, and measures some of the key recommendations against those criteria. The authors conclude that the judicial oversight model and remedial sanction proposed by Justice Louise Arbour in 1996 in her Report of the Commission of Inquiry into Certain Events at the Prison for Women in Kingston is the proposal that best meets the criteria and therefore ought to be implemented. Underlying this conclusion is the authors' view that prison reform is susceptible to what Pat Carlen has called "carceral clawback" and is, therefore, ultimately ineffective over the long term. They argue that the proven difficulty of making prisons humane and effectively overseen – of requiring that the Rule of Law take root inside prison walls – should give us pause and encourage us to take seriously the need for alternatives to, and even abolition of, prisons.

'The right to 'safe' accommodation: rights and obligations to a standard for prison accommodation

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Whilst many international and national rules and recommendations exist for a standard of accommodation for prisoners, court experiences demonstrate are few legally enforceable standards. In response, prison accommodation varies significantly between locations, states and countries with living conditions ranging from the humane to the horrible. Accommodation has been integrally linked to the institutional outcomes with sub-standard accommodation often blamed for riots, assaults, fires, suicides and other behaviours and architectural strategies have often been cited as a method to prevent or ameliorate deaths in custody and ameliorate the prison experience. Recently, it has been

stressed that prison accommodation should preserve and maintain the safety, health and dignity of the individual.

This paper examines the meanings of 'safety, health and dignity' with particular reference to the cross-cultural applications in regard to Australian Aboriginal peoples within prison environments. The paper will review current legislation, standards, best practice and recommendations for the provision of prison accommodation using South Australia as a case study. It concludes that there has been a continual failure by correctional administrators and courts in legislating a minimum standard of accommodation leading to a lack of enforceable standards. As a result, there are few rights for prisoners seeking a minimum standard of accommodation and unsafe, unhealthy and undignified living conditions persist in many prisons.

Disciplining women: maintaining discipline in women's prisons

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Women's behaviour in prison is managed in a range of ways. A key form of control is a prison's disciplinary processes, formal and informal. Disciplinary practices are central to the management of imprisonment; they are also central to women's experience of imprisonment. Their legitimacy depends on the extent to which they are seen to be fair, and to produce a safe and respectful prison environment.

Women appear to have significantly greater involvement in disciplinary processes in prison than do men, and to be disciplined for different behaviours.

This paper draws research including interviews with prisoners and prison staff to examine such questions as the factors underlying the identification of behaviour in prison as raising disciplinary issues; whether women prisoners offend more than men; whether they offend differently; and whether disciplinary processes are employed in gendered ways in relation to women in prison.

1H Policing, Governance and Anti-social Behaviour 1

Making sense of police reforms: the enactment of culture in a changing field

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Sensemaking is an ongoing process members of organisations engage in to explicate their world (Weick et al. 2005). When faced with rapid and constant changes in their environment, members try to make sense of uncertainties and disruptions and 'enact' their interpretations into the world to give it a sense of order. This paper draws on a longitudinal study of police officers to describe how officers make sense of police reforms that have considerably altered the field of policing. It argues that sensemaking is a theoretical bridge that helps connect Bourdieu's concepts of field and habitus: it describes how agents translates changes in the field into shared understandings and values that inform the occupational habitus. As such, it is an important element for the theorising of police culture and practice.

Adjusting to life 'on the beat': investigating adaptation to the police profession

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Research investigating police officer adjustment during the transition from training to operational duties is scare, and to date has yielded mixed results. While many studies of police officers focus on stress generated by their inevitable involvement in traumatic incidents, others argue that there is a distinctly positive side to policing which in fact is generated from the very situations that are argued to make the job stressful. Furthermore, the police organisation has been found to play a pivotal role in how officers define and perceive their involvement in stressful and traumatic events. This study presents an examination of the individual and organisational factors that interact in constructing stress and satisfaction for police officers. The paper presents data from 115 police recruits relating to officer response to traumatic events prior to academy entry, and charts the changes in stress and coping for 48 officers in the move from training to operational duties. The argument for the existence of a unique police personality, from the perspective of self-selection into the occupation, is also considered, with evidence suggesting that the police officers are not remarkably different from the average Australian.

Redistributing responsibility for policing problems: lessons for problem-oriented policing from the field of illicit synthetic drug control

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One of the key aims of problem-oriented policing (POP) has been to institute an analytically informed and creative set of police practices that move away from incident driven policing towards strategies that are preventive in nature. Relevant to promoting innovative problem-solving is the capacity and willingness of police to engage third parties in furtherance of crime control. Such a process is critical given that many public safety problems that police have to address are the direct result of some sort of failure on the part of business or government to conduct itself in such a way as to minimise criminal opportunities. In this regards broadening responsibility to include external agencies is essential to the effectiveness of POP in practice. This paper will explore the theme of redistributing responsibility for policing, drawing on experience within the field of illicit synthetic drug control and identify lessons relevant to POP more generally. The paper will highlight that the nature of illicit synthetic drugs necessitates redistribution strategies and this has to be based upon a clear understanding of externalities (i.e. opportunities for illegal conduct) generated by legitimate commercial activity. Likewise redistribution also needs to be derived from insight into the qualities of compliance seeking tactics that exit across a spectrum of "command and control" regulation (i.e. use of the law) to indirect systems of enforced self-regulation, the brokering of co-operative relationships and the use of explicit and indirect incentives.

2A Crime and Human Rights 2

Towards a criminology for human rights

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Based on ongoing work in Timor Leste, this paper considers the usefulness of dominant human rights approaches to transitional justice situations. The paper will develop three main points: (i) that mainstream human rights discourses invariably limit our understanding of the realities of pain and suffering; (ii) that dominant legal approaches to deal with violations inevitably focus attention on individuals, rather than institutions and structures, and by doing so actually inhibit opportunities to resolve conflict and inequalities; (iii) that collaborative power arrangements, which exist at local, national and global levels, are key to understanding how truth and justice might be secured for human rights violations.

In sum, the human rights frame for criminology being proposed here is one that moves away from mainstream approaches in terms of definitions and responses. Human rights discourse is useful in terms of couching claims as agreed 'social wrongs' however, if we want to challenge the wider harms that cause death and suffering, we also need to look beyond the current hierarchy of human rights that elevates individualism and legal responses. Research has to understand local and personal 'troubles' in terms of histories, ideologies, relations and structures at a global level.

2B Age and Crime 2

Peril, pre-emption, paternalism and the whole damn thing – discourse and young people in South Australia

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This paper will critically examine the current South Australian debate surrounding young people and identify the potential consequences for those who are the subject of this debate. Emphasis will be placed upon a discussion of the potential impact of the key discursive themes identified within the recently released Select Committee report into the South Australian juvenile justice system, with additional reference to recent media commentary on specific 'youth' issues. The apparent tensions and contradictions within the identified discourse(s) will be a key focus of exploration.

The paper will argue that the current debate is based upon increasingly paternalistic assumptions. It is further argued that although the somewhat contradictory constructions of young people as either vulnerable and in need of protection or young people as a social threat are both evident, the ultimate outcome for young people is the same, that is the prescription of greater levels of control. Finally it will be suggested that a critical component of contemporary discourse is the relationship between political rhetoric, bureaucratic context and knowledge production.

Particular scrutiny will be given to the Select Committee's recommended strategies of early intervention, treatment and parental responsibility. These notions are not new but represent a reformulation of well known paradigms. It is suggested that in their contemporary versions they are imbued with neo-liberal conceptualisations of risk, and tend to locate responsibility within the individual and away from the social structure or as an outcome of the system. In this way the contemporary discourse fails to meaningfully engage with the inherent risks of criminalisation, net-widening or decline in standards of natural justice. Ultimately, the paper suggests that discourse needs to be as concerned with doing justice as the need for control or risk reduction.

Review of juvenile remandees in Tasmania

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Whilst there has been considerable attention given in Australia to the overall number of youth held in detention, less focus has been given to the number of young remandees held in custody.

In January 2005, the Minister for Health and Human Services requested that the Commissioner for Children undertake an investigation into the high number of young people on remand at Ashley Youth Detention Centre ("Ashley") including an analysis of the reasons and contributing factors and recommend possible strategies to address this issue.

Custodial Youth Justice figures between 2001 – 2004 indicated that there had been a rise in the number of children and youth remanded to Ashley. It was also apparent that many youth were serving lengthy periods of remand in custody.

Under Part 6 of the Youth Justice Act 1997, Ashley is responsible for the safe custody of youth who have been remanded in custody or sentenced to detention. In limited circumstances, young adults can also be accommodated at Ashley.

The relevant legislation for determining applications for bail in Tasmania does not distinguish between youth and adult offenders. However the adverse consequences of incarcerating youth are well documented. The social, emotional and psychological outcomes for youth who have been placed in detention are poor and the likelihood of future offending is very high.

The Australian Institute of Criminology was commissioned to review data on juvenile remandees in custody in Tasmania collected from 1 July 2004 to 30 June 2005. Consultations were undertaken with a variety of youth justice stakeholders to determine the factors contributing to the remanding of youth in Tasmania.

The paper explores the reasons to explain the qualitative data, considers comparisons with other jurisdictions and reflects upon the implications for future policy and program development.

2C Crime and the Media

Have I got news for you: politicians, policy and the press

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Moral panic theory continues to have a strong influence on the way that criminologists study the relationship between the media, politics and policy. Although it has lots to offer, moral panic theory can oversimplify and overstate the media's role and impact. Media theorists offer a range of other insights into the way the media operate and they can provide criminology with a rich resource for further study in the area of media and crime.

Using a case study of the Daily Telegraph's 2004/5 P-plate campaign this paper will explore the complex dynamics of the relationship between newsprint media and legislative and policy reform, as well as offering a critique of moral panic theory.

"Don't give up your sources": journalists and their relationships with police

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The associations between police and media can be traced throughout the history of the police service, showing a "long fascination of the modern media with all aspects of criminal justice" (Finnane 2002: 134). Despite their divergent objectives, their operational interdependency has meant the relationship between the police and media is dynamic, complex and multidimensional in nature (Putnis 1996). In 1992 Australian author Paul Wilson (1992) wrote that he believed reporters relied far more on

the police for information than the police did on reporters. Almost fifteen years on however, it is questionable that such a power imbalance still characterises the relationship. Are police attempts to manipulate the media still as prominent as Wilson (1992) and others (see Freckelton 1988; Skolnick and McCoy 1984) have contended? And if so, how do journalists and reporters deal with police attempts to control and manage the information they disseminate? These questions become even more pertinent with the increasing influence and scope of professionalised Media Relations Units within policing organisations.

This papers aims to explore the complexities of police-media relations from the point of view of journalists and reporters. Interviews were conducted with fifteen print, television and radio journalists from metropolitan New South Wales who reported on matters of crime, policing and law and order. Interviewees were questioned on the frequency and basis of their contact with New South Wales Police and the Police Media Unit, as well as the quality of the relationship between themselves and police representatives. Responses were revealing. They provided information on the utility of the Police Media Unit as a communicative tool and the value of individual police contacts. Many reporters also highlighted some of the more political aspects of their interactions with New South Wales Police.

2D Drugs, Crime and Criminal Justice 2

Dry areas and human rights

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Dry areas (or alcohol free zones) have been widely implemented in South Australia, with approximately half of the 68 Local Government Areas now having at least one in place. This strategy has also been used extensively in other jurisdictions. However, relatively few have been subject to evaluation or monitoring and where reviews have been undertaken they have been hindered by a lack of relevant data and have reached different conclusions as to the effectiveness of this strategy.

Drawing upon the key findings to emerge from OCSAR's monitoring of the Adelaide Dry Area Trial, this paper considers the human rights implications of Dry Areas.

The role of alcohol in injuries presenting to St Vincent's Hospital Emergency Department and the associated short-term costs

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This research investigates the role of alcohol in injury presentations to an inner-city emergency department and the associated short-term economic costs. Injured patients attending St Vincent's Hospital Emergency Department during September 2004 and February 2005 were interviewed about their alcohol consumption prior to the injury event and, where possible, administered a breathalyser test. One-third of the injured patients interviewed reported consuming alcohol prior to the injury and almost two-thirds of these patients stated that they had been drinking at licensed premises. Alcohol consumption was found to be more prevalent amongst patients presenting with injuries resulting from interpersonal violence, with almost two-thirds of these patients reporting that they had been drinking prior to the injury. The estimated annual cost of alcohol to St Vincent's Emergency Department was as much as $1.38 million. While the overall economic cost of alcohol-related injuries is probably much greater than this estimate indicates, the research highlights the resources that could be devoted to other illness and disease if a proportion of alcohol-related injuries were reduced.

An analysis of sentencing outcomes in the Northern Territory

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In Northern Territory (NT) prisons during 2004-05, the daily average number of adult Indigenous prisoners was 600 compared to 169 adult non-Indigenous prisoners. The aim of the paper on which the presentation is based was to give insight into aspects of the persistent high proportion of Indigenous prisoners in the NT.

There are many steps in the series of events between a crime being committed and a defendant being acquitted or proven guilty and perhaps receiving a custodial order. The outcome of each step is subject to multiple factors. Analysis of all factors at each step was outside the scope of the paper which was restricted to analysis of administrative by-product data from the NT's Integrated Justice Information System (IJIS). IJIS contains the complete history of a person's contact with the NT Justice System from the time of apprehension through to release from custody or supervision.

The presentation is focussed on the analysis of sentencing outcomes of cases finalised in the NT during 2004-05 through comparison of salient characteristics of the adult Indigenous and non-Indigenous defendants. The characteristics include prior convictions and sentencing outcome histories over the previous five years for the same or different offence types, legal representation, and sex. Particular attention is paid to sentencing outcomes for cases in which the most serious offence belonged to the categories of assault or driving offences which represented 65% of adult sentenced custodial episode commencements in 2004-05.

Diversion of Indigenous young people from the criminal justice system

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Diversionary strategies are designed to divert young people away from the coercive and negative influences of the criminal justice system, often to specialist programs designed to prevent recidivism. Diversionary strategies that have been implemented in Australia include police cautioning, family group conferences, Indigenous courts, and other community-based programs. Whilst diversionary strategies have been available in Australia for a number of years, Indigenous young people tend to be less likely to be diverted than non-Indigenous young people. Once dealt with by the courts they are more likely to receive custodial sentences, leading to a general overrepresentation of Indigenous young people at all levels of the criminal justice system. Despite recent changes in legislation and procedure to ensure more Indigenous young people are diverted, and more programs are available to which they can be diverted, the problem of overrepresentation remains. The reasons for this are complex. Research suggests that Indigenous young people are less likely to be referred to diversion programs due to the more serious nature of their criminal records acquired earlier in life, and the presence of social and economic disadvantage. These factors alone, however, do not account for the level of overrepresentation, especially at the level of police contact. Although designed to be appropriate to Indigenous offenders, family group conferencing, especially the so-called 'Wagga model' conducted by police, has not seen great success with Indigenous young people in Australia, however Indigenous-specific Children's Courts may be more promising. This paper outlines what is known about the diversion of Indigenous young people from the criminal justice system, and highlights areas in which further research is necessary.

The processing of sexual assault matters through the criminal justice system: a study of attrition rates and timelines

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While there is considerable anecdotal evidence to indicate that conviction rates for sexual assault cases are comparatively low, the statistics used to substantiate this claim are often inadequate because they rely on snapshot data. In other words, they attempt to estimate attrition by comparing the number of police reports with the number of apprehension reports with the number of finalised court appearances recorded in a specific year, despite the fact that there is no direct one-to-one relationship between these datasets. Incidents reported in one year, for example, may not be cleared until the next year and may not be finalised in court until several years later.

A more accurate approach is to track the same set of incidents through the system, from initial incident report to court finalisation, irrespective of when finalisation occurred.   It is this approach that OCSAR is currently using to assess attrition levels for sexual assault cases in South Australia. In particular, the study involves tracking all sexual assault incidents recorded by police in 2002/03 from the point of initial report to police to the apprehension of a suspect, to first court hearing and to finalisation in court.

The aims two fold:

- first, to identify the patterns of attrition and

- second, to assess the time taken to process these cases through each segment of the system (eg the time between the incident and police report, or police report to apprehension, or first to final court appearance)

The study is also assessing the extent to which attrition and timeliness patterns vary depending on

- the type of offence involved (rape versus indecent assault versus USI)

- the relationship between the victim and offender (eg intimate partner versus family member versus stranger) and

- the age of the victim (ie adult versus child).

This paper will outline some of the preliminary findings of the study and the policy implications.

Why so few reported sexual offences result in conviction: the attrition of sex offences from the NSW criminal justice system

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Victims of crime, including victims of sexual assault, are often encouraged to report the offence to police. What is not said, however, is that few victims who formally report sexual offences receive favourable court outcomes in the criminal justice system. Each year NSW Police receive reports of more than 7000 sexual and indecent assault incidents. Less than one in ten of these incidents are proven in court. In order to improve outcomes for sexual assault victims and establish criminal sanctions as a deterrent for sex offenders we need to find ways to increase the conviction rate for sex offences.

This paper identifies the stages in the criminal justice system at which reported sexual assaults most often lapse. By analysing data from police and the criminal courts we have been able to identify that most sexual assaults proceed no further than the investigation stage. For the small number of sex offence matters that are heard in court the conviction rate is very low.   In trying to understand the reasons behind the high rate of attrition we have been able to identify certain characteristics which are more common in sexual assault incidents for which criminal proceedings are commenced. Given these findings, suggestions are made as to how the number of convictions might be increased.

