President’s Welcome

My last column was devoted to some philosophical thoughts on the discipline. This column is devoted to some matters that are less esoteric, but no less important: coming events, and some information about the participants on our committee. As you will see, they are a diverse, cross-disciplinary and multi-lingual group!

The Brisbane conference looks to have a wonderful program in a great venue. The ANZSOC AGM will be held on one of the days of the conference, and we will welcome the election of some new members. Currently there are rules governing a rotation of positions across two-year terms, but the rules are not well understood and it will be an agenda item for our committee meeting on 3 October to settle them.

Later that month (October 30) Stephan Parmentier, who is the International Society of Criminology (ISC) Secretary General, will be visiting Canberra where the AIC will host a morning discussion as part of the ISC’s World Crime Forum program. More details will follow in due course.

The 2014 ANZSOC conference will be held at the University of Sydney, and 2015 is likely to be in Canberra. 2016 is open for suggestions, and Tasmania and South Australia are due to host one. Don’t bowl me over in the rush but please let me know if any host department is interested in any of the 2015-2017 opportunities. 2017 is likely to be back in Brisbane as a co-event with the ISC triennial meeting. The uncertainties at the moment are the likely date, and the host. I will keep you posted as planning continues.

And now to the 2012-2013 Committee: Gail Mason is one of our two Vice-Presidents. She teaches at the Sydney Law School and was, for a number of years, the Director of the Sydney Institute of Criminology. Gail is currently involved in several ARC projects looking at the legal regulation and policing of hate crime as well as a project on cyber racism. The other Vice-President is Julian Buchanan who is Programme Director for the Institute of Criminology at Victoria University of Wellington. His research interest and teaching centre upon issues of justice, stigma and discrimination particularly in relation to drug law, policy and practice. He is specialist assessor for a number of international journals. SECRETARY: Kate Sweeney (nee Hancott) has been the conference coordinator at the Australian Institute of Criminology for two and half years. She was recently married at Watsons Bay and honeymooned in the Yasawa Islands, Fiji. She is currently coordinating the 13th Australasian Conference on Child Abuse and Neglect. TREASURER: Noel Turner is completing his PhD at Monash University. His topic, Murder in Victoria, investigates how specific crimes can reflect the societies in which they take place. Noel came to his PhD with an undergraduate degree in education and two masters degrees, in education and publishing. TAS: Roberta Julian is the founding Director of the Tasmanian Institute of Law Enforcement Studies (TILES) at the University of Tasmania. Since establishing TILES in 2003, she has undertaken many research projects in the fields of policing and criminology and the role of forensic science in the criminal justice system. NSW: Sanja Milivojevic is a Lecturer in Criminology at University of New South Wales. Sanja’s research interests are trafficking in people; migration and borders; new technologies, sexting and surveillance; and international criminal justice and human rights. She is an editorial board member of the Serbian journal Teneda. VIC: Darren Palmer is the Victorian representative and Convenor of Criminology at Deakin overseeing a Bachelor of Criminology and its double degrees. His current research interests are perspectives on surveillance and the use of

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### Cont’d President’s Welcome

surveillance technologies, democratic policing reforms, the pluralisation of policing and the prevention of harm in the night-time economy. **QLD:** Tara Mcgee is Chair of the Organising Committee of the 2013 ANZSOC conference in Brisbane. She is an Australian Research Council (ARC) Discovery Early Career Researcher Award (DECRA) Research Fellow at Griffith University. Her research focuses on Developmental and Life-Course Criminology. **NEW ZEALAND:** Antje Decker has been teaching at AUT University since 2009. She was born and raised in Germany where she also completed her doctorate in criminal law. Her research interests are criminological discourse, criminal narratives and identity, Indigenous peoples, epistemologies, methodologies and violence. The other representative is **Trevor Bradley** who teaches at Victoria University of Wellington. His research interests include plural policing and private security, crime prevention and community safety and the politics of law and order. He is currently involved in a project focused on private security licensing and regulation in New Zealand. **ACT:** Lorana Bartels is a Senior Lecturer in the School of Law and Justice at the University of Canberra where she teaches criminal law, criminology and juvenile justice. Her key research interests are sentencing, and Indigenous people, and women in the criminal justice system, both as offenders and victims. **NT:** Teresa Cunningham has extensive experience working in the NT public sector in the areas of justice and education and her academic experience includes working in the areas of family studies, education, juvenile justice and youth wellbeing. Teresa has been a Research Fellow with Menzies School for the past 5 years. **WA:** Hilde Tubex has been researching in comparative criminology at the Crime Research Centre, UWA, for the last two years. Before migrating to Australia, she was teaching and researching at the Free University of Brussels. She has a Future Fellowship studying the differences in imprisonment rates within Australia. **SA:** Willem de Lint teaches at Flinders University. He was born in Canada and has lived in the United States, the Netherlands, and NZ. He has now been in Adelaide for almost 3 years. He is interested in blended and public order policing, counter-terrorism and occasionally writes for *Counterpunch*, where he likes to rant about politics. **THE JOURNAL:** Anna Stewart is the co-editor with Philip Stenning of the Australia and New Zealand Journal of Criminology. For the past 20 years she has worked in the School of Criminology and Criminal Justice at Griffith University. Her research interests include child protection, youth justice, family violence and life course criminology. **COMMUNICATIONS:** Li Eriksson grew up in Sweden and is the editor of *PacifiCrim* and the Chair of the Communications Sub-Committee of ANZSOC. She was recently awarded her PhD and is currently working as an Associate Lecturer at the School of Criminology and Criminal Justice at Griffith University. Her research interests include homicide and intimate partner violence. **POSTGRAD AND EARLY CAREER RESEARCHER REP:** Kelly Richards is a Lecturer in the School of Justice at QUT, following five years as a researcher at the AIC. Kelly’s research interests include restorative justice, youth justice, and human trafficking. She is the only member of the committee who has been married by Elvis in a drive-through ceremony in Las Vegas.

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### Secretary’s Report

Hello! It’s conference time again and I am very excited to see our members (and prospective members) in Brisbane at the ANZSOC conference, and also encourage all our members to come to the Annual General Meeting to be held during the conference.

If anyone is wanting to renew their membership, or join ANZSOC during the conference, please do not hesitate to come and see me, and we can sort it all out.

I would like to congratulate all our award winners from this year, congratulations on your success. If you would like to nominate for an award next year, please look out for more information in the new year. For most awards, nominations will close in April.