2G Corrections and Punishment 2

The Victorian Sentencing Advisory Council

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The Victorian Sentencing Advisory Council was established as an independent statutory authority in mid-2004 with a 12 member council and a staff of 10. This presentation describes the work of the Council over the past 18 months, including its research and policy work on suspended sentences, repeat drink driving, provocation, sentence indication, public opinion, and victim impact statements, its statistical publications and community engagement activities. The role of the Council in the broader political and policy framework will also be discussed.

Public opinion and sentencing: myths, misconceptions and the Sentencing Advisory Council

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This presentation describes the functions of the Sentencing Advisory Council and its public opinion project. The current public debate on sentencing is framed in terms of the concept of penal populism, and the effects of this approach are examined briefly.

The main thrust of the paper is an examination of current knowledge of public opinion on sentencing, both in terms of what we know about public opinion and the methodological issues around how public opinion is measured. Special attention is given to the role of the media in creating public opinion on crime and sentencing.

Finally, the work of the Sentencing Advisory Council is discussed in terms of educating and informing the public on sentencing issues.

2H Policing, Governance and Anti-Social Behaviour 2

Improving the police interviewing of suspected sex offenders

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The purpose of this study is to explore sex offenders' experiences of being interviewed by the police, in order to elicit information concerning areas where police interviewing might be improved, and to relate perceptions of police interviewing to the likelihood of a suspect confessing or denying. The primary aim of this research is to increase rates of confessions of guilty sex offenders, as well as rates of conviction and prosecution in this area. Forty-three convicted sex offenders were interviewed using two 35-item questionnaires concerning first, how they perceived they were interviewed by the police, and second, how they believed suspected sex offenders should be interviewed by the police to facilitate confessions. Questions were focussed around seven categories of interviewing strategies including ethical interviewing, humanity and dominance, minimization and maximisation techniques, a demonstrated understanding of cognitive distortions, and evidence presentation strategies. Key findings and their implications will be presented and discussed.

Police interviewing of suspected domestic violence offenders: increasing rates of true confessions and convictions

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In this paper we propose methods for improving the police interviewing of suspected domestic violence offenders, with the specific aim of increasing rates of true confessions. We present literature regarding domestic violence, theoretical models of confessions, and factors which can affect the likelihood of a suspect confessing, including characteristics of suspects or interviewees, characteristics of police interviewers, and general interviewing techniques. In particular, we emphasize the decision making model of confessions, and the importance of humanity, interpersonal skills, positive attitudes, compassion, neutrality, fairness, prevention of denials, minimization and normalization, awareness and understanding of common cognitive distortions, and the collection and effective presentation of strong evidence. It is hoped that this information can be utilized to improve police interviewing of suspected domestic violence offenders, particularly to increase current rates of confessions, as well as prosecutions and convictions.

"Pre-trial disclosure: the good idea that didn't quite catch on."

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This paper outlines the findings of a three year study into the operation of advance disclosure in the UK, by which is meant the process of (primarily) the prosecution making known to the defence material gathered during the investigation, which is not to be used by the prosecution, but which may impact on the case by either undermining the prosecution case or assisting the defence.
It is widely accepted that the procedures for disclosure of this so-called 'unused material', set out in the Criminal Procedure and Investigations Act 1996, have never operated as intended, leaving the possibility that vital information will be withheld from the defence, either innocently or otherwise. Less clear, however, are the reasons why such omissions occur. The instrumental role played by disclosure within the pre-trial process makes it essential that we gain an understanding of why it is that material which should be disclosed is routinely ignored and why the criminal justice system as a whole appears incapable of adequately recognising and correcting defective disclosure where it occurs. The result of such failings has direct impact on the right to a fair trial under Article 6 of the European Convention of Human Rights.

Although the popular perception of 'fighting crime' centres on the detection and pursuit of suspects, the reality is that success, measured in terms of convictions, is increasingly dependent on the administrative construction of 'cases'. The ability to translate physical evidence into the paper form which forms the basis for all subsequent stages of the prosecution process is now a key skill for police officers, a situation made more difficult by the ever expanding range of documentation generated as part of the file preparation process. This surfeit of material, together with the historical difficulties experienced by the police in dealing with the concept of unused material has made the question of disclosure central to many of the wider concerns which exist over the effectiveness of the criminal justice system. This study examined CPIA disclosure in two regional police forces in an attempt to identify those factors, both cultural and institutional, which have acted to impede the effective operation of the provisions.

Despite the role played by others, such as the CPS and defence, the control of unused material remains very much in the hands of the police and, therefore, the attitudes and working practices of officers are central to assessing the effectiveness, or otherwise, of the provisions. An appreciation of the impact of culture and morale is crucial to understanding the perspective which officers bring to their duties (including disclosure) and this is particularly important in relation to the CID officers whose work forms the basis of this study. It is important that the disclosure process is viewed not as a seamless and continuous process but, instead, as a series of stages marked by these critical interfaces between the various protagonists, which are tainted by cultural forces which operate from both sides and a key aspect of this work has been to identify the origins of such antagonisms and their consequences.

With this objective, the study examined how considerations of disclosure influence the actual investigation and exert a, mostly subconscious, influence on officers to pursue or record certain enquiries. This process continues through the critical file preparation stage, where the 'paper' case is created and officers 'shape' the version of events that will form the basis for all subsequent stages of the prosecution process. Central to the question of why disclosure fails are the attitudes and conduct of those officers responsible for implementing the practicalities of disclosure. As such, the perspective which the individual officer brings to applying this highly discretionary legislation assumes central importance and, for this reason, particular emphasis is placed on the way in which officers themselves describe their activities. The research was largely based on a series of lengthy semi-structured interviews conducted with serving police officers of all ranks, supported by similar interviews with others, most notably the CPS, over the same period. In this way, officers' own words are used to convey the nuances of the underlying norms and values which underpin their actions and these are assessed and challenged on an ongoing basis throughout this work, with the aim of presenting a continuous analysis of the complexities of disclosure as it unfolds during the various stages of file preparation and submission. This interview data was supported by an examination of over 1,300 Crown Court files as the most detailed record of the operation of disclosure in individual cases. The paper illustrates the strategies used by investigators to circumvent the due process safeguards of the disclosure regime and, as such, is of interest to anyone concerned with the criminal justice system and the protection of human rights.

Responding to Bagaric – the limits of utilitarian theory

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Post-September politics have regenerated a discussion about the legal status of torture. This debate follows American attempts to interpret US domestic and international obligations in such a way that legal legitimacy is provided to American involvement in torture practices. In Australia, the argument that torture is morally justifiable when it is deployed to save the live of the general populace has been advanced. The proposition that torture is morally justifiable in certain circumstances is couched in the terminology and assumptions of post-September 11 politics. The argument is framed by explicit reference to the September 11 events. The vehicle of the 'ticking bomb' scenario is deployed. These devices work to artificially confine the debate within narrow parameters. Consideration of the political and historical contingencies that necessarily surround identified instance of torture, including practices by western democratic countries, is avoided. Consideration of the institutional contexts in which torture occurs, and of the relationships between authority and practice is avoided. Consideration of the sociological and psychological factors that govern the identification, apprehension and detention of 'suspects' or 'criminals' is also disallowed. The terms of the discussion are set without reference to factors of difference, discrimination, legitimacy and power. Interconnected with the justification of torture on utilitarian grounds, is a strategic critique of rights theory. The notion that rights are mutable and historically contingent is preferred to the notion that human rights are deontological in nature. As this point illustrates, elements of the argument and their connection with broader debates in criminology and sociology, require proper consideration and debate because these themes influence the development of human rights approaches. It is equally important to rebut the methodology that is employed, and the conclusions that are drawn. To do otherwise allows some elements of this challenge to gain a false legitimacy.

3B Age and Crime 3

Questioning policies of deterrence in the mandatory detainment of asylum seekers

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Asylum seekers who arrive in Australia without valid visas are subjected to mandatory detention on the premise that they are unlawful immigrants. The assumption underlying their detainment is that they are rational actors, who choose to commit a criminal offence, and that mandatory detention will deter other potential asylum seekers from coming to Australia unlawfully. These responses to asylum seekers appear to be consistent with the rational choice theory of crime, and deterrence theory. This paper presents an analysis of data gathered by way of semi-structured interviews with asylum seekers to ascertain whether these theories can be applied to asylum seekers. It is concluded that the application of policies based on the theory of rational choice is debatable given the opportunities and conditions to which asylum seekers are exposed. Further, given the role of perceptions of certainty and severity of punishment, the role of perceptions of certainty and severity of punishment, the role of informal sanctions, and the context of offending in deterrence theory, its relevance to the treatment of asylum seekers is questionable. Accordingly, this has implications for Australia's adherence to the 1951 United Nations Convention relating to the Status of Refugees.

Child maltreatment and subsequent offending: examining a Queensland birth cohort

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This paper examines the prevalence of maltreated children within the juvenile justice system in Queensland. Data was obtained from the Department of Child Safety and the Department of Communities, and examines children born in Queensland in 1985 who received either a child protection notification or a proven juvenile offence throughout their childhood or adolescence. Based on this data, each child can be tracked through the child protection and juvenile justice systems individually as well as being able to document their interaction between both child protection and juvenile justice spheres.

The focus of this paper is on the small group of children who were recorded as having some form of maltreatment substantiated against them and who also had a proven offence within the juvenile justice system. However, in analysing this group of children, wider comparisons can be drawn from those children within either the child protection or juvenile justice systems only. The implications from this analysis on research into child maltreatment and juvenile offending are consequently discussed.

Transitions and turning points: examining the links between child maltreatment and juvenile offending

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This research examines the links between child maltreatment and juvenile offending. Data were obtained on 5,859 children who were born in either 1983 or 1984 and had contact with the Department of Families for a child protection matter. These data were matched to juvenile offending records. At the time of data collection these children had turned 17 and moved out of the child protection and juvenile justice system. This provided longitudinal data on victimisation experiences. Using the Semi-Parametric Group-Based trajectory analysis (Nagin, 1990) six distinctive maltreatment trajectory groups were identified. These trajectory groups were distinguished by the frequency of victimisation, the age of onset and the duration of the maltreatment. Furthermore, for two groups the victimisation experiences peaked around the transition from preschool to primary school and two groups peaked at the transition from primary school to secondary school. Significantly, different offending rates were found among children in each of these trajectories even after controlling for gender and indigenous status. Children who experienced victimisation in adolescence were more likely to offend than children who only experienced maltreatment before adolescence. These findings have important implications for our understandings of the pathways from child maltreatment to juvenile offending.

Fragile pathways: identity construction as a pathway into criminal activity.

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This paper explores identity construction as a pathway into offending. It is based on an in-depth study of the files of six children who progressed from child protection into youth detention. White (1989) suggests that narratives about who we are not only reflect reality but are also constructive of it. Narratives can become totalising in that the construction of the significant characters and events leave little room for reconstruction of identity. This is particularly significant when the 'totalising story' is one that is largely negative (Muskett, 2003).

For the children in this study, the construction of identity was a dual process: in the lived experience of, and the meanings that were made from, events; as well as in the documentation and responses to them. In seeking to explain and act on children's challenging behaviour from an early age, identity construction worked to reinforce negative meanings about the child. All children were seen as having deficits either internal (eg, mental illness) or external (through poor socialisation).

Negative identity construction had a cumulative effect on the escalation of the children's behaviour as they progressed through the trajectory into youth detention. Children perceived as 'violent', or 'out of control' became unwanted and feared. A common response to behaviour as the children became adolescents was to involve the police, thus reinforcing the identity of an aggressive violent child.

3C Inside the State: Technologies and Cultures of Border Control

Beyond the blame game: exploring culture, context and conscience in immigration enforcement

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When politicians respond to criticism of departmental practices by pointing to the need for 'cultural change', we have reason to smell a rat. The ministerial response to the release of the Palmer Inquiry into the wrongful detention of Cornelia Rau is a case in point. However, putting blame-shifting to one side, well-informed analyses of organisational culture can play a valuable role in understanding what might be called the 'routine production of harm'. This paper will explore the role of immigration department culture within the broad framework used by Janet Chan in her portrayal of police culture. Chan envisages an active agent, influenced by, but also helping to shape, a dynamic organisational culture, which is, in turn, profoundly influenced by the social and political milieu in which organisational practice takes place. In the immigration context, such influences will include government policy, public sentiment and political rhetoric about immigrants and asylum seekers, and a plethora of organisational incentives which are conveyed to official actors through formal enforcement targets or more subtle managerial directives. In the absence of Australian data, I will draw on interviews with British immigration officers to illustrate remarkable contrasts in their exercise of discretionary detention powers. This research reveals an image of official actors who are neither robotic implementers of harsh government policies, nor unconstrained individuals acting freely according to the dictates of their own conscience. I will suggest that contrasting enforcement styles may be understood as competing occupational sub-cultures which resemble the control, managerialist, due process, human rights and liberation models of law enforcement described by criminologists. While wishing to avoid either deterministic or reductionist conceptions of organisational culture, the evidence that repositories of alternative cultural values have survived in the face of a dominant orthodoxy advocating strict immigration enforcement, points to the potential for progressive organisational change, should social and political conditions allow.

Biometrics, identity and criminalisation: an Australian case study

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In line with many other nation states, Australia has witnessed considerably expanded deployment of biometric identification technologies since 9/11. Since 2001 there has been significant expansion of biometric identification technologies that seek to fix individual identities through the use of physical identifiers such as iris patterns and fingerprints. This Australian case study considers the socio-cultural and political implications of biometric technologies, and their constitutive role in the construction of notions of citizenship. This study will utilize two case studies: the use of biometric identifiers to denote "non-citizens" stipulated in the Migration Legislation Amendment (Identification and Authentication) Act 2004 and resurgent arguments over national identity schemes. It is argued that biometric technologies have coincided and contributed to the construction of sharply polarised notions of inclusion (citizenship) and exclusion (non-citizen). Significantly also, biometric technologies have been pivotal in emergent processes of criminalization, whereby the identity of the citizen is reconfigured as that of the suspect.

What can criminologists make of the Rau and Solon cases?

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The unlawful detention of Australian resident, Cornelia Rau, and the unlawful detention and removal of Australian citizen, Vivian Alvarez Solon, by the Department of Immigration and Multicultural and Indigenous Affairs (DIMIA) raise serious questions about Australia's detention and border control regimes. This paper takes a critical look at the official inquiries into both of these cases. It challenges the findings of both inquiries that these 'errors' were the result principally of organisational and cultural shortcomings within DIMIA. Instead, it argues that the Rau and Solon episodes reflect the systemic breaches of human rights arising from Government policy and discusses what implications this might have for our understanding of institutional culpability and state crime.

3D Drugs, Crime and Criminal Justice 3

Evidence-based or "pragmatic" decision making – the new era of Australian drug policy making?

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Evidence-based policy making is heralded as crucial for effective policies. Indeed in the drug policy arena Australia prides itself on its evidence-based approach to drug policy making. Successes are numerous including the needle syringe programs, methadone programs and drink driving campaigns. However, the introduction of the National Diversion Initiative in 1999 by the Federal Government raises questions as to the relevance of evidence in two key areas: firstly the development; and secondly the implementation/evaluation of current drug policy. This paper will outline the conflicting views as to the emergence of the National Diversion Initiative. It draws upon interviews conducted with key informants in 2004. In particular it will question whether the adoption of the National Diversion Initiative reflects recognition that diversion and treatment work and/or the need for economic rationality and a pragmatic response to a burgeoning criminal justice system. This paper will argue that a shift towards practical decision making would be of limited concern, were it not coupled with the lack of emphasis upon and closed shop approach to evaluation of this initiative. Practical and theoretical implications will be discussed firstly, in terms of the impacts of the National Diversion Initiative upon drug users and the community and secondly, the relevance of evidence in contemporary Australian drug policy.

The long-term effectiveness of corrections-based treatment for drug-involved offenders

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With growing numbers of drug-involved offenders coming to the attention of the criminal justice system, substance abuse treatment has become a critical part of the overall correctional process. The therapeutic community appears to be a treatment modality especially well suited for correctional clients because its intensive nature addresses their long-term treatment needs. A multistage therapeutic community treatment system has been implemented in the Delaware correctional system. The centerpiece of the treatment process occurs during work release – the transitional stage between prison and the free community. When evaluating this program, 690 individuals in four research groups were followed: treatment graduates with and without aftercare, treatment dropouts, and a "no treatment" comparison group. At 5 years after release, treatment graduates, with or without aftercare, had significantly greater probabilities of remaining both arrest-free and drug-free than did those without treatment. Treatment dropouts were slightly, though not significantly, less likely to be arrested

on a new charge as those without treatment, but were significantly more likely to be drug free. These outcome data suggest that the widespread implementation of such treatment programs would bring about significant reductions in both drug use and drug-related crime.

Police powers and volatile substance misuse

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The social problem of volatile substance misuse (VSM) is challenging because of the ease with which volatile substances can be legally obtained and the fact that it is not an offense to inhale such substances. Trial changes to VSM related police powers in Queensland meant police were placed at the center of the Governments response to a social rather than criminal problem. The use of these trial powers was reviewed by the Crime and Misconduct Commission (CMC) resulting in recommendations that the powers be retained and extended. In particular, the CMC argued the case for new powers that would enable police to hold VSM intoxicated children for limited periods of time where they were a risk to themselves or others and no other safe/monitored environment was available. Recommending the removal of the obligation to release a person in the situation where no offence has been committed brings to the foreground important human rights considerations. Essentially, a protective detention power is accorded to police on the basis that an individual poses an unacceptable risk to themselves (and at times others) and this justifies their being held by police despite no criminal offence having been committed. This paper examines the tension between human rights and protective services when law enforcement agencies assume social welfare responsibilities.