I hope that everyone enjoys the conference and also has a chance to enjoy some of beautiful Brisbane. At the time of writing, I have just come back from a few days there, and in comparison to the cold Canberra day I am experiencing today, I know that I am looking forward to some more sun!

Kate Sweeney
ANZSOC Secretary
secretary@anzsoc.org

### PacifiCrim Editor’s Note

Welcome to the 2013 conference issue of *PacifiCrim!* Every year ANZSOC confers a number of awards. In this issue we have invited some of the award recipients to tell us more about themselves and their research. We hear from the recipients of the Allen Austin Bartholomew Award, the Adam Sutton Crime Prevention Award, the Allan Van Zyl Memorial Prize, the New Scholar Prize and the Student Paper Prize. Also featured in this issue is an article written by Gail Mason, Lorraine Mazerolle, Sharon Pickering and Julie Stubbs addressing the state of criminology as a discipline in Australia given the recent Excellence in Research in Australia evaluation. We also feature snapshots from various international conferences written by ANZSOC members.

This will be my last newsletter! I have thoroughly enjoyed my time as Editor of *PacifiCrim* and I would like to say thank you to everyone in the Committee of Management and the Editorial Committee. It has been a pleasure working with you over the past two years. I would also like to express my thanks to all of the contributors to *PacifiCrim*. It is because of you that *PacifiCrim* is such an excellent source of news, discussion and promotion of the criminological discipline in Australia and New Zealand.

Li Eriksson
PacifiCrim Editor
leriksson@griffith.edu.au
News from the Editors of the Australian and New Zealand Journal of Criminology

Since taking over the Journal in October last year we have been busy rejigging the Editorial Board and International Advisory Board, introducing OnlineFirst and learning to manage the processes and systems. During this time we have received over 60 new submissions to the Journal. We have also received three proposals for special issues of the Journal. We appreciate the interest in the Journal that this level of submissions and proposals reflects, and are most grateful to all those who have assisted us as reviewers. Later in the year we will be discussing with the Society and Sage whether we might go back to having 4 rather than 3 issues per year, as was the case from 1982-1990.

We would like to take this opportunity to introduce our two Associate Editors (Dr Rick Brown and Dr Lizzie Stanley) and Book Review Editor (Dr James Oleson) and Managing Editor (Ms Fiona Saunders).

Dr Rick Brown is Deputy Director (Research) with the Australian Institute of Criminology (AIC), where he oversees AIC’s research program. His research interests are in crime prevention, community safety, policing and organised crime. He has published on a variety of topics, from vehicle crime, arson and violence in the night time economy, to community justice and community clean-up operations. Prior to joining AIC, Rick ran a research consultancy for ten years in the UK, specialising in community safety and criminal justice research. During this time, he was also appointed by the Home Office as an Advisor on crime reduction, working with three regional government offices in England. He has also previously worked as a Research Manager for the Home Office Research Development and Statistics Directorate in London, where he ran programs of research associated with vehicle crime and domestic burglary.

Dr Elizabeth Stanley is a Senior Lecturer in Criminology at Victoria University of Wellington, New Zealand. Her research and teaching interests revolve around the issues of state crime, human rights, detention, international truth and justice mechanisms, and qualitative methodologies. In 2009, she published a book on responses to torture in Timor-Leste (Torture, Truth and Justice, Routledge) and she has recently co-edited a collection entitled State Crime and Resistance with Professor Jude McCulloch of Monash University (Routledge, 2013). Beyond this, she has published over twenty five journal articles and book chapters, as well as numerous reports, short articles and reviews. Her current research project focuses on the experiences of children held in NZ’s social welfare homes from the 1960s to 1990s; this work is charting the victimization of children, the impact of abuse on victims’ lives as well as victims’ attempts to secure recognition and redress. In addition to her role as Associate Editor of this journal, she is also the reviews editor of the journal State Crime. In her ANZJC position, she is keen to bolster publication by NZ authors and encourage critical articles on crime and justice issues.

Dr James Oleson is a Senior Lecturer at The University of Auckland. His research extends in three principal directions. First, he is interested in intelligence and crime, and is writing a monograph on self-reported offending of those with genius-level IQ scores. Second, he is interested in punishment and penology. In this vein, he is studying prison museums, and the idea of the prison in contemporary culture. Third, he is interested in sentencing matters, writing on sentencing guidelines, evidence-based sentencing, and the sentencing consequences of antecedent decisions within the criminal justice system. He began his professional life as an enlisted machinist’s mate in the U.S. Navy’s nuclear propulsion program. After his discharge, he used his veteran’s benefit to attend St. Mary's College of California, graduating summa cum laude with a split major and double minor as the 1994 class valedictorian. He earned his M.Phil (writing his thesis on offender profiling), and earned his Ph.D. in Criminology (writing his dissertation on high IQ criminals) from the University of Cambridge. He then attended law school at Boalt Hall (UC Berkeley), where he punctuated his own coursework by teaching as a lecturer in the Sociology Department and by serving as Editor -in-Chief of the California Law Review.

Cont. next page
Fiona Saunders has been employed at Griffith University in various administrative roles since 2007. Her current role (along with being the Managing Editor for the Australian and New Zealand Journal of Criminology) is as the Administration and Events Officer for the School of Criminology and Criminal Justice. She provides invaluable administrative support to both of us, helps manage all the administrative systems, provides support for authors and reviewers and generally makes sure things run smoothly.

We would like to encourage everyone to sign up to receive notification of publications through OnlineFirst. In April SAGE implemented OnlineFirst which allows final revision articles (articles that have been accepted for publication, copyedited and checked) to be hosted online prior to their inclusion in a print journal. The advantages of OnlineFirst are that subscribers to the journal can access articles as soon as they are available and authors have reduced lead times between submission and publication of articles. Once an article is accepted for publication SAGE estimates the time to prepare the article for OnlineFirst is eight weeks. If you go to the journal website (http://anj.sagepub.com) you can view articles in OnlineFirst. You can also sign up to an eTOC (electronic table of contents) which will alert you by email to new articles in OnlineFirst. We hope you will find this a useful addition to the Journal.