3E Race, Ethnicity and Criminal Justice 3

Fostering human rights through the provision of culturally appropriate policing services

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The Australasian Police Multicultural Advisory Bureau (APMAB) plays a fundamental role in assisting policing organisations to develop culturally, religiously and linguistically appropriate responses to criminal justice issues. Fundamental to a human rights approach to crime is the acknowledgement that citizenship is more than the right to participate in democratic processes; social citizenship also requires that the services of a nation reflect the people of the nation, and that the specific cultural, religious and linguistic needs of all residents are acknowledged and integrated into core social services—such as policing—to ensure equal access and more equitable justice. This paper will outline the key strategies employed by APMAB and its Advisory Panel members, with particular reference to those innovative policies that have brought about more harmonious community-police relations, and thus an increased utilisation of policing services by CALD communities. These policies have been developed within the two streams of changing the culture of policing organisations, and changing community perceptions of policing organisations. Using APMAB's Mosaic Projects, and recently adopted policies relating to the recruitment and retention of CALD background officers, this paper will highlight the contributions that culturally appropriate service delivery has on the experiences of CALD victims and perpetrators.

Human rights and fair trials – problems of cultural and linguistic diversity

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Closer cultural, travel, economic and diplomatic ties may weaken geographical and political borders but also increase the ease and speed with which not only criminals can move around but also prohibited items, substances and materials. These include drugs, weapons, art and antiques, pornography, wildlife products, livestock and other agricultural products, historical and anthropological artefacts, currency, industrial secrets and of course, people. The increased mobility of people in general, whether for work, study or tourism, or the seeking of asylum, or for some illegal purpose, means that any visitor, tourist, guest-worker, student or refugee is potentially a victim or witness.

Article 6 of the European Convention on Human Rights states that an individual is entitled to a "Fair Trial". A fair trial is a challenge when the individual charged or tried does not speak or understand the language of the system or the country in which the prosecution is taking place.   Providing the defendant with an interpreter will only help alleviate the unfairness if this interpreter is "appropriate. However, the "unfairness" may well have got under way a very long time before the case actually comes to trial.   For example, the evidence leading to the arrest of a particular suspect may have needed translating; the suspect, once he or she is arrested, may not understand what the caution actually means, the suspect may not be able to find an interpreter with suitable legal knowledge to be able to explain exactly what is happening or what the ramifications of various decisions or courses of action are.   But victims and witnesses, and indeed the public at large, are also entitled to "fairness" – which may well be compromised if crimes cannot be investigated or prosecuted because of linguistic, language or cultural problems.

This paper make further recommendations for the training of specialist forensic linguists, interpreters and interviewers.

3F Gender, Sexualities and Crime 3

Mad, bad, or victims? Examining mother-daughter sexual abuse

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Fifty years ago, child sexual abuse was considered to be an extremely infrequent phenomenon. In fact, in 1955 Samuel Kirson Weinburg estimated that the rate of such violence was about one in a million. This caused the vast majority of sexual abuse victims to live in silence – a silence which continued until the 1970s and 80s when research and personal accounts on rape and child sexual abuse began to emerge – albeit within the context of male offender and female victim. Eventually, however, male survivors of child sexual abuse began to come forward. Despite this shift, sexual abuse by a female perpetrator on a female child was – and still remains – largely neglected in the literature. On a social level, norms, assumptions, and constructions are simply not conducive to accepting that some women – especially mothers – have the capacity to sexually abuse children. When acknowledgements of abuse are made, it is only within a specific or isolated context – one that situates these women outside the realm of femininity, sexuality, and motherhood. Any other conceptualization seems far too distressing. For instance, existing approaches to understanding women's violence tend to rest upon conceptions of the female offender as 'mad,' 'bad,' or 'victim' (Comack and Brickey, 2003). However, such constructions ignore the complexity of the issue and leave victims with no language to speak about their experiences. The aim of this paper, therefore, will be to develop a more reflexive theoretical approach that would move beyond rigid explanations. Such a perspective will be informed by survivors' narratives – because, after all, women are the best experts over their lives. Specifically, qualitative data will be analyzed from multiple un-structured interviews with eight women who were sexually abused by their mother or female caregiver. Working within a poststructuralist framework (which locates maternal sexual abuse within a discourse analysis), survivor accounts are also deconstructed in order to explore how social constructions based on femininity, heterosexuality, and motherhood influence survivors' perception of their mother or female caregiver.

Violent women are victims – or are they?

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This paper will question whether the common assumption that women are only violent as a result of victimisation is accurate.

Society is happy to accept that women who kill are victims. It's not important whether the women are victims of abusive partners, poverty, their hormones or patriarchy. As long as the blame can be shifted away from the woman herself, our belief that all 'normal' women are caring and nurturing reamins intact. In general, both criminologists and feminists have accepted and further entrenched these beliefs, but it will be argued that this does not help to establish a complete understanding of women who kill.

Many of the existing assumptions will be challenged through the use of data relating to all women who were charged with a homicide-related offence and had their matters dealt with in the Quensland Supreme Courts between 1997 and 2002. The transcripts of all forty-four cases have been accessed, if available, and analysed to gain a more thorough understanding of the realities of these women. Although the belief that women only offend if they have been victimised often leads to reduced sentences for the accused, it also fails to recognise that women can also offend in anger. When woman are pathologised into the position of being weak and having some type of 'illness' resulting from victimisation, the benefits only apply to women who are able to successfully mould themselves into that persona. Women who have previously offended or show volition and rationality are problematic and create a challenge to existing perceptions. Women's anger is an area of criminology that is under-researched, yet it is important if we are to understand the realities of violent offending.

Ten myths about child sex offending

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In Australia, as elsewhere, we have seen an extraordinary succession of legislative and policy reforms exclusively targeting child-sex offenders. In the last few years, we have seen campaigns to increase public awareness and reporting rates, the formation of special police taskforces, changes to rules of evidence, increased penalties and sentences, the establishment of a national offender register, reviews of community notification laws, implementation of wide-reaching employment screening programs, major investments in specialized sex offender treatment programs, a tightening of parole policies, the introduction of preventive detention legislation, and so on. These policies rely on faulty assumptions that sexual offenders are a distinct and especially high-risk offender population, and that within this population it is possible to identify those individuals who present the highest risk. Drawing on our own and others' empirical research findings, this paper examines some of the prevailing myths about child sex offenders that we believe have helped fuel the current moral panic. We conclude that policies directed toward preventing sexual abuse should account for the wide variations observed in child-sex offenders.

Human rights and corrections: a prison ombudsman's perspective

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An important challenge for many countries, even for advanced democracies, is guaranteeing the human rights of its prisoners. The quality of regard to, and respect for, human rights may impact on the success of prisoners' reintegration and participation in society. A good balance between internal and external monitoring can prevent human rights breakdowns, detect violations when they occur, and rectify the situation to ensure that they do not happen again. Striking the appropriate balance between internal and external monitoring is not easy. Canada, like many other countries, historically has struggled with external monitoring. Most of us do not like to have our decisions scrutinized. However, accountability and transparency in decision-making are fundamental features of a compliant human rights monitoring system.

The establishment of specialized prison Ombudsman offices is relatively recent, but continues to gain in popularity around the world. Many countries view such an office as one of the most effective models of external oversight to address prisoners' complaints and grievances. The specialized expertise and close working relationship with correctional authorities and stakeholders make prison Ombudsman offices capable of unbiased investigations and timely resolution of offender complaints.

This presentation will review the legislative mandate of Canada's Office of the Correctional Investigator (Federal prison Ombudsman) and the Office's role in fostering a correctional environment respectful of its domestic and international human rights obligations. Three current Canadian challenges will also be discussed. First, mentally ill prisoners are entitled to programs and services that conform to professionally accepted mental heath care standards, yet the number of prisoners suffering from significant mental health issues is increasing and mental health services continue to be inadequate to the task of preparing them for safe release into the community. Second, although the unique needs of women prisoners have been the focus of numerous reviews, reports and inquiries, women prisoners continue to be the subject of well-documented systemic discrimination. Third, statistics indicate that the situation of Aboriginal prisoners is deteriorating. Full recognition of Aboriginal constitutionally-entrenched rights and freedoms has yet to be realized, and existing discriminatory barriers to the timely reintegration of Aboriginal prisoners have not been removed. Finally, the necessity for enhanced and new oversight mechanisms to ensure compliance with the human rights and legal entitlements of Canadian prisoners will be discussed.

The Alexander Maconochie Centre and human rights: conceptualisation to implementation

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The advent of the new ACT prison, "The Alexander Maconochie Centre", provides the ACT community with the opportunity to take responsibility for the management and rehabilitation of its citizens currently imprisoned in NSW.

This community responsibility will be executed through the Department of Justice and Community Safety under the umbrella of the only human rights legislation in Australia, the ACT Human Rights Act 2004. While the focus of such legislation has rightly been on those over whom the State exercises greatest control, the prisoners, the Act also applies to staff and to others who might work in or visit the Centre.

The advent of a prison designed, built and operated under a human rights framework establishes unique requirements and once implemented will provide a unique correctional setting.

Some of the key requirements to operate the Centre humanely, lawfully and effectively under this framework include 'future proofing' staff in the areas of human rights, offender management, case management and behaviour modelling. This, in turn, raises issues of staff selection, training, development and cultural orientation.

The correctional setting can be a difficult workplace environment and staff operating in this environment deserve high quality leadership and management. In addition to this ethical imperative,

breakdowns in correctional management or leadership are frequently identified as causal factors in correctional system incidents or failures. Consequently, the development of effective leadership and management will be crucial success factors for the Alexander Maconochie Centre.

The issue of the success of the Centre leads logically to the question of how correctional performance is actually monitored, measured and reported.

Current performance reporting systems across Australia have significant deficiencies, notably in that they measure what is relatively easy to measure and report what is done, rather than what needs to be done. This gives little real indication of the quality of the prison experience for both staff and prisoners.

It is these questions which the ACT Human Rights Act 2004 invites us to ask and which ACT Corrective Services is addressing in the lead up to the commissioning of the Alexander Maconochie Centre in 2007.

Practices of freedom: women prisoners and human rights

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Women in prison are increasingly recognized as a population with distinctive and specific characteristics and requirements that are central to their wellbeing. With the advent of such an understanding, the prison and punitive practices are often criticized as excessive and counterproductive means to address women prisoners' concerns. Recently, such appeals have been advanced within a human rights approach, particularly as enshrined within internationally recognized conventions and agreements. Women are thus located within specified fields of knowledge and subject to various strategies developed to reflect the experiences considered central in many of their lives. Through a rights approach, however, notions of freedom are often limited within a judicial framework and legal apparatuses that shape and frame a character of rights and how freedom is thus understood and articulated. In so doing, there always exists a potential danger of reproducing problematic regimes for women, creating other sites and localities for control, and limiting freedom within codified norms. For this paper, I consider some of the understandings developed around women and prison and caution of some of the potential dangers in advancing a notion of freedom through a rights discourse. I also investigate how a notion of freedom might be considered and conceptualized otherwise to overcome some of the potential shortcomings in advancing the interests and concerns of women in and out of prison; one that is open to multiple interpretations and understandings in order to capture some of the more diverse and complex ways freedom can be understood.

3H Policing, Governance and Anti-social Behaviour 3

Developing future policing:
The Auckland Metro initiative as an answer to Ratcliffe.

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Police organisations rely on a number of policing models to inform and guide police to deal with crime and disorder. The main policing models are Community Policing, Problem Orientated Policing and recently the emergence of Intelligence Led Policing. In a 2003 review of Auckland intelligence arrangements, Dr Jerry Ratcliffe identified some significant opportunities for development.

Intelligence Led Policing approaches is now evidenced in many western countries. The USA Criminal Intelligence Sharing Plan and UK National Intelligence Model are examples of law enforcement organisations attempting to structure and institutionalise Intelligence driven policing strategies.

The current development of policing practice in the three districts of the Auckland metropolis indicate the formulation of a future policing model which is a integrated Community Policing, Problem Orientated and Intelligence driven policing approach. Due to a more mobile criminal element future policing practise will have to deal with issues beyond jurisdictional or traditional borders. The evolving policing approach in Auckland is in essence a blend of several contemporary models of policing.

A characteristic of the evolving model is dealing with criminality on three levels. Level 1 criminality being local high volume crime, level 2 being more organised criminally stretching beyond area and district boundaries and level 3 crime being international, trans-national crime and crime of national security nature. Key principles of a intelligence led policing model is evident within the Auckland metro policing approach but specific attention is given to the notion of community intelligence in support of criminal intelligence. The current evolving model provides for the development of intelligence driven policing practices for e.g. o the development of tasking and coordination forums on four different levels in the organisation. These levels being at Area Commander level, the District Commander level, Regional level and National level.

The Auckland Metro policing model is in essence policing approach build on the principles of problem orientated policing and intelligence driven policing strategies within a community orientated policing philosophy. The mechanisms devised provide for a more objective understanding of the criminal environment and available tactics.

Community policing and refugee settlement in regional Australia – A case study of Tasmania

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This paper provides an overview of an ARC Linkage project in collaboration with DIMIA and Tasmania Police exploring particular challenges for regional Australia in the settlement of new and emerging refugee communities. The focus of this research is an examination of refugee-police relations and police refugee-relations in order to develop a best practice model for community policing in the context of refugee settlement in regional Australia. Regional Australia provides a very different context for police-refugee relations than those observed in large metropolitan centres. There is a dearth of empirical research on these relations in regional Australia. It will identify barriers to establishing and maintaining good working relations between police and refugees in the context of policy, procedure and practice. Research in the UK and Canada advocating practices associated with 'reassurance policing' will inform this study. The paper will critique the use of categories such as culture, language, ethnicity, refugee status as determining settlement processes. The paper will argue that an understanding of 'experiential difference' by refugees, police and other service providers is crucial for enhancing the settlement experiences of refugees in new and emerging communities.

4A Age and Crime 4

Sentencing youthful sex offending: discourse and outcomes

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The sentencing of young people convicted of sexual assault presents a dilemma: how do we censure these offences and stress their seriousness without imposing penalties that are too harsh? The literature suggests that adult sex offenders, especially those who abuse children, are dealt with in an increasingly punitive manner, but there is a lack of research on the legal treatment of youth sex offending. This paper builds on an archival study of 385 sexual offence cases, which were disposed in court and by conference and formal caution, in South Australia during 1995 to 2001.
Drawing on the transcripts of all those cases sentenced by judges (the indictable offences), we analyse sentencing discourses and outcomes. Specifically, we explore how judges reconcile the seriousness of offending and the youthfulness of offenders, how they balance the competing interests of victims and offenders, and the normative framework of gender and sexuality they use in sentencing young people.

Juveniles and involvement with the police in Victoria for offending

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The police in Victoria process a large number of juveniles each year for offending. Victoria Police also have a long-standing juvenile cautioning program which results in approximately three-quarters of first offenders and one-third of all offenders being cautioned rather than charged. There has been surprisingly little research examining the effect of cautioning on further offending in Victoria and police members themselves note that they have no information on how many of the young people they caution have further involvement with the police for offending. This paper will present data on all first time juvenile offenders processed by the police in Victoria in 2000-01, including information on subsequent contacts with the police through to 2004-05. It will examine whether being cautioned rather than charged reduces the likelihood of further involvement with the police and the variables that are most strongly related to total number of contacts with the police for offending.

4B Globalisation of Deviance 1

Fending off catastrophe: risk management and public assurance in Australian society

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This paper explores the challenge of risk management as it confronts enterprises and regulators throughout Australia. In particular, it assesses safety case regimes aimed at reducing the likelihood of explosions and fires at major hazard facilities, and the anti-terrorist security plans that increasingly are required at ports, airports and other critical infrastructure. Common to both major hazard and security protection are the need to prevent events that have a low probability of occurrence but that can have catastrophic consequences. The paper explores the ways relevant systems are developed and sustained, and the difficulties that arise when risk management is forged in highly politicized environments.

Emerging fraud risks and countermeasures in government welfare programs

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A variety of social, economic and demographic trends have begun to impact on Australian life. These trends have profound implications for the kinds of fraud which one may expect to encounter as we begin industrial reforms. Developments in technology, population movements, the globalising economy, free trade agreements, the ageing of society, and the changing nature of governance in the Australian Public Sector, are creating unprecedented opportunities for fraud.

Some of the forms of fraud which may be expected to loom larger in years ahead include fraud against the Job Network, Indigenous Employment, Community Development Employment Projects, Newstart Allowance, Parenting Payments and Disability Support Pensions.

This paper is intended to anticipate these imminent fraud risks so that policymakers may be able to maximise the positive aspects of the ascendant socio-economic trends while minimising the risks that accompany them. Countermeasures will entail a division of labour between law enforcement, the private sector, and self help by prospective victims. Determining the most productive combination of these efforts will be an ongoing challenge, as will be setting priorities for the most appropriate allocation of limited law enforcement resources.

Can workplace violence be prevented?

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The workplace has become the site of violence and aggression by customers, clients, patients, passengers and other service–users toward staff. Increasingly, management has made recourse to 'zero tolerance' policies to deter such behaviour, but is 'zero tolerance' credible? This paper will report evidence from a recent in-depth analysis of incidents of 'violence, intimidation and threats' towards police officers, emergency medical personnel, mental health professionals and social workers. This evidence suggests that 'zero tolerance' policies rely upon stereotypical and wholly misleading understanding of what 'violence' actually is. Our research suggests that the attribution of the label 'violent' to the behaviour of many aggressors is highly contestable. Not only are 'zero tolerance' policies likely to prevent the spectrum of behaviour that so distresses staff, such policies may also unwittingly undermine the rights of the public whom these public services are supposed to serve.

4C Social Exclusion: Crime Prevention and Crime Control 1

Prison as social exclusion in Taiwan

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In tradition the goals of prison discourse always emphasize retribution, deterrence, incapacitation, rehabilitation and so on for the justifications of state punishment. However, how a prison indeed functions in a broad society is more or less neglected. This paper aims to examine whether prison regime works as a mechanism of social exclusion which expels, banish, separate and isolate criminals. In this way, prison regime functions to cope with useless and potentially dangerous populations. Therefore, it needs to be stressed that the analysis of political economy perspectives provides a distinct explanation of indispensability of prison existence. Three analytical frameworks including 'economy and marginalization', 'politic and social order', and 'panoptical discipline' are

articulated to examine how prisons as the institutions of criminal sanction become more and more important. It should be cautioned that prisons become the outlet of underclass and the best instrument for social control. The carceral and penal systems regarding the Taiwanese experience are therefore investigated in order to explore to what extent a prison functions as a social exclusion. It is hoped that this paper can offer a critical perspective and a different landscape in analyzing and discussing for the field of penality.

Repeated victimisation in property and violent offences: untrodden pathways to link criminology, crime prevention and victimology.

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Skogan asserted before the turn of the 21st century that the recognition of repeat victimisation was 'the most important criminological insight of the decade'. Crime prevention initiatives in the UK aimed to reduce total victimisation by reducing repeated instances of burglary, domestic violence and other offences. However, fewer initiatives along these lines were launched elsewhere in Europe, in Australia, or in North America. All too often, however, research and interventions have failed to explore broader theoretical and practical links between repeat victimisation and other significant insights from criminology and victimology. Links between offending and victimisation have been pushed into the background, along with (sometimes) the immediate and (often) the longer-term dynamics that lead some individuals and groups to be repeatedly targeted. Worse still, some formulaic interventions pay too little attention to the phenomenology of the offences they are designed to prevent or to the needs of victims they are designed to protect.

This paper examines the current status of repeat victimisation research and prevention. It examines both Australian and international initiatives and explores whether the 'repeat victimisation story' will be told in full, and whether the unabridged version is still of importance for crime prevention, criminology, and victimology.

4D Race, Ethnicity and Criminal Justice 4

What all Australians should know about race, racism and crime: a beginning

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Civil libertarians defend the cause of freedom of speech as a fundamental right of a democratic society. Others argue that certain groups should not be subjected to racial or ethnic vilification. Enter the 'new' powerful voice of Associate Professor Andrew Fraser. He is not the first to proclaim controversial views that electrify and divide communities. But, he holds the power of the podium with his position as a Macquarie University senior academic. Those he speaks of have no such power or public voice avenues. Fraser talks about criminology and other disciplines claiming that sub-Sahara peoples have low intelligence and are prone to crime. At best, his research is seriously flawed. At worst, views of this kind have potential for an over-use of the prison/detention facilities and genocide.

The catalyst for this paper lies in the 'Fraser affair' of 2005. We are mindful of arguments that urge no response to Fraser, for fear that 'fuel' is added to his 'mission'. We do not share this stance and believe that his inflammatory comments need to be challenged by defensible research evidence within the discipline of criminology. To our knowledge, disciplines such as anthropology and criminology have met with a 'deafening silence' from the media, after attempts to challenge claims of race-intelligence-crime causal linkages.

The direction of Australian politics, the actions of the media and globalisation, 'fuel' incidents like those that have just occurred in South Sydney. Our purpose, therefore, is to re-sketch some of the key parameters upon which a new form of 21st century Australian critical criminology can be constructed. We examine the devastating consequences of the kinds of biological positivism views put forward by Fraser that have led to incidents of vigilantism against immigrant communities and to the criminalisation of Indigenous peoples in Queensland.

White terror – policing and the neoliberal racial state

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It has become axiomatic that counter terrorism is enacted against Muslims and non-Anglo migrants globally. Articulated domestically through the lense of war, racialised communities are routinely subject to violence, state surveillance, coercive police powers, preventative detention and the threat of deportation. Global security doctrines of pre-emption and geo-political influence are not only central strategies for external military and economic ascendancy in the war on terror. They also figure as organising principles for the domestic politics of the 'coalition of the willing', policing the borders of national belonging against the external/internal enemy figured by the refugee, the terrorist, the suspect migrant.

While the state attempts to disavow the presence of 'race' in counter terrorism law and policing, 'race' continues to be central in the social, economic, and political formations of the state. The policing of Indigenous people, migrants and refugees has been central to the accomplishment of white sovereignty in Australia. Counter terrorisms' racialising origins lie in the military doctrine of counter insurgency to suppress resistance against colonialism. The role of police in the genocide, criminalisation and dispossession of Indigenous people operated to consolidate acquisition of land and national authority through white terror. This paper will trace how changes in contemporary state coercive capabilities are primarily practices of white national governance. I outline how counter terrorism policing regenerates sovereign power critical to white state supremacy.

Through the frame of neoliberal multiculturalism, counter terrorism deploys the binaries of 'terrorist' or 'good migrant'. Preventative detention to dispose of 'bad migrants' goes hand in hand with policing strategies of community cooption of 'good migrants'. Against the universality and limitations of human and civil rights, I argue how an analysis of the racialised punishments which accomplish the racial state, is a productive terrain for Criminology.

Maledictory patterns of Anglo-Australian hatred: cross-cultural experiences of verbal and textual hostility

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Using a classificatory system created for analysing malediction directed against gay men, lesbians and Jews, this paper will analyse the verbal and textual hostility employed by rioters, protestors, bystanders, politicians and the media in Sydney-and, to a lesser extent, Melbourne-in December 2005, with particular reference to anti-Muslim, anti-Arabic and anti-Lebanese maledictory hate. In previous studies, it has been found that a set of maledictory themes cut across a range of subject positions (sexuality, gender, ethno-religious). These themes-naming, pathologisation, sexualisation, demonisation, liars/cheats and elimination-are employed by perpetrators, often strategically (though more commonly in an unconscious, unreflexive way), with the consequence of marginalisation, isolation and denigration. In this sense there is a habitus (or convention) of hatred that can be read across a range of social, cultural and spatial contexts, while retaining its disposition and language repertoire. Despite using a new technology to transmit hatred, or to garner support for race riots, the language use and conventions are consistent with those engaged in other maledictory forms such as hate (e)mail and phone harassment. This paper will compare the content of key text messages and government statements relating to the Cronulla riot, with hate mail and websites relating to antisemitic and heterosexist hate recorded in New South Wales between

1995 and 2000. By better understanding the linguistic conventions underlying all forms of maledictory hate, we are better able to address the false antimonies between the regulation of verbal and written malediction, and between intent and consequences.

Re-writing the script? Young people's negotiations of dominant love/sex discourses.

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This exploratory qualitative study draws on data from focus discussion groups held with 51 young people (aged 15-20) in Victoria (Australia), which are part of a larger doctoral research study. The discussions explored the meaning of heterosexual dating relationships for young people. For the purposes of this paper, discussion transcripts were analysed with respect to conformity and divergence from dominant love and sexual relationship discourses. This paper is grounded in the assumption that the meanings attached to 'relationships' are socially constructed or 'scripted'. These relationship scripts are seen as informed largely by dominant love and sexual relationship discourses, which it is argued can serve to limit an individuals' agency or perceived choices in a relationship and thus maintain the status quo, but being socially constructed, are also subject to change. Findings confirm those of similar international studies that dominant love/sex discourses remain a strong influence on young people's relationships. The implications of dominant love/sex discourses for young people's experiences of relationships are discussed, as is the need for sexuality education that allows young people to challenge dominant discourses and recognize more choice in their relationships.

Women's experiences of negotiating sexual consent

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The human rights of many victims of sexual violence are infringed by outdated assumptions about gender and sexuality that focus on sexual consent. Despite this little empirical work has been done that explores how women negotiate consent successfully. This paper will report on in depth interviews with 13 lesbian and 7 heterosexual women aged 21 – 58 years of age from Sydney Australia. It will be argued that sexual consent is a dynamic process requiring a range of verbal and non –verbal communications that can shift within a sexual encounter. The findings suggest that achieving consensual and non-coercive and pleasurable sex requires women (and men) to develop a sense of sexual ethics. Central to this is a reflective process in which they both care for themselves and are mindful of the impact of their desires on their sexual partners. An awareness of how individuals are sexed and gendered bodies is crucial to developing ethical subjectivity. Most anti-rape prevention programs continue to focus on teaching women danger avoidance strategies and continue to place the responsibility for managing unwanted sex on women. This is rarely helpful to heterosexual women and makes sexual negotiation between same sex partners invisible. The insights gained from this study challenge the focus on unethical behaviour as a strategy for sexual assault crime prevention and conceptions of how consent is constructed within the law. An alternative approach is suggested that recognises many women have developed ethical practices which assist them in negotiating consent with casual or ongoing sexual partners. This knowledge may be particular helpful in assisting young women to develop the knowledge and skills of pleasurable non-coercive sex despite the gender of their erotic partner.

The 'other' violence: gender, identity and understandings of (male) violence

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The proposed paper will be based on research, as work in progress, which is currently being undertaken by the author. The aim of the primary research project, supported by Charles Sturt University, Faculty of Arts – via a Seed Grant awarded November 2004, is to investigate the beliefs, attitudes and professional practice of individuals who are employed in the correctional field and engaged in work with men who are violent. The research analysis is positioned within the context of

an understanding of gendered power and the socially constructed nature of masculinity and femininity; recognizing that violence, as advocated by Morgan (1987), Connell (1996, 2000) and Hearn (1996, 1998), is culturally constructed and encompasses both individual and collective masculinities, individual men and gendered institutions.

Although the project has a specific focus on the gendered subjectivity of workers and the potential for reinforcement of 'pro-offending', that is, masculinist, beliefs and behaviours, a number of other interesting themes have evolved in the course of the research interviews. These will form the basis for discussion in the proposed paper. In short, the author has observed that the understanding of violence presented by the interviewees tends to reflect a highly dichotomised view of violence, and of men's violence in particular. That is, interviewees draw a clear distinction between the violence perpetrated by men towards their female partners, and 'other' forms of (male) violence, this encompassing both the 'type' of violence and the forms of intervention required to address this. In this respect, 'domestic' violence has emerged as an 'othered', that is gendered, form of violence, and work with domestic violence offenders as an 'othered', that is gendered, field of intervention. Associated with this dichotomised construction is the implication that, in distinguishing between gendered ('domestic') violence and other forms of violence, such as that between men in the public sphere, the latter is understood as non-gendered violence and, in the process, is transformed into 'real' violence, worthy of 'real' intervention. The paper will proceed to explore the broader context of gendered power and knowledge and the associated marginalisation of domestic violence as an area of professional intervention.

4F Corrections and Punishment 5

Sentence and release options for high-risk sexual offenders

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Following media coverage of a serious sexual offender who had previously served a long prison sentence for a sexual offence in the ACT, the ACT Government commissioned the author to prepare a report on the relevant law and practice in other Australian jurisdictions and some overseas nations. Information was sought from each jurisdiction on any special legislation dealing with serious sexual offenders, any provisions in the general criminal law which provided for indefinite sentences for these offenders, the numbers of offenders to whom these provisions had been applied, and any evidence of the effectiveness of these provisions. It was found that in Australia only Queensland and Victoria had enacted special legislation, while some of the other states used the general criminal law to impose indefinite sentences on very serious sexual opffenders. Overseas, it was found that New Zealand had passed legislation to allow extended community supervision for offenders of this type, while several American states had legislation providing indefinite detention or civil commitment. As far as possible the number of times these provisions were used was noted. No recommendations were made in the report, apart from encouraging wide political, professional and public discussion of the options that were available. The options identified were:

1. No change in current criminal law,

2. Make provision for indefinite sentences,

3. Introduce post-sentence continuing supervision, or

4. Introduce post-sentence continuing detention.

The report incorporated the views of an experienced sex offender therapist, and included a legal analysis of the human rights implications of the options. A number of other practical and procedural issues were also discussed in the report.

Justice and safety: sorting out the tangled relationship between sentencing, rehabilitation and community safety

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Criminal justice typically involves addressing competing demands for safety, rehabilitation and justice. The question of how to balance these demands is often determined by a mix of public opinion, politics and cultural fashion. Any specific balance leaves those with responsibility for the criminal justice system open to challenge. In this paper a review of the most significant positions adopted in Australian jurisdictions will be considered. This overview will also draw out what is known from empirical studies of the effectiveness of rehabilitation, parole and imprisonment on the key concern with the level of community safety. New innovations in sentencing based treatment such as drug court will also be considered. Finally some parameters for measuring and evaluating the impact of sentencing based rehabilitation on community safety are proffered together with a short list of the most significant social, political and practical challenges that will face this field in the years to come.

NSW child sexual assault specialist jurisdiction: an evaluation

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In March 2003, a specialist jurisdiction for child sexual assault matters was established at a district court registry in south-western Sydney. It was based on the recommendation of the inquiry conducted by the NSW Legislative Council Standing Committee on Law and Justice in 2002.

The NSW Bureau of Crime Statistics and Research assessed whether the specialist jurisdiction achieved its aims of addressing the difficulties in prosecuting child sexual assault matters and improving the court experience for children.

The evaluation involved child sexual assault trials finalised in the specialist jurisdiction and another district court registry in Sydney. Trials were observed and interviews were conducted with child complainants, their non-offending parents/guardians, defence lawyers and crown prosecutors. The evaluation focused on whether the features of the specialist jurisdiction were implemented, whether the specialist jurisdiction had any effect on the conviction rate or resulted in more expeditious handling of matters, whether the physical environment was less intimidating for child complainants and whether the specialist jurisdiction improved the way children were treated at court.

This presentation will outline these key aspects of the evaluation.

4G Policing, Governance and Anti-Social Behaviour 4

Youth community alliance – enhancing police relationships

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Contemporary policing practice and rhetoric evidences a deliberate strategy to broaden the role of the community in identifying specific problems related to crime, fear of crime and social disorder. In particular it encourages partnership between police and local residents (and indeed other various public and private organisations) to work together to address such issues. As scholars have observed, if such practice is to be successful there needs to be high levels of social efficacy between and among participants. Research tells us that increasing the quantity and quality of police citizen-contact

reduces crime. We know that where police are responsive to community concern, demonstrate a willingness to listen and interact positively with the community there is a greater willingness to obey the law, a reduction in crime and in some instances a lower recidivism rate.

Such assertions have not been tested significantly in Australia. As part of a broader focus on Policing in the 21st century, this paper discusses the Youth Community Alliance (YCA) project designed in conjunction with ACT Policing. The YCA project aims to enhance police-community relations to improve residential safety and security, with a special emphasis on increasing the participation of youth in community activities. A specific objective is to empower youth as consumers of public safety and involve youth directly in problem solving. The paper discusses the design, management and activities of the YCA and provides preliminary data on activities to date.

Exploring young people's perceptions of police

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The negative relationship between youth and police is well documented. Research has shown that young people express distrust and negative attitudes about police. However, we have a limited understanding of the formation of those attitudes, and the conditions under which these attitudes may vary. Using a pilot survey of over 200 students aged 13 to 14 years, this paper explores the relationship between youths' perceptions of police, their background characteristics, and their experiences with police. In particular, the intersection between gender, ethnicity and perceptions of policing will be examined.

Police-researcher partnerships: adopting and implementing a collaborative model to address anti-social behaviour.

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The call for practitioner-researcher collaboration has been strong in a number of policy areas in recent years. Policing is no exception. In policing, the move towards closer collaboration between police and academics has been couched in the discourse of evidence-based policing, intelligence-led policing, community-oriented policing and problem-oriented policing and has coincided with an increased demand to know 'what works' in reducing crime. In this context, practitioners increasingly look to academic researchers to evaluate the effectiveness of various programs. However, it is also widely acknowledged that such collaboration is fraught with difficulties.

This paper provides an overview and analysis of the collaborative partnership created between the University of Tasmania and Tasmania Police through the establishment of the Tasmanian Institute of Law Enforcement Studies (TILES). By drawing on Burawoy's (2005) distinction between policy sociology and public sociology the paper analyses the successes and difficulties of such a partnership in addressing anti-social behaviour in Tasmania. The authors focus on three programs (U-Turn, Currawong and the 'Social Norms' Project) and offer some suggestions for strengthening police-researcher partnerships in the future.

Characterising the resilient officer: the process of adjustment to the police profession

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A number of studies highlight the incidence of difficulty in adjusting to the role of police officer, with a focus primarily on predicting officer vulnerability. Other studies however, acknowledge the resilience shown by many police officers, and argue that most officers are able to effectively cope with the work and organisational demands of the profession. The aim of the current study is to examine the individual and organisational characteristics that interact to effect the adjustment of new officers to the profession of policing, thereby examining the predictors of both vulnerability and resilience. This paper presents current data from 115 (6 training groups) police recruits outlining responses to trauma exposure prior to academy entry. Further, changes in levels of stress and coping usage as officers move from training and into operational duties has been obtained from 53 (3 training groups) probationary constables. The results indicate a high level of prior trauma exposure prior to academy entry, and the implications of this for officers facing stressful and traumatic events on the job is discussed. The results also indicate a significant decrease in certain types of stress after the completion of training, and this is accompanied by a decrease in the use of certain coping strategies. Insights into how and why these decreases occurred are elucidated by qualitative data from semi-structured interviews.