We currently have 14 articles available on OnlineFirst:


Emma Davies and Kirsten Hanna. Pre-recording testimony in New Zealand: Lawyers’ and victim advisors’ experiences in nine cases, first published on June 3, 2013 as doi:10.1177/0004865813485590


Anna Stewart and Philip Stenning
ANZJC Editors
The 2012 ERA and Criminology in Australia

In 2012, the Australian Research Council conducted the second Excellence in Research in Australia (ERA) evaluation. The process focused on research undertaken at eligible higher education research institutions between 1 January 2005 and 31 December 2010. Data across eight discipline clusters was collected and submitted by universities and then evaluated by Research Evaluation Committees (RECs) at the discipline level. Four broad indicators were used in the evaluation: research outputs; research income; applied measures; and esteem measures. A 5-point rating scale was then applied to rank the discipline clusters: 5 is an outstanding performance well above world standard; 4 is a performance above world standard; 3 is an average performance at world standard; 2 is a performance below world standard; and 1 is a performance well below world standard. For programs where there was a ‘low volume’ of data (ie: less than 50 journal articles during the time period), no ranking was applied.

How did criminology perform?

If Australian criminologists had reason to feel confident that we punch above our weight in the world arena, the results of this ERA exercise would have been a wake up call. Criminology was assessed in a total of just 12 universities and the vast majority, 8 universities, received a ranking of 3, that is, an average performance at world standard. Only one criminology program did better than this and was awarded a 5 (ANU). No 4’s were awarded; 2 programs received a 2 and 1 program received a ranking of 1. A number of universities that have criminological researchers did not offer criminology as an assessable area. In some instances, this was because other cognate disciplines (eg: psychology, political science, sociology, law) either ‘needed’ the strong criminology articles to help build a case for their submissions or there were too few full time academics in those institutions contributing to the criminological literature. With a presence in just over a dozen institutions in Australia, it is possible that Australian universities have not yet realised the financial or pedagogical value of criminology, limiting their preparedness to invest in building a critical mass of criminological scholars. Alternatively, some may use the ‘cash cow’ of criminology to prop up other areas (eg: sociology), investing the returns from profitable criminology programs elsewhere, perpetuating a weakened criminology relative to other disciplines.

While the assessment that most Australian criminology programs are performing at a world standard might seem respectable at first glance, it is important to consider that a number of other comparable disciplines fared better. For example, the proportion of programs that received more than a 3 in Criminology amounted only to 8% of the total (1/12). Whereas 45% of Law programs were ranked above a 3 (13/29); 17% of Sociology programs (5/29) and 19% of Political Science programs (4/21).

Some comparisons

Criminology was assessed within the Studies in Human Society code which includes Sociology, Anthropology, Political Science, Social Work, Policy and Administration and others. Some initial observations worth noting are:

- The Studies in Human Society code did not perform well overall in comparison to other codes, being awarded a relatively high proportion of 3’s and a low proportion of 5’s (eg: compared to Law and Legal Studies).
- In terms of Research Income and Research Outputs (journal articles, books and book chapters), Criminology performed below Sociology and Political Science (when weighted for the number of staff). Criminology also performed far below Law on all indicators (except the Research Commercialisation measure), as well as Psychology, both of which were assessed under a different code. As we noted above, in some institutions where Criminology was deemed assessable, research outputs that could have been coded to Criminology were coded to other disciplines. In addition, while Criminology researchers have been successful in attracting competitive funding, such as ARC Discovery and Linkage grants, much of their work is not coded as Criminology. Recent examples include numerous projects coded as Law, and some coded Sociology or Social Work, while relatively few ARC grants have been awarded to projects coded as Criminology. The ARC is thus providing limited funding to Criminology relative to other disciplines. There are also relatively few other competitive grants available to Criminologists. The Criminology Research Council grants tend to be of short duration, have a policy focus and provide low levels of funding. They also have a very low success rate (around 8%).

- On the Esteem Factor measure, Criminology’s performance was amongst the lowest in the Studies in Human Society code. Assessed at 13.2, it was markedly below the 69.9 given to Political Science and the 49.2 given to Sociology. Esteem Factors include editing prestigious works of reference, as well as academy and competitive fellowships such as Federation Fellows, DECRA’s, Laureate Fellows, Future Fellows, AIATIS. Considering that there are only two Laureates, three Future Fellows and three DECRA’s in Criminology across Australia, it may be that Criminology is more reluctant than other disciplines to sponsor nominations for these prestigious awards.

- Criminology performed better than other disciplines in the Studies in Human Society Code on only one measure, Research Commercialisation Income. Research Commercialisation Income is an applied measure that is defined as commercial returns from income and/or capital gains results from the commercialisation of research outputs, services and intellectual property. When compared to the sciences, however, the volume of income was small (eg: $47,104 compared to $124,094,578 in Medical and Health Sciences).

These results have caused some discussion and debate amongst Australian criminologists as to how they should be interpreted. The lack of transparency in the process means that such interpretations are speculative only. Further detailed inquiry would be needed to pin down the reasons for Criminology’s performance.
One interpretation is that Law and Sociology are simply stronger, larger disciplines than Criminology in Australia, with a more distinct identity. Certainly, Criminology is newer than some other disciplines in Australia and less established than its international counterparts. Although the Australian Institute of Criminology was initiated in 1973, its focus was on government-directed research and a theoretical and empirical criminological tradition has taken longer to develop. With some exceptions, such as the establishment of the Department of Criminology at the University of Melbourne in the 1950s and the Institute of Criminology at the University of Sydney in 1966, university-based criminology programs were ‘lute starters’ compared, for example, to the US where the Law Enforcement Assistance Administration propelled the proliferation of criminal justice programs in the early 1970s. Although ANZSOC was established in 1967, its first conference was not held until 1988. By way of comparison, the American Society of Criminology was established in 1941 and the British Society of Criminology has been operating for 50 years. As ANZSOC celebrates its 26th annual conference this year, ASC hosts its 69th conference. Nonetheless, it must be acknowledged that while Criminology is relatively young, so too are a number of other areas in the Social Sciences.

Another possibility is that Criminology programs have not been sufficiently strategic in crafting their ERA submissions, particularly given the interdisciplinary nature of Criminology. Embedded within other disciplines, such as Law or Sociology, Criminology has not always wanted or needed a separate identity. Yet, at the end of the day, the ERA exercise largely forces disciplinary choices to be made. By way of example, eligible criminology articles were farmed out to other disciplines at the University of Queensland, Monash University and probably many more. This may largely be the consequence of Criminology being an interdisciplinary field of study where researchers are located in a range of faculties, enabling important criminological contributions to be counted elsewhere.