Victims of violent crime: social-cognitive aspects of adaptation and recovery

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This poster discusses social-cognitive influences on recovery from criminal victimisation. It considers how the relationship between blame attributions (e.g., blame self or others), perceived control, likelihood of recurrence, and perceived avoidability of future victimization affect recovery. The implications for survivors' interactions with criminal justice procedures are discussed.

In the process of working through the emotionally challenging memories associated with acts of criminal victimization, survivors attempt to make sense of their experience. An important aspect of this process relates to their attributions about the cause of their experience and the degree to which it might have been avoidable. How a person makes sense of these issues plays an important role in facilitating their sense of perceived control. This, in turn, influences the speed and quality of their recovery. This is not a straightforward task.

Because of a greater need to render them predictable and avoidable, negative events such as being the victim of an act of criminal violence, moreso than positive experiences, give rise to spontaneous attributions. The blame attributions one makes influence adaptation. Behavioural self-blame (e.g., my actions contributed to this experience) is linked to better adaptation than characterological (e.g., I deserved this) and other-blame (e.g., this is someone else's fault) attributions. This suggests that recovery and adaptation can be encouraged by focusing on recognizing how one's actions contributed to the experience and learning how things might be done differently. However, self-blame attributions need not automatically function in this way. This poster discusses how distinguishing between low- and high-control events, the temporal focus ('past' or 'present') of those victimised, the perceived likelihood of the person being victimised in the future, and counterfactual thinking (i.e., imaging a better outcome than actually occurred) assist understanding recovery. These processes must be identified if recommendations for effective adaptation are to be developed.

"Human rights in the Digital Age"

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Advances in information and communications technologies (ICT) have created not only a range of new crime problems, but also facilitated prevention, detection, investigation, prosecution and punishment of crime. Examples include the use of encryption to ensure that data are held securely, neural networks to detect financial crime, biometric systems to identify suspects, hard drive imaging to secure data from alteration or destruction, sharing of data held in official databases to identify suspects and risks, electronic courtrooms to present evidence clearly and simply, and electronic monitoring of offenders to enhance surveillance during periods of home detention. Although technology has assisted criminal justice agencies and offered many protections for suspects and offenders, risks of infringement of human rights exist. This paper identifies the principal areas of human rights concern which ICT has created and assesses whether the achievements and benefits derived outweigh the potential and actual infringements of liberty that exist. It is concluded that policy makers have sometimes been attracted by the novelty and efficiency of technology without having due regard to the sometimes covert infringements of human rights which could and do occur.

Constructing the 'criminal' deconstructing the 'crime'

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The aim of this paper is to examine and deconstruct the process of denying human rights protection to one group (children) on the basis that if this was done, another group (parents and teachers) could be construed as 'criminal.'

In 2004 the Canadian Supreme Court ruled that children's constitutional rights to security, equality and to be free from cruel and unusual treatment were not infringed when assaults made on them were made by a parent or teacher. The Supreme Court upheld s. 43 of the *Criminal Code of Canada* which provides parents, teachers and those acting in their place with a defence that justifies assaults on children. The Supreme Court majority acknowledged that s. 43 allows an assault to be committed upon a child saying it "permits conduct toward children that would be criminal in the case of adult victims" but the distinction on the basis of age is designed to protect children by not criminalizing their parents and teachers. The Court said:

The decision not to criminalize such conduct is not grounded in devaluation of the child, but in a concern that to do so risks ruining lives and breaking up families – a burden that in large part would be borne by children and outweigh any benefit derived from applying the criminal process.

In the majority's opinion, the benefit to be gained by the existence of s. 43 outweighed the deleterious effects of the use of physical force on children.

Is the concern over who will be criminalized the basis of deciding who can lay claim to human rights? Rather than denying rights to some to save others from the fate of being construed a criminal is it not incumbent upon us to question the system that would so readily label another as 'criminal'?

Transborder crime, human rights and judicial interactions in the European Union: the construction of a legal area of cooperation in criminal law.

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Transborder crime, human rights and judicial interactions in the European Union: the construction of a legal area of cooperation in criminal law.The exclusivity of criminal law within a nation-state and a nationally-focused criminal justice system conflict with the universality of certain principles of criminal proceedings and with the reality of transnational crime. A borderless area such as the European Union is an easy target for transborder crime, and measures to tackle this issue have been considered since 1975 with the TREVI Summit. However the cooperation within criminal justice systems often 'stops' at a prosecutorial level. Although this level of cooperation is already a substantial achievement, this is proving not being enough and adequate to respond to crime, criminals and victims. The paper addresses the degree of cooperation among senior judges within European Union. A brief overview of this legal area of cooperation is discussed, before focusing on the difficulties of having a constructive exchange of opinions on the criminal law aspects of human rights, and its consequences.

It will be argued that the role of European Courts, both the Court of the European Union and the Court of the Council of Europe, are placing the judiciary at a different level of the social-political 'game'. A more aggressive role of the European judiciary is shaping internal laws and giving more uniformed interpretation of rules. After an initial skeptical approach, domestic judges of different member-states are following the precept of European judges and are actively engaging in shaping internal legal regime, in particular human rights and criminal proceedings. Yet, the creative powers of the judiciary is often dismissed and criticised, and their political role in shaping internal rules in criminal law and human rights is under-valued.

Conundrums in controlling crime in a complex community – an inner city experience

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Redfern and Waterloo are two suburbs situated within five kilometres of the Sydney Central Business District. The suburbs are characterised by high crime rates, an increasing gap in socio-economic status between high and low income groups, long-standing mistrust between the community and Government and high proportions of public housing. It is generally accepted that the area, given its unique position, and despite the good intentions of a number of agencies, has not developed to its true potential in light of a number of complex and interwoven social issues.

Street drinking and alcohol misuse, public housing priority policies, disagreements over the future of significant sites, cultural misunderstandings, high rates of mental health, inappropriate urban design and the realities of drug misuse and its associated impacts have all contributed to a place where perceptions of fear are high amongst many people who live, work and visit the area. Efforts to involve members of the community in local planning processes and the inherent challenges and conundrums of working in partnership to address the many complex social issues will be highlighted in the paper.

The paper will further demonstrate some of the initiatives both successful and otherwise on the part of the City and its partner agencies in controlling and preventing crime, addressing social exclusion and in building and strengthening community capacity in order to create a safer place.

Crime mapping and CPTED: measuring impact and fear of crime outcomes

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Many police agencies around Australia have embraced Crime Prevention Through Environmental Design (CPTED) as a core policy priority. However, the ability to assess the overall effectiveness of these strategies remains limited. The use of Geographical Information Systems (GIS), provide a potential means of assessing effectiveness through the mapping of crime hotspots. The impact of CPTED initiatives on the fear of crime is also an important consideration. However, to date there have been few techniques available to investigate spatial aspects of fear of crime. The authors present a GIS-based methodology for investigating the fear of crime and discuss the policy relevance of using crime and fear of crime mapping as tools with which to assess the effectiveness of CPTED strategies.

Residential burglary target selection in Western Australia: replication and adaptation of the discrete spatial choice approach.

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Recent research conducted by Bernasco and Nieuwbeerta (2005) applied discrete spatial choice theory (developed in the field of econometrics) to analyse criminal target choice for residential burglars in The Hague, the Netherlands. This theoretical approach to target selection provides scope for analyses of the relationship between target characteristics and offender demographics, and as a result outperforms previous models capacity to capture criminal location choice. This application of discrete spatial choice theory, through the conditional logit model technique, demonstrated a number of significant factors that captured variance in the offender target selection process for The Hague.

However, Bernasco and Nieuwbeerta recommend in their conclusion that this discrete spatial choice approach should be extended and applied to data from other regions to confirm the transferability of their findings.

Following these recommendations the researchers have applied a similar discrete spatial choice approach to residential burglary data from Perth, Western Australia. Given the geographical variation between Perth and The Hague, and the increased proportion of juvenile data for the Western Australian analysis, this model extended the findings of Bernasco and Nieuwbeerta (2005). In addition to providing good support for the findings of the previous application of discrete spatial choice theory to residential burglary target selection this modelling also exposed additional factors that accounted for burglar choice in Western Australia. Initially, this talk will discuss the discrete spatial choice modelling process and the hypotheses tested in this case. Following this, the results of the modelling process will be outlined and the implications of these findings for theory and policy will be considered.

5C State Crime, Globalisation and Immigration 2

Psychological harassment a Canadian federal penitentiary: a "State crime"

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In this presentation, psychological harassment is analysed from the perspective of radical criminology. The phenomenon of psychological harassment is depicted through use of a specific case: that of a female parole officer victimized by the attitude of her colleagues and superiors while working in Archambault Institution, a federal penitentiary in Québec, Canada. The administration of this penitentiary, along with correctional and even political authorities, failed to respect the administrative standards applicable to the correctional service and the civil service generally, the laws of the country, and the international instruments intended to protect the rights of the population, and workers in particular.

To that end, following a factual account of the victim and the violations of the applicable standards, an analysis is advanced based on the concept of 'State crime,' a concept which is expanded and deepened by the author. It is the fact that these violations were committed not only by her colleagues and superiors, but also by representatives of the State, including various persons in authority even up to the ministerial level, which invites such an analysis.

Thus, the author concludes that, within the context of a penal and/or a state structure, psychological harassment which is not promptly and effectively checked by the local, correctional, and political authorities constitutes a 'State crime.'

State crime, supermax and deaths in custody

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This paper critically explores the relationship between supermax, or maximum maximum-security conditions and deaths in Australian prisons. Features of such regimes include minimal human contact, 23-hour solitary lockdown, enforced idleness, electronic controls and increased surveillance technologies, limited natural light and air. Despite the damaging impact of these conditions on both prisoners and staff, supermax regimes are officially justified on the basis that they provide a humane and secure solution for the system's high-risk, dangerous and violent prisoners. While there is much documentation and evidence highlighting the psychologically damaging and lethal impacts of supermax conditions; correctional departments, officials and prison staff continue to ignore this evidence, focusing instead upon the dangerous pathologies of prisoners who have died while also advocating tighter security and increasingly draconian and punitive management regimes. In focusing on a series of case studies and employing a state crime framework, this paper highlights the culpability and complicity of correctional departments, officials and prison staff in relation to these deaths. This paper is not concerned with official justifications for supermax regimes, nor will it address stereotyped and fear-based debates about how to house 'high-risk' and 'dangerous' prisoners.

Rather, it seeks to both highlight and challenge the ways that the actions and policies of correctional departments, officials and individual prison staff have contributed directly and indirectly to deaths in supermax. Ultimately it is argued that the state refusal to address the relationship between supermax regimes and prisoner deaths represents a core factor contributing to the high number of deaths that continue to occur within these institutions.

Whose rights? Countering terrorism in an era of globalisation: a balancing act

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Acts of politically, ideologically and religiously motived violence have occurred during civil wars, revolutions and struggles for liberation, however, it is generally asserted that since September 11 2001 the context of 'terrorism' is now global. A theme has emerged in both discussions about potential terrorist threats and counter-terrorism strategies that the threat of 'global terrorism' is qualitatively different from previous political and ideologically motivated violence. This 'globalising' trend is evident in the increased emphasis on coordinated international approaches to countering terrorism and the proliferation of international resolutions and declarations urging governments to combat terrorism. While 'global terrorism' poses a challenge to state security, this paper explores how in an era of globalisation in which borders are becoming increasingly porous, developments in counter-terrorism and transnational crime strategies also call into question the very notion of state sovereignty. What does this mean for the relevance of international human rights frameworks to protecting civil liberties in the war on terror?

Human rights discourse has a long history of engaging in questions of what constitutes state sovereignty. Indeed, international human rights law is founded on the voluntary participation of sovereign states. And yet, it is fundamentally about what happens inside state borders – it is about relations between states and people located inside their borders. This is unique for international law, which is generally about the relations between states. Much recent debate has centred on achieving a balance between national security and the protection of human rights. But how do we know we have got the balance right? And right for whom? This paper will explore the limitations of an approach that focuses on a 'trade off' between individual liberties and collective security.

5D Violent Crime 1

Men and women working together to end Indigenous family violence: Current Queensland research and practice

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Since the mid-1970s, mainstream responses to domestic violence have been predominantly based on radical and liberal feminist theory, and directed primarily toward support services for victims and enhanced criminal justice responses to deal with those who perpetrate such violence. A number of Indigenous Australian scholars have drawn attention to the limitations of mainstream feminist theory as a basis for responding to Indigenous family violence and have argued for an Indigenous stand-point to be the central standpoint in the development of public policy and programs. Specifically, Indigenous women call for strategies to end family violence that locate the violence within a context of racial, as well as gender, inequality and that unite, rather than divide, Indigenous men, women and communities. Given that Indigenous Australians are greatly over-represented in family violence statistics, including

domestic homicide, the development and implementation of appropriate and effective responses to Indigenous family violence is critical.

The panel will discuss some current research and initiatives in Queensland which seek this outcome, including current PhD research on the impact of mainstream family violence policy on Indigenous communities; and current Masters level research exploring the disposition, function and significance of existing Queensland Indigenous men's groups and their attempts to improve individual, family and community health and well-being.

The panel discussion will also present an overview and evaluation results of an innovative primary prevention program, directed to children at an Indigenous community primary school, which utilises traditional story-telling, dance and other art forms. In 2005, this initiative won a Queensland Domestic Violence Prevention Award and an Australian Heads of Government Crime and Violence Prevention Award.

Finally, the panel will present results of collaboration between a Central Queensland Magistrate, and an Indigenous-specific rehabilitation program for family violence offenders, which focuses on treatment of offenders in the community to lessen adverse impact on the family and reduction in the over-representation of Indigenous offenders in prisons.

5E Policing, Governance and Anti-Social Behaviour 5

Serving the community: calls for police assistance

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Police organisations in Australia and elsewhere are essentially service agencies concerned with providing an array of services both to individual citizens and to the community generally. It has long been noted that most calls for service involve police providing information on a variety of issues, most of which do not require an immediate patrol response and most of which do not relate to a specific crime. Citizen demands for (and indeed expectations of) government services are increasing and in the absence of most government agencies not being available 24/7, police are subject to demands for services that have little to do with law enforcement. As police organisations rely heavily on positive customer feedback in terms of key performance indicators however such demands for service cannot be ignored.

While there has been significant research in the US and the UK into calls for service, very little work has been conducted in Australia. This paper reports findings from research conducted at an Australian police organisation's communications centre in 2004. Preliminary findings are based on an analysis of 2000 calls, participant observation and individual interviews.

Partner or protagonist? Oversight or over-identification?

The relationship between the western australia police and the corruption and crime commission.

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The Corruption and Crime Commission (CCC) was established in early 2004 to, *inter alia*, oversight the Western Australia Police following the recommendation of the Kennedy Royal Commission. In addition to monitoring complaints and allegations of police misconduct – what may be termed the 'usual' oversight role, the various directorates within the CCC have a range of other relationships with WA Police. At times they work co-operatively on prevention and education activities, at other times in partnership in addressing organised crime, and still, at other times, the CCC will conduct covert investigations including integrity tests to identify corrupt police officers.

Just how the CCC and the Police manage these complex relationships is the subject of this paper and involves:

1) mapping the various relationships between the two agencies

2) outlining the mechanisms that have been established to coordinate the relationships, maintain independence of operations, and avoid over-identification and 'capture' of the oversight agency.

3) using vignettes to illustrate the complexities of the above.

The paper draws upon the experiences and views of both the WA Police and the Corruption and Crime Commission in arriving at its conclusions for future relationship development.

'How willing would you be to help police if asked?' Cooperation and compliance – the crux of community policing

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Community policing emphasises the importance of co-operative and supportive relationships between police and the communities they serve for improved feelings and perceptions of safety and police effectiveness. Such relationships are seen as a crucial factor in reducing crime and disorder. As scholars have observed, a key reason people co-operate and comply with police direction is that they view the exercise of police authority as legitimate. The research literature suggests that judgments about police legitimacy and authority rely on, among other things, perceptions about how good a job police are doing in preventing crime and maintaining order, as well as people's satisfaction with how police perform their job. This paper reports findings from a large Australian survey about people's views on police behaviour and performance in the community, and the impact of those views on people's assessments of police legitimacy.

5F Violent Crime 2

Patterns of child homicide by parents

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Patterns in demographic and geographic characteristics of child homicide victims and perpetrators were investigated using census and police data on recorded homicides in Queensland, Australia. Pattern theory was applied by examining the age and gender of victims and their relationship to the perpetrator. Results indicated little gender variation in the relationship between perpetrator and victim in homicide victims aged 0-9. Wider gender variation in perpetrator category for older children reflected their broader and more gendered used of physical and social space. Recommendations include that many child homicides could be prevented if young, at risk children were not confined in time and space with potential perpetrators.

Kidnapping in Taiwan: the significance of geographic proximity, improvisation, and fluidity

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Kidnapping has been rare in Taiwan until recently. Several high profile cases in the late 90's victimizing both Taiwanese citizens and foreigners startled the island state. This study is the first systematic examination of the social dynamics involved in kidnapping. Data are from court cases, questionnaires,

and in-depth interviews from incarcerated inmates. Results show that kidnappers' financial crises and friendships with ringleaders are two primary motives. Most kidnapping cases involve a small number of offenders who form an ad hoc kidnapping group. Victims are not randomly chosen and share a geographic tie with the offenders. The process of kidnapping is idiosyncratic in nature as most kidnappers improvise their plans. The negotiation phase in kidnapping is done hastily and the amount of ransom is often a compromised result of offenders' needs, victim's family' financial status, timing, and the offenders' perception of risks. Ways to prevent kidnapping are also discussed in this paper.

Reduced right hemisphere activation in violent offenders a FMRI study of working memory and impulsivity

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High rates of temporal and frontal lobe dysfunction have been reported in neuropsychological and related brain imaging studies of violent offenders or psychopaths. We investigated whether impulsive male violent offenders showed evidence of abnormal brain structure and dysfunction in frontal and temporal brain regions on MRI compared with non-violent offenders and healthy control subjects.

Three groups of subjects (violent, non-violent, normal; N=30) all recruited from the community underwent structure MR scan in resting state and functional MR scan while performing a visual working memory task.

All the subjects were under the cross examination of the demographic interview questionnaire and psychometric assessment measures as the Alcohol Use Disorders Identification Test (AUDIT), the Dickman Impulsivity Inventory (DII), the Buss-Durkee Hostility Inventory (BDHI), the Health, Personality, and Habitualness Scale (HPH), the Block Design subtest of the WAIS-R, the resting heart rate measuring, and the violence level scoring of the criminal history by Risk of Eruptive Violence Scale (REV). Meanwhile, the image data were analyzed using Statistical Parametric Mapping (SPM99) on a Linux workstation with MATLAB 6.0. Brain deficits were independent of IQ, history of head injury, task performance, cognitive strategy, and mental activity during the control task. Besides, Psychometric data were analyzed using SPSS 11.5.

In this article we show that significant groups differences in Antisocial Personality Tendency Subscale of the HPH ($P < 0.05$), Heart Rate score ($P < 0.01$), Block Design score, and Violence Level score ($P < 0.001$). Besides, the image results show the reduced function of the right superior temporal gyrus and the right posterior cingulate gyrus in the violent group, the increased activity of the bilateral anterior cingulate gyrus in the nonviolent group, and the increased activation of the orbital and prefrontal regions in the control group. The specific brain region of interest was different between the groups.

Intergenerational effects of imprisonment: recognising the experiences of families of prisoners

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Little is known about the impact of parental separation due to imprisonment and the unique family experiences that are associated with incarceration. However, the growing recognition of the potential intergenerational effects of parental incarceration has renewed interest in children of prisoners from a crime prevention perspective. This study aimed to gain a better understanding of the experiences of families impacted by incarceration of a male family member. Specifically, the aims were:
(1) To examine the difficulties that caregivers and children experience when a male family member is incarcerated; and (2) To examine the strengths that exists within the family and their network of friends, teachers and community organisations.

Questionnaires were administered to 35 women who were the primary caregivers of 70 children between the ages of 5 - 18 years. Each family had a male family member in prison in South East Queensland. In the majority of cases (90%) the child was being cared for by their biological mother. Ten women also took part in a semi-structured interview. Demographic information on the caregiver and their children, background characteristics of their incarcerated family member, finances, parenting, child characteristics, visitation and contact was collected. The General Health Questionnaire (GHQ-28) was used to assess the caregiver's general health in the weeks preceding the administration of the survey.

Broad challenges facing families included repeat incarceration of the imprisoned male, domestic violence, financial difficulties, and symptoms of poor health and well-being in the primary caregiver. Specific challenges that children encountered included emotional distress, behavioural problems, frequent change of school and address, and low levels of involvement in recreational activities. Without support or intervention, challenges facing families are likely to act as risk factors and may impact children's healthy development. Methods to recognise and support the needs and experiences of families of prisoners will be discussed.

The Institution for Girls Hay NSW 1961-1974: an experiment in the rehabilitation of incorrigible female delinquents.

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"…*A large number of girls who were placed in the 'care' of the state, especially during the 1950's and 1960's were status offenders, charged with neglect, uncontrollable and in moral danger.   These were not crimes of the child. They were crimes of the parents, or in a sense, crimes of a society that at the time was not providing adequate assistance to families in need..."* "We were not bad then and we are not bad now"*. (Extract Australian Senate Enquiry, Forgotten Australians, 2004)

For over a century young females in New South Wales who were deemed to be in 'moral danger' were incarcerated in The Parramatta Industrial School for Girls in an attempt to 'make them moral'. Riots and unrest were an ongoing problem since its inception and so, in an effort to address this, an annexe to Parramatta was opened at the old colonial gaol at Hay N.S.W in 1961. Seen as an experiment in the rehabilitation of incorrigibility in female juvenile delinquents, the program continued until 1974, when following allegations of brutality and misconduct by some of the custodial staff, the institution was closed and the remaining inmates were transferred back to Parramatta. Anecdotal evidence suggests that the conditions at Hay were extremely harsh with some girls being assaulted by the male officers. During its 13 year period of operation, an as yet unknown number of young girls some as young as 14 years of age, were incarcerated at Hay. Each girl spent between three to six months enrolled in the experimental program in an endeavour to 'cure' their incorrigibility and make them a less disruptive

influence on the main population of girls at Parramatta. This field of research has been largely ignored over the years and to date there have been no studies undertaken which focus specifically on the Hay Institution nor its former inmates, the subjects of the experiment. This paper is part of a work in progress which aims to give voice and visibility to the 'Hay Girls' and their experiences.

Prison release: narratives of an uncertain time

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'It is very difficult to describe the fear that lies hidden in the minds of those who have been in prison. It is an insidious threat that can suddenly rise to the surface and explode like an overlooked time bomb. It can be triggered by a word, a glance, a gesture or just the close proximity of a stranger. This sudden eruption can toss you into a sea of self-doubt and uncertainty, and leave you struggling against the feeling of being somehow obviously marked – for the public to see – as a criminal and undesirable'

Unprecedented increases in prison populations and imprisonment rates nationally and internationally, particularly in the last two decades, have caused concern on a global front. As a consequence, western society is now witnessing an unmatched number of prisoners released to the community each year. Prisoner release has traditionally raised questions of public safety, and the social and economic costs for communities. Indeed recidivism is one of the few prisoner release issues to make it into public and political debates. Current discussions however, dominated by concerns for broader social issues of risk, cripplingly limit the ways society understands and engages with released men and women. Most significantly, the omission of prisoner narratives and consideration to individual experiences and understandings of release positions a discourse that fails to acknowledge the most critical voice. This paper draws on interviews with released men and women, opening up new discussions of prison release and engaging with critical experiences that are often unspoken and faced in isolation.

5H Policing, Governance and Anti-Social Behaviour 6

When police go shopping

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Shopping does not immediately spring to mind as one of the important activities of the police. But the purchasing of goods and services is taking up increasing amounts of their time and energy. Through procurement and outsourcing, police harness resources needed to cope with increasing demands on their services. Police acquire skills and expertise, and/or access to equipment which they may be lacking, and often at a lower cost than that at which they could have provided the good or service themselves. But shopping also brings risks, such as overdependency on particular suppliers, opportunities for corruption, legal problems and accountability issues. And there may be unintended negative consequences resulting from deepening relationships between police and commercial organisations – implications for the equitable supply of policing services, for police legitimacy in the eyes of the public, and for how police see themselves as a profession.

This paper will discuss some of the benefits for police of, and challenges posed by, procurement and outsourcing. We will consider the importance of routine 'non-operational' decisions about where and how to obtain resources for the 'operational' side of policing. What might the increasing reliance on commercial acquisition mean for the future provision of services?

Policing and private security law

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Private security services represent a substantial component of law enforcement and crime prevention services in Australia, and private services are growing at a rate faster than the population generally and the police. Yet the powers that enable private security to operate (and to provide limits on operations) are located primarily in the common law in circumstances and disciplines often unrelated to private enterprise. There are many aspects of the law relating to protection of property, reasonable force and surveillance which are unsatisfactory and confusing for security providers. This paper will identify unsatisfactory aspects of common law and legislation with a view to making recommendations for reform. Allied to this issue is the question of whether or not security licence holders should be given legislative powers above those of citizens or agents of property owners. The case for special powers for licence holders who are specifically trained will be explored.

Awareness of forensic science by non-specialist police in Tasmania.

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In recent years there has been a significant increase in the use of forensic science within law enforcement. Whereas previously forensic techniques were predominantly reserved for major crimes, the introduction of new legislation, forensic databases and the automation of some forensic testing have allowed forensic methodologies to be more broadly applied to volume crime and necessitates a greater awareness of forensic techniques by general duties police and investigators.

In recognition of the need for better awareness of forensic science, the National Institute of Forensic Science (NIFS) contracted the Tasmanian Institute of Law Enforcement Studies (TILES) to conduct a survey to determine the levels of forensic awareness by Tasmania Police. From this, a range of measures was implemented to rectify perceived awareness gaps.

In 2005, a follow-up staff survey was conducted to determine the ongoing effectiveness of the forensic training regime in Tasmania. Analysis of the follow-up survey identified a number of cultural and training issues. Examination of those issues has resulted in some significant alterations to the forensic training regime in Tasmania and the manner that forensic techniques are applied in the State.

Conditions for persons in custody and the role of the Victorian Ombudsman

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The voices of persons in custody are not generally heard and their concerns about the conditions they experience and how they are treated could well remain hidden if the Ombudsman does not take a pro-active role, in particular through inspections and visits to custodial facilities.

 The Victorian Ombudsman is an independent statutory authority reporting directly to Parliament. Under the Ombudsman Act 1973 he has jurisdiction and power to investigate individual complaints by prisoners about conditions and treatment while in custody. Such complaints represent almost a quarter of all complaints received by the Ombudsman and have increased 12 per cent in 2004-05 compared to the previous year.

In addition, the Ombudsman can also initiate, without receiving a specific complaint, an 'own motion' investigation into systemic issues and problems concerning custody. Recent completed 'own motion' investigations include how prisons deal with prisoners' property and procedures for drug testing in prisons. Another investigation under way relates to the conditions in which people are held in prisons and in police cells and includes examination of access to basic services and amenities, and the duty of care of the custodians.

The paper discusses the role of the Ombudsman in strengthening and developing robust, transparent accountability processes for custodial facilities, in externally monitoring compliance with custodial standards, and contributing to improvements within this jurisdiction.

Prisoners' needs in Jordan: toward rights-based practice

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Imprisonment is a major social issue. The central questions to be addressed in this paper are: What are the needs of Jordanian prisoners, and how can these be understood from a social work perspective using a human rights framework?

A quantitative approach with prisoners was used to identify the needs of 286 prisoners. In this paper the needs are translated into human rights in this paper by moving from a needs-based approach to a rights-based approach.

Starting with the minimum rights of prisoner as defined by the UN, this research investigated the needs of prisoners; Food, Housing, Health Needs, such as Medication, Equipment Needs, and Medical Staff Visits, and also the needs for Education, and Rehabilitation Programs and working in Prison. The prisoners' visitation needs were also investigated.

The research found that the minimum rights of prisoner as defined by the UN are essentially provided for the most part in Jordanian prisons. However, The UN rules did not intend to describe in detail a model system for penal institutions. They only sought to set out what is generally accepted as good principles and practices in the treatment of prisoners and the management of institutions. As such, the rules are simply a good basis for assessing the adequacy of the Jordanian system in ensuring prisoners' rights are met.

Although the principal foundations for a rights-based approach are available in Jordan, this paper argues that a needs-based approach characterises much of Jordanian prisoners' lives. Jordanian prisoners claim social, cultural, and economic rights more than political and civil rights. The research found that identifying the needs and raising the awareness of rights are starting points for claiming rights for Jordanian prisoners and their families.

Intervention logic, evidence-based policy and the transformation of local crime control in New Zealand

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Consolidating the 2002 New Zealand Crime Reduction Strategy, an outcome focused 'evidence-based' approach to policy and service delivery has been adopted right across the public sector. The on-going re-design of New Zealand's public management, combined with important changes to the role and purpose of local government, have together transformed local strategies of crime control. As a result, the role and involvement of local communities has been significantly revised. The imposition of an inflexible 'what works' crime reduction approach, targeting particular locations and offences, has significantly narrowed the opportunities for local recipients of government funding to define the nature of their own crime and safety problems. In supporting only those interventions that are compliant and compatible with the new evidence-based approach, the range of 'outcomes' pursued by local communities in partnership with central government have been similarly narrowed.

This paper offers a critical perspective on the move to, and further consolidation of outcome focused evidence-based crime reduction in New Zealand and considers its impact on community choice and control over local responses to locally identified crime and safety problems. It discusses the negative implications and effects of such an approach on alternative, progressive local community safety strategies that diverge from or go beyond the narrow, technocratic forms and aspirations of central government and its agencies.

"Crime prevention: beyond the 'what works?' mantra"

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Recent decades have seen governments around Australia launch crime prevention policies to much fanfare. Often, however, achievements have fallen well short of expectations. A key problem is that too many attempts to develop and implement crime prevention have not thought through and articulated what relevant strategies might signify and hope to achieve. In the absence of a basic understanding of, and agreement about, the overall enterprise in which central and local players are engaged, program sustainability and drift problems prevail. Attempts to overcome these difficulties simply by maintaining that crime prevention must be evidence-based are not helpful. This paper works through the implications of the above observations for the way crime prevention strategies should be designed and administered. It argues that commitment to flexible problem identification and solving in the context of a clearly articulated crime prevention planning process is critical to success. However implementation of this approach requires more than appropriate technique. For crime prevention to emerge and be sustained, governments must see it as consisting of a dialogue between central and local levels. This will only be achieved if strategies developed by the centre are informed by, and reaffirm, a clear political vision and sense of mission.

6C Gender, Sexualities and Crime 5

Mandatory reporting of intimate partner violence: a conundrum for human rights

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Intimate partner violence is a pervasive and complex problem that affects many people's lives and yet is one of the most under-reported criminal acts. There is significant debate about the introduction of mandatory reporting in the context of intimate partner violence which is absent from the literature surrounding reporting of child abuse. Arguments relating to rights to privacy and informed consent are juxtaposed with the need for deterrence of perpetrators and the associated maximisation of safety for the community. Others fear that reporting may escalate the violence. There is a fine line between seeing mandatory reporting either as a paternalistic state response which introduces new forms of surveillance or a serious attempt to reverse the institutional and societal attitudes which sanction intimate partner violence. Arguably, victims need a supportive response from the health and criminal justice system but it appears that often the experience is closer to a replication of the abusive situation via the state. This paper will explore the conflicting and overlapping issues that surround the implementation of mandatory interventions through a feminist criminological lens.

Male entitlement, sexual jealousy and intimate partner violence

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Despite the range of theories and risk factors for intimate partner violence that have been identified, an area that has been under-explored empirically concerns male attitudes of entitlement. Whilst male attitudes and conceptions of entitlement and privilege have been identified as an important aspect of male perpetrated intimate partner violence, as an empirical concept, entitlement is not well understood or conceptualized, at least at the micro level. In the current paper, male entitlement attitudes are explored to examine their relationship to male-perpetrated intimate partner violence.

The analysis utilises data collected from over 300 recent male arrestees who participated in the Omaha Intimate Partner Violence Project. This project examined whether measures gauging male entitlement attitudes as well as other risk factors such as sexual jealousy, sex role attitudes, and prior exposure to violence during childhood was related to intimate partner violence net of other predictors. Given that the majority of empirical research into male perpetrated partner violence has been conducted on small, clinical samples of assaultive men, this research provides an opportunity to examine relationships on a more general arrestee based sample.

The research findings illuminate the role of male entitlement in understanding male-perpetrated intimate partner violence.

Rewriting the ideal police corporeality: women in policing

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Women police encounter considerable resistance in their attempts to integrate into a culture in which the norms, standards and expectations of appropriate and normalised behaviour are largely associated with being male and enacting masculinity. This paper will argue that physicality – size, strength, prowess, is considered intrinsic to, and inseparable from, police work. This article will examine the complex ways in which women police manage their female body in a social and occupational space, which idealises, encourages and rewards the masculine physique. I am interested in examining the different ways women police negotiate, accommodate and challenge the traditional doxa of policing which centralises physicality to policing. This research is based on semi-structured interviews conducted with 47 female police officers from two Australian policing agencies.

Invisible victims of serial crime: the contribution of intelligence-led policing

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It has been stated that serial offenders often target victims from marginalised sectors in society that are considered as 'deserving' or 'worthless' victims. People from these groups include the homeless, prostitutes and the mentally ill. No importance is attached to such people by the society in which they live and thus their victimisation is unseen and therefore becomes invisible. However, the victimisation of other groups in society is also made invisible through intelligence led-policing initiatives such as the Violent Crime Linkage Analysis System (ViCLAS).

ViCLAS was designed to aid police in gaining intelligence which is utilised to identify crimes which may be considered as serial in nature. This system was introduced after an increased incidence in identified cases of serial crime in Australia. Although designed to improve the ability of police to make such identifications, as will be demonstrated, the constraints and framework within which this system operates, aids in creating a larger class of invisible victims.

Drawing on data from a case study analysis of serial crime cases in Australia and the associated literature, this paper will argue that intelligence-led policing systems which are designed to identify incidents of serial crime such as ViCLAS, can create a new class of invisible victims of serial crimes. I will also demonstrate how such systems can be seen to increase the vulnerability of particular members in society whilst reinforcing some common victim stereotypes.