Another suggestion is that too much Criminology in Australia is parochial in nature, focusing on local issues without putting them into the context of international crime and justice concerns, and thus has not been placed in international journals. This limits its readership and self perpetuates parochial interpretations in the field. Until recently, the Australian and New Zealand Journal of Criminology was published by a local publisher with restricted capacity to reach an international readership. However, this explanation does not seem entirely adequate as many areas of Law are also focused on domestic rather than international concerns and are published in Australian journals. It is thus noteworthy that there are several Australian law reviews that were ranked A* by the ERA, but no Australian Criminology journals. Thus a Criminologist who wants to be published in the top rank of journals must publish in an international journal or in another discipline such as Law.

Certainly, Criminology’s lower performance on the Esteem Factor measures appears to be significant. Criminology is a smaller discipline in terms of full time staff compared to Law and Sociology which may make it difficult for individual programs to build up their esteem factors. Criminology may have lagged behind other disciplines around the world. For example, the Stockholm Prize, the highest esteem prize in Criminology in the world, was only established in 2006 some 38 years after the Nobel Memorial Prize in Economic Sciences for example. Notably, the first winner of the Stockholm Prize and the only Australian winner, to date, was Professor John Braithwaite of ANU – the only institution in Australia to score a 5 in criminology in the ERA. The Academy of Social Sciences in Australia lists only eight Criminologists as Fellows (another five fellows from other disciplines have some connection to Criminology). Rather surprisingly, Professor John Braithwaite is not listed as a Fellow.

What to do about it?
Whatever interpretation we put on these results – and irrespective of whether we think individual institutions deserved a higher ranking over others – this is a concerning outcome for the discipline of Criminology in Australia. As Vice-Chancellors cast their eye across their institution, some have been heard to say that disciplines below a 4 will need to seriously lift their game to justify their continuation. These ERA results suggest that, relative to other disciplines in Australia, Criminology is small and lacks a threshold of international contributions. This does not mean that high quality, internationally relevant research is lacking in Australia. Rather, there is simply not enough research being undertaken in Australia that is recognised, and cited, as internationally applicable: it is not reaching a high enough threshold for some institutions to merit an ERA submission; and there is not enough breadth, even within some of our larger Criminology schools. Our point is that the ERA process does not currently provide a means of recognising the rigorous, talented and innovative work that is undertaken within Australian Criminology.

The highly confidential nature of the ERA process makes it difficult to know how best to improve Criminology’s performance. Some suggestions include:

- As noted above, some of the performance measures utilised in the ERA do not seem to be adequate to capture the full range and quality that exists within Australian Criminology. To the extent that opportunities arise, we need to contribute to debates about the use and refinement of such performance measures. In those universities which have adapted ERA-like performance measures for internal purposes, this is particularly important as it may have a compounding effect limiting the career prospects of early career colleagues.

- The ERA privileges research that speaks to an international audience. We might find ways of assisting and mentoring early career Criminologists to publish with high quality international colleagues, both those based here in Australia and others based overseas. Investing funds so staff can link up with respected (and generous) international scholars might help with this. Cultivating international research collaborations is hard work. Australia suffers from the ‘tyranny of distance’, even with global technologies that help overcome the distance (and time zone) barriers. Bringing the world to Australia and, conversely, taking Australian academics to the world, requires money: money for travel, money for study leave trips and money for research data collection on the international stage. With billions of dollars in cuts to the tertiary sector in Australia over the next several years, overcoming this tyranny of distance is going to make things even harder.
We need our Australian Criminologists looking to publish books with the best, international publishers, and we need to cultivate publishing habits that aim (and reward) 2 or 3 empirical pieces (qualitative or quantitative) in quality, internationally ranked journals rather than say 5 quick thought pieces in lower ranked journals. This requires a fundamental shift in patterns of publishing amongst Criminologists in Australia. One option, for example, is to encourage a shift away from the tendency to downgrade multiple authored articles – team research projects, by definition, leads to co-authored papers. If co-authored papers are discounted in favour of single authored papers, we send a message that criminological research can only be about small, incremental projects: a sure way to kill the capacity to undertake big science scholarly research. Scientists, as opposed to social scientists, have publishing patterns that celebrate team papers.

We need to think more strategically about how we code our publications and competitive grants. For example, if a Criminology program is based in a Law Faculty some of our best research outputs and greatest income may all too often end up coded as Law.

For organisational units in our universities, we need to think strategically about supporting the group to succeed as a whole. Like in any team sport, weaker links in the team need to be supported to help improve their game. But to support the team ‘star’ to the detriment of the other team members is also going to cost the team in an ERA-like evaluation. This is about the quality versus quantity equation (ie: the amount of output relative to the number of staff). A small output from a very large group of people or a large output of lower quality publications (the ‘long tail’) from a smaller group of people is not the way to go. Criminology, across Australia and across our institutional environments, needs to cultivate a smaller, high quality output from all staff.

The government has announced that the next ERA assessment round is scheduled for 2015. There may well be an optimal level of regulation or performance measures for Australian universities, but the current ERA process does not do justice to Australian Criminology and, arguably, is counter-productive. We offer this article in the spirit of encouraging ongoing reflection and debate about measuring research performance in our discipline and finding ways to foster and support the practice and recognition of quality Australian Criminology.

Gail Mason, Lorraine Mazerolle, Sharon Pickering and Julie Stubbs

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SAVETHE DATE
ANZSOC 2014
1-3 OCTOBER 2014
27th AUSTRALIAN AND NEW ZEALAND SOCIETY OF CRIMINOLOGY CONFERENCE
THE UNIVERSITY OF SYDNEY

ANZSOC 2014
1-3 OCTOBER 2014
Sydney, Australia

27th AUSTRALIAN AND NEW ZEALAND SOCIETY OF CRIMINOLOGY CONFERENCE:
TESTING THE EDGES: CHALLENGING CRIMINOLOGY

For up to date information, visit: sydney.edu.au/law/criminology/ANZSOC
I am interested in the changes that victim impact statements (VISs) have introduced to established sentencing practices. A VIS describes the harm that a victim has sustained as a result of crime. It can be written or oral; comprise photographs, drawings and/or film. VISs have always been controversial because by bringing crime victims back into adversarial legal processes after exclusion for approximately 150 years, the proper function of the sentencing hearing becomes uncertain.