Policing research: a police perspective

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In recent years, the Australasian policing research environment has developed substantially. As a result, policing research is increasingly being recognised as a specialised field; requiring not only a sound knowledge of research methods, but also an in-depth knowledge of policing. This increased focus on police research has produced substantial benefits for Australasian police organisations by enhancing policing practices. However, much more can be done to improve the linkage between policing research and policing practice.

Taking a police perspective, this paper examines the Australasian policing research environment. It provides an overview of the history of policing research in Australasia, discusses the nature of current policing research, and explores the potential future of policing research. Ultimately, the paper aims to provide researchers with a greater understanding of how police organisations perceive research and what they want from research.

The 2004 Victorian Police Code of Practice: a service view

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The first line of protection for women and children subjected to family violence is police intervention that brings to bear the twin capacities of Intervention Orders (IO's) and Criminal proceedings (complaint and warrants). Historically, the IO system has failed to provide the level of protection anticipated. *The Review of Family Violence Laws Consultation Paper (2004)* cites many factors that contribute to this failure including "significant variations in police response to breaches…refusal to act on breaches considered minor or technical….police action based on judgmental attitudes and racist beliefs affecting police's decisions about whether to act" (p. xxxvi).

The second line of protection for women and children experiencing abuse is appropriate referral to services that provide information and support, such as Women's Domestic Violence Crisis Service (WDVCS) and regional domestic violence outreach services. Traditionally, the removal of women and children from the family home and placement into high or medium security refuges has been the norm.

This is a process that creates enormous difficulties for the women and children as they are relocated out of their area of domicile, away from established support networks of schools, work, family and friends, and fails to adequately address perpetrator responsibility. The new Code of Practice seeks to address this anomaly, with emphasis on making people who use violence accountable, and increasing the effectiveness of intervention orders and stricter pursuit of criminal options. Therefore, close and effective collaboration between police and other services is essential.

This paper will consider the experience of WDVCS in relation to the new Code of Practice from two perspectives. First, by statistical evaluation of the fax back (L17) process, and second, whether the new code is changing the dominant police culture and attitudes to family violence. Recommendations will be proposed for improvement of the response of both police and WDVCS, in order to provide a more integrated service delivery to families in crisis.

6E Restorative Justice and System Alternatives 1

Adult conferencing in the sentencing process: the Adelaide restorative justice pilot project

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South Australia has a long history of experimentation and innovation in criminal justice programs, including diversionary schemes. It has played a leading role in the juvenile area in particular. A key initiative here has been the family conferencing program attached to the Youth Court.

In July 2004, the South Australian Courts administration authority, funded a pilot project that introduced restorative justice into the adult criminal court setting. In essence, the pilot was to enable victims and offenders to meet post guilty plea but prior to sentence to discuss the harms caused by the offender to the victim and to explore restorative possibilities. The pilot project operated in South Australia's busiest criminal court, the Adelaide Magistrates Court, utilising staff and experience obtained in the family conferencing and civil mediation programs offered in South Australia.

This paper discusses the methodological issues that arose and the findings of an independent evaluation of the pilot project by Professor Andrew Goldsmith, Dr Mark Halsey and Mr David Bamford.

Evaluation of the New Zealand court referred restorative justice pilot

Venezia Kingi

New Zealand has recently piloted an initiative where adult offenders are referred by judges to restorative justice conferences. Offenders and victims meet at these conferences, which are facilitated by accredited community providers. The Crime and Justice Research Centre has recently completed a comprehensive evaluation of this pilot. The evaluation aims were to assess whether the pilot lead to increased resolution of the effects of crime for victims, increased victim satisfaction with the criminal justice process, and reduced re-offending by offenders. This was achieved through interviews with victims and offenders (both after the conference and 12 months later), observations of conferences, interviews with key informants, and a survey of conference participants and facilitators. The responses of victims and offenders who had attended court referred restorative justice conferences were also compared with those from a sample of victims and offenders who went through the conventional court process.

This paper presents the main findings of the evaluation. It reports victim and offender perceptions of their court referred restorative justice conference, the outcomes of the conferences and court sentencing. Any changes in these views over time are also examined. The results of a preliminary 12 month re-offending analysis are also presented.

Youth justice diversion programs in Tasmania – collaboration and innovation

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This paper is a work in progress documenting current practice in youth diversion programs in Tasmania. The work traces the development of restorative youth justice programs in both government and non-government agencies.

There is much to celebrate in the Tasmania in youth justice programming and service delivery. The paper will concentrate on a description of two collaborative service delivery models; one inside government piloting action learning sets and a collaborative whole of government approach.; the other a partnership between government and non government service providers using an interagency collaboration model. Both programs use restorative justice principles and have inbuilt evaluation components. The author is involved in consultation, program design and evaluation and will give and overview of the efficacy of the models in terms of process, outcomes and collaborative practice and service delivery.

The paper takes an evidence-based approach in viewing and escribing the programs and presents some food for thought for justice agencies dealing with vulnerable young people and their families in the quest to prevent entry to the adult justice system.

6F Corrections and Punishment 7

"Shot, whipped, and hanged to "no smoking" and lethal injection: human rights & corrections a Washington state, USA perspective

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"To punish crime, territorial pioneers used a number of ways to take care of criminals. Documents from the territory tell of direct action being taken against criminals caught in the act. Some were shot, some were whipped, and some were hanged." So begins a short history of Washington State Corrections in the United States of America. The time was 1853 and U.S. government had just designated the Washington Territory. The Washington Territory included what is now the state of Washington and parts of what are now Idaho and Montana.

Flash forward to 2005. Now with over 17,825 inmates making up the Washington State Institution offender population (this does not include jails or juvenile facilities), in a state with just over 6 million inhabitants, there are almost 300 inmates for every 100,000 residents of the state. These inmates are not allowed to smoke but may be executed by lethal injection. On May 27, 1994, the State of Washington conducted its last execution by hanging. An inmate was put to death for the 1982 murders of two women and a child. His "rights" consisted of a choice between hanging and lethal injection, but he refused to make a choice, so under state law, hanging was used. After this, in accordance with a law on method of execution passed in 1996, the state uses lethal injection to execute criminals condemned to death, unless the defendant chooses hanging.

This research is a short history of human rights and corrections in the State of Washington in the USA. From the treatment of territorial prisoners in 1853, through the days of the "Concrete Mama" and inmate "biker-gangs," to the prison smoking ban of October 2004. What are the "rights" of prisoners and how has the State of Washington changed these "rights" over time.

The impact of closed circuit television surveillance on misbehaviour and planned and unplanned assaults in prison

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The purpose of this paper is to explore whether the preventative value of CCTV varied according to the type of misbehaviour occurring in prison and on the basis of whether violent behaviour was planned or unplanned. Recently, Wortley (2002) has developed a two-stage model of situational control proposing that all behaviour is precipitated by the environment which in extreme cases can cause an actor to perform non-purposive behaviour. Analysis of archival operational data from four prisons in Queensland (Australia) indicated that CCTV appeared to have less of an impact on violent behaviour than other forms of misbehaviour. Further, planned assaults (involving a weapon/more than one perpetrator) were found to occur in locations that were not under camera surveillance while unplanned assaults (no weapon/one perpetrator) tended to be more randomly distributed in locations that were and were not under camera surveillance. These findings provide tentative support for Wortley's model calling into question how the offender has been conceptualised in the most recent version of rational choice perspective.

6G Negotiating the prison and the state

Negotiating the prison and the state

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Prison reform is often fought from the basis of prisoner's rights. This paper challenges the way we understand prison reform. It considers the prison as being composed of more than just prisoners. It asserts that if we are to challenge the prison as an institution we need to consider not only the experience of those who are incarcerated but also the role and experience of prison officers. While there is a considerable amount of literature written about male prisoners and more recently the issues faced by women who are incarcerated and issues of prisoner's rights', there exists no literature on the role of prison officer's work in prisons in Australia. This paper engages with the 'other people' involved in prisons – prison officers - and is based on research undertaken at a women's prison in Victoria.

By recognising prison officers within a prison, in addition to the prisoners themselves, we can begin to develop a more complex understanding of the machinations of prison. This paper is based on research conducted with prison officers that demonstrated that the prison officer-prisoner relationship is one that is continually under negotiation. This research explored the way in which women prison officers understood and negotiated power and space within the prison where they worked. It is through the process of engaging with an alternative perspective to dominate understandings of the prison, where we consider the point of view of prison officers, that this paper contends that we cannot reform the prison by focussing solely on prisoners.

The changing of the guard: the prison officer as peacemaker and manager

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Organisations adopt descriptions of work and workers that express their expectations of the role of the worker in the organisation and position the worker in relation to the mission, values and technology of the organisation. These descriptions are evident in the naming of the workers' roles, the positioning of the work in terms of expectations about skill levels and qualifications and in the implicit responsibility for relationships with clients/customers.

Organisational discourse in South Australian prisons demonstrates the influence of recent managerialist developments in public sector management. This influence can be seen in the language used to describe prison officers' work, both in official departmental representations of the role and in the way that the role is described within the prison.

This paper draws on qualitative research in the South Australian prison system to explore the interactions between organisational discourse about the prison purpose and processes and the views of workers within prisons about appropriate conceptualisations of the role.

The paper demonstrates that multiple conceptualisations of the role of the prison officer exist within prisons and that most individuals interviewed conceptualised the work as a complex combination of roles. The paper explores the use of the language of management by staff within the prison, and how this relates to the concept of the prison officer as a peacemaker (Liebling and Price 2001) Liebling, A. and D. Price (2001). <u>The Prison Officer</u>. Great Britain, Prison Service Journal.

Australian prison populations in the wake of population ageing

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Criminal statistics consistently reveal that criminal offences are most commonly committed by persons aged between 15 and 24 years. Given this age-crime pattern, it can be expected that a population's offence trends will transform in the event of the population experiencing the demographic phenomenon of population ageing. Such a phenomenon is characteristic of the affected population's age structure shifting from 'young' to 'old', wherein the proportion of young persons in the population is declining, whilst concurrently, the proportion of older persons in the population is increasing. The Australian population is currently experiencing the onset of population ageing, and hence, it can be expected that changes in offence trends will be observed. The focus of this paper is to present preliminary findings in relation to the application of age-standardisation and decomposition techniques to correctional and population data to ascertain the impact of population ageing on Australia's prison populations. Such findings will express a) the degree to which the size of Australian prison populations would have differed from the actual change experienced had the age structure of the general population remained constant over the last 25 years, or the extent to which changes in the sizes of Australian prison populations can be attributed to an ageing population; and b) projections for Australian prison populations over the next 40 years or so based on projections for the age-composition of Australian populations. The paper will also outline the features of a long-term research project designed to investigate the numerous dimensions of the consequences of population ageing for Australian crime trends.

6H Policing, Governance and Anti-Social Behaviour 8

Regimes of insecurity? Citizen security initiatives as regulatory

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Civil society now claims an increasing share of security-related regulatory practices. This proliferation betrays a reconception of citizenship, a critique of state-sponsored security efforts, a resignification of 'security' itself, and a blurring of public and private. Among the casualties may be human rights and the rule of law.

Despite the spectre of "bowling alone" and the erosion of associational life, citizen patrols are now commonplace, from the neighbourhood watches of Britain to the rondas campesinas of Peru, from the citizens' patrols of Canada to the state-sponsored "vigilantes" of Nigeria. The fabric of communities may not be unravelling, as Putnam suggested, but rather tightening uncomfortably in the face of fear, supplanting previous forms of voluntarism and civic engagement with more defensive postures.

Policing, homeland security and foreign affairs have been less porous to popular accountability than other arenas of the democratic state. The emergence of citizen security initiatives may be a grassroots response in the face of a breakdown of order, fear of terrorism, chronic crime, or social transition. They represent a civic retrieval from the state of its monopoly on the legitimate use of force, reflecting a poor report card for policing and popular nervousness generated by local events or global media coverage. Based on international case studies and with particular reference to a study I conducted in Canada in

2003, certain insights can be derived. Citizens now regard themselves not only as subjects but also as agents or partners in security delivery. The state is no terrifying leviathan, but more often a source of recognition or a pathetic, perverted and ossified remnant. Citizens' initiatives often seek to reinforce or supplant the state's offerings, while states respond with active financial and material support. Yet despite surveillance as a primary motive, citizen patrols very rarely observe crimes being committed.

Patrols demonstrate poor accountability and exclusive notions of community, and are often aided by the state in this regard. In Manitoba, Canada, the names of state-supported patrols are not publicly available—street signs simply read "this area patrolled by citizens." In Peru, women have formed alternative security organizations because of patrols' refusals to include women or deal with questions of domestic abuse. Citizens' initiatives all too often point to minority communities, youth, the poor and other marginal groups as threats. Those so identified experience harassment, eviction, and in some circumstances also illegal detention or death. Patrols often invoke their own rights, but demonstrate neither sensitivity to the rule of law, nor any burden to uphold the rights of those most vulnerable. In some cases there is evidence that the state, always the greatest infringer of human rights, takes advantage of the anonymity of such initiatives to outsource intimidation and abuses. In more instances, citizen actions denote an emergent but less transparent form of civic engagement. Both represent areas of concern for those committed to a just social order.

Shaping Australian counter-terrorism: trigger events and policing responses

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Contemporary developments in terrorism and political violence, especially since September 2001, have led Australian governments to introduce a raft of new laws, programs, policing initiatives, funding priorities and public campaigns, all directed at making Australia and Australians safer. While there has been much debate about the impact of the response on human rights and civil liberties, other important questions remain unaddressed. Such questions include: what factors and events have shaped this response, what theoretical and philosophical approaches to the problems of terrorism and security underpin the response, and most importantly, what evidence is there to suggest that the response to date has actually worked to make Australia safer?

In this paper I begin the process of addressing these unanswered questions by examining several key 'trigger events', or incidents that have had a significant effect on the Australian counter-terrorist environment. I examine these events to describe first, why they had a major impact in Australia, and second, the nature of the response to them. Here, I am interested in categorising the response as either reactive law enforcement, or as being of a more proactive nature. Responses are also examined to consider their major focus, for example as legislative, constitutional, law enforcement, international or to engage public support.

Finally, I consider some policy implications arising in the area of counter-terrorist policing, and the need to build an evidence base of what measures actually work in this field.

The (mis)use of confidential police information: delineating the problem and its effect an integrity and public trust in policing

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Recent high-profile cases relating to the unauthorised access and disclosure of police information show how such leaks of official information can impact on police integrity and public trust. The spotlight usually falls on the misuse of information from police databases, but this paper focuses on a number of case studies (based on Internal Investigations Department case files) which demonstrate the misuse of a broader array of police information. The analysis shows how in the ordinary course of their duties police officers routinely receive information about criminal activity, members of the public (suspects and others), and a range of other police matters. Police officers may also use their police position to actively solicit information (unrelated to official duties) in which they have a private interest. A significant implication is that reliance on database security, access logs, and audits as means to discover and protect from unofficial access to information misses a wide variety of other problematic behaviour.

In addition to recognising the different sources of information, the paper identifies a range of unofficial uses of police information, drawing a distinction between uses in relation to various personal interests, personal relationships, and outside employment. Leaks to criminals or corrupt police officers represent a highly controversial, potentially high-impact, yet numerically minor dimension of the problem. The leaking of criminal intelligence, details of pending police matters, matters before the courts, or the criminal histories of individuals all have the potential to damage the individual (sometimes fatally) and Victoria Police. They also strike at the very heart of public trust in policing.

The paper analyses these and a number of other areas of private and personal use of police information. The misuse of police information is shown to be a more varied problem than has hitherto been recognised in the literature.

7A Cultural Criminology 1

A matter of shame: apologising for international indifference to the Rwandan genocide

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In 1994, no country was willing to intervene to prevent the genocide of the Rwandan Tutsis. There was a wholesale turning away from the suffering of the Tutsis as countries refused to name the killings as 'genocide' and delayed in providing economic, political or military support for any international intervention. In recent years, however, international inaction in relation to the genocide has become popularly understood as an unjust response to an event that demanded a reaction. International indifference to the Rwandan genocide has been portrayed and condemned in films, documentaries, novels and academic and first-person accounts of the genocide. Prominent political actors, such as Bill Clinton, Boutros-Boutros Ghali, Kofi Annan, Paul Wolfowitz, Guy Verhofstadt and Thabo Mbeki, have also offered their apologies to the Rwandan people. In parts of the world at least, the Rwandan genocide has come signify the shame of international inaction as much as it refers to the deaths of over 800,000 Rwandan Tutsis.

Cultural understandings of the shameful nature of international inaction, therefore, provide a frame for how this inaction is thought and rethought. My paper will explore how the meaning of international inaction in relation to the Rwandan genocide has been negotiated and understood through this discourse of shame. I will discuss this issue through an analysis of recent political apologies to the Rwandan people.

Justice, equity and diversity: sexual assault of women from diverse communities and the criminal justice system

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Sexual assault is significantly under-reported in Australia. Marginalisation and isolation increase vulnerability to sexual victimisation, making it even less likely that victims/survivors will involve the criminal justice system. This paper explores the incidence and non-reporting of sexual assault in diverse communities. It examines victims' reasons for not reporting sexual incidents to the criminal justice system and the perceived responsiveness and appropriateness of the criminal justice system to sexual assault in diverse communities. Existing initiatives undertaken by justice agencies to address the needs of victims/survivors of sexual assault will also be discussed.

7B Social Exclusion, Crime Prevention and Crime Control 4

Measurements of crime and risk perception: the social amplification of risk framework appraised.