Initially, my research looked at the use of VISs in fixing penalty in NSW homicide cases. The question of whether it is appropriate for the impact of the deceased’s death on the deceased’s family as expressed in the VIS to influence penalty has been a vexed issue for courts in many common law jurisdictions. New South Wales is unique in that VISs from family victims (friends or family of the deceased victim) are not relevant to the determination of the offender’s penalty. In my work I have sought to support and justify this approach of the NSW Supreme Court. Following a review of the legal position in 2011-2012, the current NSW government has opted not to change the law.

But VISs are nonetheless important in contemporary sentencing hearings. From the victim’s perspective the ‘expressive’ function of VIS gives victims a ‘voice’ in the sentencing process: an opportunity to speak and be heard; talk about their feelings and experiences; be acknowledged and validated by the court and also by the offender’s remorse; and so better their courtroom experiences. Certainly almost all victims in my study submitted a VIS and the vast majority read their statements aloud to the court. From a wider perspective, changing community sensibilities have generated changes to community standards and expectations of fairness in the courtroom. As a result, victims cannot be ignored or treated with disrespect in the courtroom without the potential for casting doubt on the integrity of the legal proceedings.

Whilst of course no one is ‘anti-victim’, incorporating this victim voice, particularly in oral VISs, in the courtroom has been contentious and resisted by many commentators and legal practitioners. The problem is, so it is argued, that the emotionality of VISs, especially oral VISs, is inconsistent with established legal values, detrimental to the offender’s entitlement to a fair hearing, and harmful to the integrity of legal processes. But despite extensive theoretical debate, very little research has focused on the impact of the expressive capacities of VISs on the dynamics and integrity of the legal proceedings. So a major aim of my research is now to explore victim participation and the VIS ‘event’ in sentencing hearings.

My PhD study explored victim participation in the sentencing of homicide offenders drawing from an analysis of data gathered from a variety of sources including: observation of 18 sentencing hearings in the NSW Supreme Court; interviews with 14 family victims; and a narrative analysis of 24 VISs that were read aloud. An important finding is that the expressive capacities of VISs are more limited than claimed. While oral VISs give victims a voice in the hearing (note that written VISs do not), that voice is constrained by several factors including legislation and this was evidently a source of significant frustration for many victims. Furthermore, few opportunities arise for the court and/or the offender to acknowledge and validate the victim in the sentencing hearing. VISs are narratives read to the court; they do not generate dialogue. While judges can – and usually do – use their formal sentencing judgment to acknowledge and validate victims later, other than mitigation speeches there are no similar opportunities for offenders. And a striking feature of the study was the lack of visible offender response to the VISs and the rarity of offender remorse and apology claimed by theorists as a restorative value of VIS.

The ‘cooling out’ piece reports one of the study’s most significant findings: contrary to concerns, emotionality associated with VISs did not interfere with offenders’ legal entitlements nor derogate from the integrity of the proceedings. Relevant key factors are the high quality of interpersonal treatment accorded to family victims in the courtroom and the structures and processes that manage emotionality associated with victim participation. This study confirms the importance of these key factors to support the sentencing court’s function as a forum dealing with the aftermath of crime that respects the interests of all involved.

Tracey Booth

Tracey Booth is a senior lecturer in the Faculty of Law at the University of Technology, Sydney. Tracey has researched and published widely in the areas of victim participation in sentencing and bail. The ‘cooling out’ article emerged from her PhD - a qualitative study of structures and processes that shape victim participation and the presentation of victim impact statements in the sentencing of homicide offenders in the NSW Supreme Court.

Don’t miss the ANZSOC Annual General Meeting

Thursday 3 October

Please check the final conference program for the exact time and venue
Winner of the Adam Sutton Crime Prevention Award

It is an honour to win this award; one that has a personal dimension for me. Adam Sutton and I met on a number of occasions and communicated about crime prevention issues. I can attest that Adam was a helpful and respectful colleague, and certainly passionate about applied crime prevention. He was a pioneer in the field in Australia, and it is entirely fitting that ANZSOC has dedicated an award in his memory.

This year’s award is for a report I authored, Responding to Welfare Fraud: The Australian Experience. The research was commissioned by the Australian Institute of Criminology and published in the Institute’s Research and Public Policy Series.

The genesis of the project lies somewhere in the 1980s, when I had a series of dead-end jobs on the Gold Coast. At a couple of these places I shared space with happy fraudsters, quite open about the fact their cash-in-hand job went nicely with fortnightly dole payments. Fast-forward some years, and I was reminded of my co-workers and their double lives when I began doing research on private investigators and discovered that Centrelink had a program of outsourcing covert surveillance of suspected fraud cases.

Interesting! Since then, these video-recordings of people with fake disabilities or secret jobs provide regular sensational material on current affairs shows.

My interest was also piqued when Centrelink began advertising its fraud tip-off line. Like the PIs, the tip-off line squared with the ideas of ‘extending guardianship’ and ‘strengthening surveillance’ in Ron Clarke’s situational model of crime prevention. Another set of ads seemed more positive and less Orwellian. They reminded welfare recipients they needed to inform Centrelink of changes in their circumstances or risk being prosecuted for fraud.

Catching the crime prevention bug means always being on the lookout for ‘successful case studies’ – the subtitle of Ron Clarke’s famous book Situational Crime Prevention. How successful had these initiatives been in reducing welfare fraud? My interest in answering this question coincided with the Institute of Criminology’s program of research on fraud against the Commonwealth. Armed with the support of the Institute, I approached Centrelink and they agreed to participate. The report published last year was the product of that research.

The results were intriguing. Since the carefree days of the ‘80s, Centrelink had steadily ratcheted up its techniques for preventing and detecting fraud. The project analysed 13 methods Centrelink had introduced; including covert surveillance, enhanced identity verification and a massive data-matching program. Centrelink’s anti-fraud program was complex and large-scale, and appeared consistent with best practice internationally.

But the net effect of all this was a very stable rate of convictions for fraud: over 3,000 persons each year on average for the last few years of the study, two-thirds of whom were women. Not only were the main indicators of fraud failing to go down, Centrelink continued to record significant losses: $47 million in 2009-10 alone.