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There has been range of methodologies and measures designed to determine the degree and nature of fear *of the crime* phenomenon, both here in Australia and overseas. Criticism has been levelled at the field of Criminology, in what is considered a lack of *theoretical specification and sophistication* in explaining the psychology of risk, and the consideration of cultural factors in past studies of *fear of crime*. (Jackson, J. 2005). A synopsis of these past measures, undertaken within a broad range of disciplines, will be outlined in this paper.

The Social Amplification of Risk Framework (SARF), introduced by Kasperson, Renn, Slovic, Brown, Emel, Gobel and & Patick (1988) is an approach which aims to examine broadly the potential measures of cause and effect of agents of *amplification* and *attenuation* on crime risk perception. This paper will look at the strengths and weaknesses of this framework as it might apply to crime perceptions in the state of Tasmania.

Consideration will be given in this paper to the degree to which these measures, of cause and effect would be adaptable to the dynamic modelling of the nature of crime amplification and attenuation, enhancing predicative capabilities for policy development.

This examination of SARF will highlight a potential research agenda to further advance the enquiry into community crime perception.

Inventing fear of crime: from dangerous classes to the enumeration of anxiety

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Piers Beirne (1993) notes that 'there is an almost endless number of still-to-be written histories of concept formation in criminology'. The concept we now know as 'fear of crime' has a complex history. Scholars considering the development of this criminological concept agree that it first came into social scientific use and abuse in the United States sometime in the mid 1960s (Ditton and Farrall 2000, Lee 2001). However, there are continuities in this history that can be traced far further back. This paper explores the development of a number of early criminological problematisations and in doing so considers how conditions of possibility emerged which made 'fear of crime' research both thinkable and doable, albeit much later in the 1960s. In this sense the paper is a pre-history of 'fear of crime'.

7C Violent crime 3

The problem of illegal immigration and prostitution of mainland Chinese females in Taiwan: from the perspective of organised crime

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The main purpose of this paper is to investigate the problem of illegal immigration of Mainland Chinese females in Taiwan from the viewpoint of organized crime. Illegal immigration of Mainland Chinese females has been a serious problem in Taiwan in recent years. The main cause of the majority of the illegally immigrating Chinese Females in Taiwan is prostitution. According to the official reports of Taiwan Government, certain underground organizations are mainly responsible for human trafficking and arrangements of transportation and prostitution. Different from the cases of human trafficking from Mainland China to European countries, the United States, Australia, and some other countries, where the trafficking involves mostly Chinese males due to the need of cheap labors overseas, the cases in Taiwan mostly involve the trafficking of young female Chinese, whose ages normally range from 15 to 20, provided for the market of sex industry in Taiwan.

Recent related empirical studies indicate that the majority of Chinese females who have illegally immigrated to Taiwan mediated by underground criminal organizations were lured by being promised earning huge amount of profits, either by work or engaging with sex-related industry. The conditions of underground transportation are typically severe and inhumane: those Chinese females were either locked in dark, hidden compartments, seriously beaten or raped if not being obedient, or even thrown and deserted to death in the sea. These human-trafficking organizations coordinate with certain Taiwanese mafias to further force these young women to participate in prostitution, causing their integrity, mental as well as physical health in grave distortion and danger.

The government of Taiwan has put much effort in the prevention of underground transportation and prostitution. However, the government of Mainland China has *not* accordingly adopted definitive

and effective methods of prevention. Consequently, not only are there problems with regard to the continuing flood of Mainland Chinese females into Taiwan, but there also exist difficulties transferring them back to the Mainland once they are arrested in Taiwan. Besides, false information and myths about the prospects of gaining huge profits and living good lives also contribute to the problems under discussion.

The main task of this paper is as follows: Investigate the organization and operation of human trafficking from the Mainland China to Taiwan. More specifically, based on a thorough survey of empirical studies on the transportation and prostitution of Mainland Chinese females in Taiwan, scrutinize how underground organizations of human trafficking cooperate with mafias.

The emperor's new corrections strategy: what children can teach us about punishment and behavioural change

Marc Forget

This presentation aims to demonstrate why a corrections-based approach to harmful behaviour, especially one that primarily relies on coercion and punishment, can never be highly effective, no matter how innovative and novel its new "clothing" is. To explain the failure of corrections/punishment, and to suggest some radical new approaches, this paper uses a multidisciplinary approach and draws on the work of authors in various fields, such as Alfie Kohn, Diane Gossen, Marshall Rosenberg and William Glasser in psychology, Edward Taylor and Jack Mezirow on transformative learning, Howard Zehr, Kay Pranis, David Cayley and Daniel Van Ness in restorative justice, and Ruth Morris on penal abolition. In addition to the theoretical framework provided by these experts, this paper offers a concrete and realistic perspective based on the author's personal experience designing and implementing harm-reduction programs in schools for more than ten years. What we know as corrections is a continuation, an adult version of the way we try to produce conformity and teach obedience to authority in our schools. To produce the behaviours determined appropriate by those in positions of authority, this approach relies on coercion, threats and punishment. Interestingly, when engaged in by individuals, these behaviours are deemed unacceptable. Have the school and the state satisfactorily justified engaging in the very behaviours they condemn, or is the populace simply acquiescing that the emperor is wearing beautiful clothes? This paper shows how children teach us that it is by increasing freedom, not by restricting it, that we promote productive behaviour and relationships; that it is through empowerment, and not by being stripped of all power, that people learn to take responsibility for their actions; and that as adults, and collectively as a society, it is by modeling ourselves what we expect of others, not by telling them to do as we say, that we discourage harmful behaviour.

7D Crime and the lifecourse

Persistent offenders and their life-courses, 1880-1940

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This paper reports on research carried out on persistent offenders and their offspring over five generations (in a north-western UK town, 1880-1940) as part of a 2 yr Leverhulme Trust funded study. The research concentrated on a number of issues of interest to criminologists: the intergenerational social transmission of criminality; the factors associated with desistence from crime and persistence in crime, for example marriage and employment; and the victim/offender overlap. This paper will present data on the life-course trajectories of a number of very persistent offenders in order to reveal both the research methodologies used, butt also so as to explain why some offenders turned away from crime whilst others did not. In doing this we will comment on the socio-historical construction of criminality; and the importance of both structural factors and informal social controls as mechanisms for supporting crime reduction in individuals.

The saga of villains or victims?: The committee of vigilance (1851) and the Sydney ducks

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In 1851, a Committee of Vigilance was formed in the new gold mining boom town of San Francisco. Principal members of the Committee were prominent business people of this new Eldorado of California's early history. Their pecuniary interests in the economics of a gold rush, both then and into the future, required protection. It seems that early Australians also needed protection.

The 'collared' Vigilantes whipped up law and order moral panic concerns about San Francisco's perceived-to-be lenient criminal justice system. It eventuated that their prime targets were alleged ex-convicts who had taken passage across the Pacific Ocean from the English established penal colonies of 'Terra Australis' to try their luck, in various ways, through the fortunes of a gold mining boom. They were argued to be the social threats to the golden economy of the new California.

The activities of the Committee of Vigilance (1851) became highlighted when John Jenkins, an alleged ex-convict from Sydney Town was 'arrested' by Committee members following the theft of an empty strongbox from a shipping agent's office on Central Wharf. Town. That night the 'authorities' dragged him by rope to the hanging site at which he would take his last breath.

During the six-month existence of the Committee, 67 who had sailed across the Pacific Ocean from 'Terra Australis' were arrested out of a total of 91 arrests. The vast majority were accused of being ex-convicts from England, Ireland and Wales who had served terms of imprisonment in van Diemans's Land or Sydney Town - four men were hanged.

The truth of claims that these early Australians represented San Francisco's first urban gang, the exploits and activities of the short-lived Committee of Vigilance (1851), and the backgrounds of those from the colonies are yet to be fully examined. The project is best regarded as research in progress. Document tracings about these men and women can provide powerful 'indictments' of the systems of 'justice' to which they were subjected, by transportation to prison colonies and their persecution by the moral guardians of law and order in the Committee of Vigilance. Finally, their story provides a startling reminder to the need for a full investigation of current Australian immigration related practices.

7E Restorative Justice and System Alternatives 2

Learning to do justice restoratively: the role of entry training on convenor socialisation

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Despite the extensive body of research on restorative justice, little attention has been paid to the practitioners who organise and run restorative justice conferences. It is often taken for granted in the literature that once trained facilitators will know how to competently organise and run a conference. This paper argues for an appreciation of the specific contexts in which practitioners learn to become facilitators of restorative justice conferences. It enquires into the socialisation processes that facilitators (convenors) undergo to become competent practitioners. Like other occupations, initial entry training is one of key ways that facilitators are socialised into their new occupational role. This paper presents preliminary findings from my doctoral research on conference convening, which is based largely on qualitative research on the NSW Youth Justice Conferencing Scheme. The intention is to discuss the ways in which the role of the convenor is interpreted by newcomers to restorative justice conferencing.

Paradigm shift from crime and criminal justice to violence and peacemaking

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This is a presentation of a forthcoming book, From Crime and Criminal Justice to Violence and Peacemaking: Radical Reflections of a U.S. Criminologist, to be published by the University of Ottawa Press. In this manuscript, I begin with a talk I gave to the Center for the Study of Democratic Institutions in 1973, "Toward Diversion From Diversion From the Criminal Justice System," reflect on how punishment has mushroomed in my country since, and trace how my dependent variable has shifted through a radical feminist lens from crime and criminality to what I define as "violence" and "peacemaking." A concluding chapter reviews "peacemaking in practice."

7F Violent Crime 4

On riots and mobs: understanding group violence

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The intention of this paper is to discuss various types of group formation and the sorts of behaviour associated with each type. Particular attention is given to the structure and dynamics of situations in which group violence occurs. From riots to mobs, swarming to gang fights, the aim is to outline a typology of group behaviour that identifies the key elements that distinguish different group formations. Diverse social contexts and precipitating factors are examined in order to explain the nature of violence (and, in some cases, non-violence) associated with particular kinds of group activity. Issues of masculinity, alienation, racism, inappropriate policing and adrenaline are explored.

Not all assaults are crimes: another level of complexity to the relationship between victimisation and reporting to the police.

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Given the perceived inconsistency of police records for assault and sexual assault, the only currently available source for gauging national assault trends is the National Crime and Safety Survey (NCSS, most recently conducted in 2002 by the ABS). Typically, victimisation survey figures show much higher rates of 'crime' than police recorded crime figures, and a number of factors have been identified by previous research that account for the reluctance of victims to report their experiences to the police. Furthermore, positive responses to common language questions about violence and property theft have been readily translated into the legal categories 'assault', 'robbery', 'break-in', and so on. However, a novel victimisation question in the 2002 NCSS, asking people if they considered their most recent victimisation experience to constitute a crime, problematises this simple translation by survey administrators. Generally, across all crime-types recorded by the 2002 NCSS, perceived 'crime' (as indicated by victim's responses to this new question) only accounted for a sub-section of all victimisation recorded by the survey.

Motivated by these findings the researchers used a stepwise logistical regression model to examine the 2002 NCSS assault data via the Remote Access Data Laboratory. This model used 'considering an assault incident to be a crime' as the dependent variable for analysis. Overall the model had good predictive capacity and 17 theoretically motivated factors were identified as significantly contributing to the relationship between reported victimisation and perception of criminality. This paper discusses this modelling process and comments on the theoretical and practical implications of these findings, paying particular respect to the interpretation of assault victimisation survey data in the absence of national recorded crime figures for assaults.

7G Crime and Risk Assessment

The risks of risk assessment: new directions in juvenile justice

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Measures of risk, "what works" literature and cognitive behavioural programs are increasingly challenging traditionally held policy and practice paradigms in Juvenile Justice. With specific reference to the experience of the NSW Department of Juvenile Justice and its adoption of the Youth Level of Service/ Case Management Inventory Australian Adaptation (YLSI/CM-AA), this paper begins to deconstruct the social and political effects of risk assessments for young people involved in the Juvenile Justice system. By critically discussing the application of these interventions this paper will challenge the apolitical and "neutral" status that risk assessment is assigned. It will also raise the potentially dangerous displacement of a discourse of rights in favour of a discourse of risk.

This discussion will show that far from offering a more objective or efficient use of control, risk assessments remain dependant on normative discourses to construct categories of risk, thus reflecting the interests of powerful groups in society. It will be argued that the YLS/CMI-AA and associated "what works" interventions have a disproportionate impact on Indigenous Australians, those from Culturally and Linguistically Diverse (CALD) backgrounds and may contribute to veiled paternalistic notions towards young women. Furthermore, it echoes shifts from a welfarist to a neoliberal framework which makes young people responsible for managing a range of socio-cultural risks whilst subtly abdicating responsibility away from the state to provide service and protect rights.

Some preliminary qualitative data from a small research project interviewing young people who have previously been involved with the juvenile justice system will also be presented. The aim of the project is to assess how effective risk assessments are in capturing the complexity of a range of young people's lives. This will eventually provide the basis for a comparative study of risk assessments and needs assessments.

The micro-politics of danger in the assessment and management of risk

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Risk assessment and risk management have recently come to be regarded as explicit objectives of, and are routinely advances as legitimising ideologies for, practice within community justice, mental health and social work settings. A transition from 'welfare' to 'risk' as the organising principle for the provision of services by such agencies seems likely to have impacted upon the nature of practice, but in ways which have yet to be fully established or theorised. Given the caring ethos, heritage and methods of such services, it seems likely that practice dilemmas will arise which reflect these changing rationales and contexts for practice, and which have implications for the nature and outcomes of intervention.

This project is therefore seeking to investigate and analyse such dilemmas, particularly in relation to the actual practices of working with risk within a 'risk society'. It takes as its focus the principles and protocols via which the phenomenon of risk is constructed, understood and applied by various professionals in community justice, mental health and forensic settings. By comparing and contrasting professional accounts of the dilemmas raised, and how these are resolved in their various agencies, I hope to be better able to theorise how the 'rise of risk' (Garland 2003) has impacted upon the therapeutic 'heart' of such disciplines and their underpinning forms of knowledge.

Drawing upon ongoing research towards a PhD, this paper will seek to answer a number of related questions:

How do professionals make sense of the expectation that they assess and manage risk? How do individuals come to be defined as 'high risk' – which criteria, processes, protocols and practices guide classification?
How does thinking about their clientele in terms of risk categories affect the ways that practitioners conceptualise, relate to and engage with those they work with?

How does the attribution of a risk classification impact upon service user self identity?

My intention is to utilise social theory to make sense of my findings, particularly those Foucault inspired bodies of work exemplified by recent developments in discursive psychology and the governmentality paradigm.

7H Drugs, Crime and Criminal Justice 4

Methamphetamine use and violent crime: exploring the link amongst a sample of police detainees in australia

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In recent years, findings from the Drug Use Monitoring in Australia (DUMA) program indicate a continuing rise in the use of methamphetamine by those charged with a criminal offence. Given this recent change in illicit drug use, there is concern about the harms and consequences associated with increased use, especially in relation to offending behaviour. This is compounded by a paucity of Australian research exploring the link (if any) between methamphetamine use and violent crime.

Using data derived from the DUMA program which is based on an interviewer administered questionnaire and urinalysis, this paper explores the characteristics of methamphetamine using police detainees across seven police stations/watchhouses in Australia. Factors explored include patterns of use, offending behaviour and socio-demographic characteristics. Comparisons will be made with detainees who test positive to illicit drugs other than methamphetamine in relation to these factors.

Using and selling amphetamines: three profiles of users in the Queensland amphetamine market

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Amphetamine type substances have become the most commonly used illicit drugs in Australia, second only to cannabis (AIHW, 2005). Along with other substances, amphetamines have been linked with violent crime (Hammersley et al., 2003; Makkai & Payne, 2003). Amongst a recently surveyed national sample of juvenile detainees, regular amphetamine use was associated with regular violent and property crime (Prichard & Payne, 2005). Regarding health effects, various problems are caused by injecting amphetamines (Shand & Mattick, 2002). A recent trend towards using more potent forms of amphetamines, namely methamphetamines, increases risks to mental health and exacerbates aggressive behaviours (Kinner & Fischer, 2003; ABCI, 2002).

The amphetamine market in Queensland has generated considerable concern. As well as an apparent upturn in use in Queensland, law enforcement agencies have recorded increases in amphetamine seizures and more frequent detection of clandestine laboratories in that State (ACC, 2003; CMC, 2003).

In 2002 Queensland Health and the Crime and Misconduct Commission (CMC) employed a peer research model to interview 665 amphetamine users in Queensland (Lynch et al., 2003). This paper is based on new analyses of the data collected from that study. The results indicate that – amongst amphetamine users – there are three main sociological profiles, which can be distinguished by the extent to which they sell amphetamines to others. Examined are the three groups' (a) demographic characteristics, (b) drug-using behaviours and general health, (c) self-reported criminal histories and (d) amphetamine-selling activities. The discussion will consider the interrelationship between using and selling illicit drugs, and the ramifications for drug-using and criminal careers.

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GLEBE

SOUTH HOBART

DYNNYRNE

SANDY BAY

University of Tasmania Campus

HOBART

Sullivans Cove

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To AIRPORT &
BOTANICAL GARDENS & GOVERNMENT HOUSE

Elizabeth Matriculation College
St. Andrew's Park
St. Mary's Cathedral
St. Virgil's College
Domain Tennis Centre TLTA
Olympic Pool
Slipway
Huon Naval Depot
Macquarie Point
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Parliament Square
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Castray Esplanade
Princes Park
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Derwent Sailing Squadron
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Centrepoint Arcade
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Streets:
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