The best interpretation I could put on these findings was that at the same time that Centrelink was preventing fraud it was also detecting more. The report highlighted this issue and recommended a greater focus on primary prevention in order to substantially reduce financial losses, reduce investigation and criminal justice costs, and reduce adverse impacts on suspects and defendants. Twelve key recommendations were made, based on situational crime prevention and social justice principles. Some of the recommendations were focused on reducing welfare dependence and opportunities for fraud with the enlargement of self-funded retirement, supported employment for persons with disabilities and full-employment.

A number of other recommendations were more within Centrelink’s scope. These included establishment of a research and fraud prevention unit, more supportive administrative procedures to ‘assist compliance’ (Clarke), and earlier detection of error and embryonic fraud. The recommendations about administrative assistance and early intervention were based in part on overseas experience in fraud reduction through more personal communication with clients.

Centrelink has taken some of these recommendations on board. In a recent Today Tonight story on welfare cheats, Centrelink’s General Manager stated that the report had helped focus its prevention efforts on early intervention. The 2012-13 Compliance Program highlighted how successful pilot projects, mainly involving telephone communication with clients, supported the roll out of an ‘early contact’ approach. A number of existing strategies were also stepped up. The General Manager reported that the initiatives had led to $37 million in savings in a 12 month period. The number of clients prosecuted for fraud also plummeted to a record low of 1,488 in 2011-12.

The long-term impacts of these initiatives remain to be tested. But the signs are there that Centrelink has been and remains a learning organisation and is now pushing fraud prevention in new directions likely to save taxpayers many millions of dollars.

Tim Prenzler

Tim Prenzler is a Chief Investigator in the Australian Research Council Centre of Excellence in Policing and Security (CEPS) and a Professor in the School of Criminology, Griffith University, Brisbane. In CEPS, he manages the Integrity Systems Project and works in the Frontline Policing Project. In the School he teaches courses in crime prevention and criminal justice ethics. His books include Understanding and Preventing Corruption (with Adam Graycar, forthcoming, Palgrave Macmillan), Professional Practice in Crime Prevention and Security Management (editor, forthcoming, Australian Academic Press), Policing and Security in Practice: Challenges and Achievements (editor, Palgrave Macmillan, 2012) and Police Corruption: Preventing Misconduct and Maintaining Integrity (CRC Press, 2009).
Interview with Megg Kelham, Winner of The Inaugural Allan Van Zyl Memorial Prize

How does it feel to win the Allan Van Zyl Memorial Prize?
I’m excited, grateful and sad. I’m excited to be going to my first criminology conference and very grateful for the opportunity to attend which the prize has given me. I’m sad however, that I won’t be able to meet Allan. I had only just come across his work and was in the process of trying to contact him when I heard about the prize and realised this was no longer possible.

Can you tell us something about yourself and your work to date?
I’m an English born Australian. I fell in love with the desert on a high school geography excursion in 1974. The desert was in flood. There were flowers, big mobs of kangaroos and great expanses of water everywhere. It was so beautiful I decided I wanted to live in it. By the time I did – as a high school teacher in the Eastern Goldfields of Western Australia – the desert had dried. The dry did not however diminish my love of red earth country. In the early 1990s I moved to Alice Springs and with the exception of an eighteen month stint in Europe, have lived here ever since.

My interest in central Australian prisons began when I taught literacy and numeracy and developed a cross cultural law course at the Alice Springs Correctional Centre. It was a surprise to discover that teaching in a gaol was easier than teaching in a high school. My interest in local prisons was re-ignited after I became a public historian and was commissioned to create exhibitions for the centre’s two heritage listed gaols. Like most people I had unreflectingly assumed that prison populations and town populations grow together. Gaol records however, show otherwise. There are huge fluctuations in central Australia’s prison population. These coincide with drought, war, economic crises and changes in government policy. I was fascinated. So when the internet revolution made it possible for me to keep on living in Alice Springs and do some academic study, I leapt at the chance. I’m now doing my doctorate at the University of Western Sydney on the history of incarceration in central Australia.

What is unique or challenging about research in (and about) the Northern Territory?
Good question. I tend to think that almost everything about the Northern Territory – from the diversity, mobility and smallness of its population to the vegetated nature of its desert, climatic diversity, geographic size and the sheer scale (size, speed and timing) of social change – is unique. My experience of the “truth” in this characterisation is why I live here. I’m also wary however, of being an exceptionalist. If everything about the Northern Territory is unique then the audience for my work will be horribly small. Carving a middle ground between representing the Territory (both as perceived and experienced) as either a barbarically violent backwater or a romantically free frontier, without diminishing its difference, is a big challenge.

The Allan Van Zyl Memorial Prize

An amount of $1000 is available to the winner of this prize to defray costs associated with travel to, and registration for, the annual ANZSOC conference.

An eligible applicant will be a resident of the Northern Territory who is currently an enrolled student of criminology or criminal justice or a related discipline, or any person employed by NT police, NT corrections, or an NT justice department or Non-Government Organisation (NGO), with an interest in criminology generally.

The panel of judges for this prize are the ANZSOC President, the two Vice Presidents, and Teresa Cunningham, with ratification by the ANZSOC committee.

Check the ANZSOC website (www.anzsoc.org) for further information!
Plea Deals and Defensive Homicide: An Examination of Victoria's Negotiated Resolution System Post-Law Reform


In recent years, increases in case numbers and complexity, combined with restricted resources, have resulted in legal practitioners facing heavier workloads often without the necessary resources to pursue every case to trial. As a consequence, negotiated resolutions (plea-bargaining) have taken on a more prominent and significant role in the delivery of “justice”. While often justified for its efficiency benefits, the plea-bargaining process is inaccessible, and often misunderstood, by those outside the bargaining circle.

In Victoria, no external administrative data are kept pertaining to plea-bargaining, thus there are no official means to accurately measure the frequency or occurrence of plea deals. Plea-bargaining, by any name, is also not recognised or defined in Victorian legislation and there exist only sparse judicial observations of the process. Accordingly, criminal matters – including those involving serious misconduct – are resolved without transparency; a practice that contrasts with the approaches used elsewhere (see e.g. Crimes (Sentencing Procedure) Act 1999 (NSW) s35(a); Attorney-General’s Guidelines on the Acceptance of Pleas and the Prosecutor’s Role in the Sentencing Exercise 2009 (UK)).

Discretion exercised by prosecutors is central to the legal process, but largely opaque. While internal policies and provisions are in place within the Victorian Office of Public Prosecutions (OPP), these policies are not legally binding, and although most are accessible online, there remains very limited public transparency of the actual plea-bargaining process. Accordingly, there is a gap in Victorian legal policy, which is concerning not only because it undermines public and open justice ideals, but because of the negative implications that can arise in this context. It is widely recognised, for example, that already vulnerable and disadvantaged groups (such as Indigenous Australians; women; and those from low socio-economic groups) are more at risk of disadvantage in pre-trial decision-making; yet the full impact that plea-bargaining has on these groups, like the process itself, remains hidden.

The article sheds light on plea-bargaining by providing the first critical analysis of the use of negotiated resolutions in cases involving defensive homicide. Defensive homicide was introduced in Victoria in November 2005 as part of a package of homicide law reforms. Under s9AD of the Crimes Act 1958 (Vic), the offence occurs when a person kills with the belief that their actions were necessary in order to defend themselves, or another, but they had no reasonable grounds for that belief. When implementing this offence, the Victorian government advocated it as providing more options ‘than the “all or nothing” choice … between a murder conviction or acquittal’ in self-defence cases. In this respect, the reform sought to provide an avenue for women who killed in response to prolonged family violence, but were unable to raise a complete defence of self-defence. Since its implementation, however, defensive homicide has not operated in this way, with convictions overwhelmingly obtained in cases involving male offenders and victims (19/21 cases). Additionally, in 16 of the 21 convictions recorded (to 30 April 2012), the case was resolved by the Crown accepting a guilty plea to the lesser offence – a negotiated resolution (14/16 cases involved male offenders).

The article draws from 63 interviews with Victorian legal professionals conducted between 2007 and 2011, and an analysis of all defensive homicide convictions between 1 November 2005 and 30 April 2012. It provides a unique insight into the problems associated with the unscrutinised decision-making powers of prosecutors in plea-bargaining, specifically in relation to defensive homicide. While recognising the importance of plea-bargaining and its pragmatic benefits, the article exposes how plea-bargaining’s absence of transparency curtails an effective evaluation of how defensive homicide is operating in practice, including its impact on gender-bias in the law. This was a particular concern of the authors, given that defensive homicide was introduced in response to growing concerns that Victorian homicide laws were operating to disadvantage women who killed their male abusers, while simultaneously excusing lethal violence committed by men against women.

The article sheds light on one of the primary reasons why defensive homicide is not operating as intended; a key focus of the Department of Justice’s review of defensive homicide (ongoing at time of publication). Ultimately, it argues for increased transparency in Victoria’s plea-bargaining system in order to uphold public and open justice ideals, and to allow for adequate understandings of how defensive homicide is operating. This is essential not only for cases involving defensive homicide, but for the plea-bargaining process more generally.

Asher Flynn and Kate Fitz-Gibbon

Asher Flynn is a lecturer in Criminology at Monash University. Her research utilises a socio-legal framework to understand, critique and transform legal policy and practice across three key streams: (1) negotiated guilty pleas and prosecutorial discretion/decision-making; (2) the (un)intended consequences of law in practice; (3) civil and criminal justice procedures (including factors impeding access to justice). Informed by national and international context, Asher’s research examines how access to justice is negotiated, and the gendered, class-based application and practice of law.

Kate Fitz-Gibbon is a lecturer and researcher in Criminology at Deakin University. Kate’s research is focused on the law’s response to lethal violence and the effects of homicide law and sentencing reform in Australian and international jurisdictions. This research has been undertaken with a key focus on gender and justice. Kate has published her research findings in high impact criminology and law journals. She has also advised on homicide law reform reviews in several Australian jurisdictions.
ANZSOC Members Reporting from Conferences

Stockholm Criminology Symposium

The Stockholm Criminology Symposium for 2013 was themed "Saved from a life of crime. Evidence-based crime prevention and Contemporary Criminology."

The symposium comprised 55 sessions over three very stimulating days between 10 to 12 June. In addition, there was the annual symposium prize winner lecture - this year's recipient was Professor David P. Farrington (University of Cambridge, UK), as well as the Jerry Lee Lecture, delivered by Daniel Ortega (IESA Business School, Venezuela).

This year’s conference saw delegates from more than 41 countries, which provided a truly international platform from which to hear about emerging research areas and discuss criminal justice research issues with an international focus. Some of the heavy hitters presenting their work included, David Farrington, Adrian Raine, Alex Piquero, Alfred Blumstein, Jonathan Sheppard, Robert Sampson, Per-Olof Wikstrom, Doris Mackenzie and J. David Hawkins.

Julianne Webster and Myesa Knox Mahoney
Griffith University

The symposium was attended by eight academic staff from Griffith University’s School of Criminology and Criminal Justice; most of whom presented their research during the symposium. Many delegates agreed it was difficult to select a favourite panel, with so many highlights in the program. In particular, the legacy of David Farrington’s work across many of the panels on longitudinal data analysis and crime prevention shows the increasing prominence of this form of research internationally. Moreover, support for prevention research in many different countries is extremely encouraging, and we could see numerous opportunities for truly transnational work.

Like most meetings, the breaks also afforded valuable opportunities to meet with colleagues and forge new networks. One of the social highlights was the conference dinner at Stadshuset (City Hall) in the Golden room. This is an extremely beautiful building and was an outstanding location for the dinner.

Julianne Webster and Myesa Knox Mahoney
Griffith University

2nd Crime, Justice and Social Democracy Conference

The second biennial Crime, Justice and Social Democracy Conference was held at QUT’s Garden Point campus in Brisbane from 9-11th July 2013. Given its subtropical location, the conference saw an influx of southern state criminologists migrating north for a brief respite from the winter chill. The conference also hosted a number of international guests, including some interesting and informative keynote speakers. After a moving Welcome to Country, Lorraine Gelsthorpe delivered the first keynote of the conference on criminal justice and social justice for women with her tale of two cities. After which a panel session with Professors Elliot Currie and John Muncie on penal policy and punishment provided some food for thought on how the criminal justice system intervenes in peoples’ lives. Day two commenced with a lively plenary from Professor Tony Jefferson that prompted debate from delegates. Keith Hayward’s keynote on iconography was replete with entertaining images from pop culture and introduced some delegates to the phenomenon of ‘gangnam style’. A panel session on Social and Criminal Justice with Professors Scott Poynting and Sharon Pickering discussed Muslim minorities and women asylum seekers with a sensitive look at how these groups experience the impacts of policing and security policy and practice. The day culminated in the ubiquitous conference dinner, providing delegates an opportunity to experience some of Brisbane’s fine dining at George’s Paragon Restaurant overlooking the river. The last keynote of the conference was delivered by Professor Maximo Sozzo on punishment in South America. The conference finished with a panel session from Professor David Brown with a more optimistic look at the future of penological debate and Professor Rick Sarre’s presentation on safety and architecture in the courts, which included a callback to Keith Hayward’s presentation in the form of an ‘endorsement’ from Lou Reed. Over the course of the conference delegates also enjoyed several parallel paper sessions, which comprised many varied and engaging topics ranging from the Hunger Games to mathematical models of justice.

Emma Colvin
Charles Sturt University

Claire Spivakovskiy, James Roffee and Emma Colvin at the Crime, Justice and Social Democracy Conference
The 7th Annual Australian and New Zealand Critical Criminology Conference was hosted by Flinders University in Adelaide (South Australia) on 21-22 July 2013.

The conference attracted a mix of senior, mid and early career researchers, along with a strong postgraduate presence. With no set theme per se, presenters were free to delve into their critical criminology roots and discuss issues at the core of critical criminology in Australia. Sessions ranged from giving voice to the voiceless, accessing justice, and sexting, to violence and resistance, and victimisation. The strong critical criminology presence in Australian research was clear from the very first session, which brought together Professor Chris Cunneen (James Cook), Professor Eileen Baldry (UNSW), Dr Bree Carlton (Monash) and Carolyn McKay (USyd), to share their work on penalty. This session reinvigorated debates around the development of penal culture in Australia, the genealogies of resistance, including the political uses of isolation as an extreme form of secondary punishment, and the ongoing concern of non-transparency within the prison system.

A timely session examining the narratives of asylum seekers versus the narrative of public policy featured Professor Sharon Pickering (Monash), Professor Willem de Lint (Flinders), and Drs Leanne Weber (Monash) and Maria Giannacopoulos (Flinders). As the PNG “solution” (sarcasm intended) filled Australian newspapers, Sharon Pickering’s highly informative and emotive exploration of the experiences and losses felt by 20 Iranian women who travelled by boat from Iran to Australia, provided a “real” basis to reflect on the human rights abuses that Prime Minister Rudd’s PNG policy will inflict on those seeking asylum.

The conference featured two impressive keynotes – Professor Kathy Daly (Griffith) and Professor Stephen Tomsen (UWS). Kathy spoke passionately about the need to broaden and reconceptualise traditional focuses of sexual victimisation and concepts of justice within a national and international framework, bearing in mind the developed, developing, post-conflict and/or post-authoritarian contexts of the countries in which sexual victimisation occurs. On the second day, Stephen offered an intimate and powerful critique of policing culture in NSW, drawing on the controversial police brutality shown towards those attending Sydney’s Mardi Gras parade in March this year. Reminiscent of the warnings highlighted in Professor Jude McCulloch’s Blue Army back in 2001, Stephen shed light on the paramilitary nature and seemingly gang-like mentality being represented in contemporary NSW policing, and the problematic way in which this appeared to be a case of history repeating, with intolerance and hostility embedded within the police’s interactions with members of the LGBTI community.

The conference ended, rightly so, with a focus on Indigenous justice, and the interactions between western and colonised approaches and understandings of criminology, theory and knowledge.

Conference organisers, Professor Mark Halsey and Jeremy Ryder, should be warmly congratulated on the success of the two-day event.

In 2014, Monash University will host the 8th Annual Critical Criminology Conference and we look forward to continuing the successes of the past seven conferences and ensuring critical criminology remains at the forefront of Australian criminological research.

Asher Flynn
Monash University
Forthcoming Conferences

13th AUSTRALASIAN CONFERENCE ON CHILD ABUSE AND NEGLECT
November 10 - 13, 2013
Pullman Melbourne Albert Park

AMERICAN SOCIETY OF CRIMINOLOGY
November 20 - 23, 2013
Atlanta Marriott Marquis

STOCKHOLM CRIMINOLOGY SYMPOSIUM
June 9 - 11, 2014
City Conference Centre, Stockholm

ASIAN CRIMINOLOGICAL SOCIETY
6TH ANNUAL CONFERENCE
June 27 - 29, 2014
Osaka University of Commerce

27th ANZSOC CONFERENCE
October 1 - 3, 2014
The University of Sydney
Congratulations on winning the Student Paper Prize! How does it feel to receive this award?

I am incredibly honoured to receive this prestigious award. I would particularly like to thank Professor Kathleen Daly for her guidance during the researching and writing of the paper as well as nominating me for this prize. I am also grateful to the many lecturers at Griffith University who assisted me during my Masters of Criminology and Criminal Justice. My Masters was an incredibly rewarding experience and my researching and writing skills improved significantly due to the support I received.

Tell us more about your paper. What practical implications do you think it might have?

‘Talking Trauma’ critiques the current communication skills used by lawyers when engaging with culturally and linguistically diverse (CALD) victims of family violence. In responding to the problems inherent with existing lawyer-client communication styles, the paper recommends a new approach known as therapeutic lawyering.

I have been lucky enough to apply this new lawyering model directly in my position as Legal Centre Manager at inTouch Multicultural Centre Against Family Violence in Victoria. My role at inTouch is to implement a community legal centre within a multicultural family violence service. As this is the first legal centre of its kind in Australia, I have had the freedom to design an innovative service model. I have used the research from my paper to frame this model and so far the therapeutic lawyering approach has had a significant impact in maintaining CALD victims-survivors engagement with the legal system.

What does the future hold for you?

I really enjoy being able to work at the coalface in the family violence and community legal sectors. I would like to spend the next part of my career continuing to work at the grassroots in the area of gender-based violence, whilst also developing my research. In particular I would like to further my studies by undertaking the post-graduate course in Victimology and Victim Assistance convened by the World Society of Victimology. After working in the field for a significant period of time I hope to undertake in-depth research in this area in the form of a doctorate.
ANZSOC Officers and Committee of Management

Management of the Australian and New Zealand Society of Criminology Inc. is comprised of Officers and a Committee of Management which include representatives from New Zealand and all the states and territories of Australia. The Officers and the Committee of Management are elected at the Society AGM, held to coincide with the annual conference.

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