PROCEEDINGS- Training Project No. 4

CRIME PREVENTION AND THE COMMUNITY- WHOSE RESPONSIBILITY ?

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AUSTRALIAN INSTITUTE OF CRIMINOLOGY

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CRIME PREVENTION AND CONTROL - THE ROLE OF THE AUSTRALIAN INSTITUTE OF CRIMINOLOGY

HAROLD G. WEIR

On 10 November 1970, the then Australian Attorney-General, the Honourable T.E.F. Hughes, Q.C., announced that agreement had been reached between the Commonwealth Government and all the State Governments as to the terms and conditions upon which an Australian Institute of Criminology would be established. He went on to say that the Commonwealth Government took the view that it had a national responsibility with respect to the problem of crime in Australia, supplementing the individual responsibility in each State:

> 'While the main burden of police work and law enforcement rests
> with the States, we need coordinated effort on the part of all
> Governments in Australia to combat the growth of crime'.

The proposal to set up an Institute of Criminology had the support of the present Prime Minister, the Honourable E.G. Whitlam, Q.C., who, as far back as 29 May 1969, speaking then as the Leader of the Opposition had said, in response to a statement that the Government of the day intended to set up an Institute:

> 'On behalf of the Opposition I most heartily welcome the
> initiative which the Attorney-General (the Honourable Nigel
> Bowen, Q.C.) has announced. The Opposition appreciates the
> terms in which he has outlined this subject . . .'

Mr Whitlam went on to say

> 'It is wise to plan expenditure in any field. This is becoming
> increasingly wiser as expenditure on crime prevention is
> expanding. The expenditure on crime prevention is not yet so
> large when compared with other expenditure in the public sector
> that the States should not still be regarded as primarily res-
> ponsible for this expenditure. In fact crime prevention bulked
> much larger in budgets at the time of Federation than the
> expenditures which now bulk most largely in their budgets, such
> as education and health. It is most appropriate therefore that,
> in this field, the Commonwealth should practice cooperative
> federalism. There are however many fields in which the
> Commonwealth inevitably will be more involved in regard to crime
> prevention'.[1]

The *Criminology Research Act* 1971 was given assent on 6 April 1971 and the Institute commenced operations at the beginning of February 1973. By then a new Government was in office and the assurance of support which Mr Whitlam had given when in Opposition was generously fulfilled. The present Attorney-General, Senator the Honourable Lionel Murphy, Q.C., has been unstinting in his encouragement and practical support for the work of the Institute.

CREAKING SYSTEMS

With the commencement of this week's activities the Institute is taking up the challenge which the Prime Minister issued in 1969 when he drew attention to the importance of crime prevention activities. During the next few days

we are to focus on a problem, or more correctly, a constellation of problems, of critical importance for the welfare of the Australian society. We shall consider community responsibility for the prevention of crime and delinquency, as well as ways in which public participation might be encouraged in preventive measures.

The Australian community is aware of inadequacies in our criminal justice systems. The activities of the police, court procedures, the correctional services and extramural treatment for offenders are all subject to scrutiny, although in fairness to those responsible for such services it must be stated that they compare favourably with similar services in other parts of the world.

It is not always recognised that those involved in the provision of such services are usually well informed on both the present weaknesses and the reforms that are desirable. An overriding difficulty of the criminal justice systems in Australia is that social changes are proceeding at a greater rate than the resources available to meet the new needs for formal social controls which such changes generate.

Even in times of less rapid social change the efficacy of formal social controls is always limited. The formal social controls have always depended in a large measure on informal social control and when such informal control becomes weakened, when values and standards are changing at an unprecedented speed, when crime is assuming new dimensions and new forms and when a hitherto unknown influence of a mass media is creating greater public awareness of the implications of crime and delinquency, it is not surprising that systems which were good enough for former times creak and groan under the strain.

It may be that the law enforcement agencies, judicial procedures and correctional practices that have served us in the past are now reaching the limit of their capacities and that their structure needs either radical alteration or alternatives. Some people think this is the case and attention is being directed to more broadly based community services as a means of preventing and dealing with crime and delinquency.

PREVIOUS TRAINING PROJECTS

In previous training projects at this Institute we have examined the resources, needs and priorities of research with reference to crime prevention and treatment. It is fitting that this should have been the first project of the Institute, which in terms of its statutory authority is required

> '(a)   to conduct such criminological research as is approved
>   by the Board' [of Management], and also, . . .
>
> (c)   to conduct such seminars and courses for training or
>   instruction . . . as are approved by the Board'.[2]

The second project brought together Supreme Court Justices, District Court Judges and Magistrates to consider 'Modern Developments in Sentencing'.

The third project focused attention on the development of human resources in the Australian criminal justice system through training programmes conducted by the police, prisons and probation services.

The enterprise on which we are embarking today is different from our three

previous training projects. This is not a training course. It is a workshop, the objective of which is to consider the ways in which the Australian community can control and hopefully, reduce, the incidence of crime and delinquency.

THE NATURE OF THE PROBLEM

Lord Kelvin, the brilliant British mathematician, natural philosopher and engineer, is attributed with the saying that 'When you can measure what you are speaking about and express it in numbers you know something about it, but when you cannot measure it, when you cannot express it in numbers, your knowledge is of a meagre and unsatisfactory kind'. When Lord Kelvin's criterion is applied to crime and delinquency in Australia we are forced to admit that our knowledge is 'meagre and unsatisfactory'. Professor G.J. Hawkins and Dr Duncan Chappell writing on 'The Need for Criminology in Australia' in the *Australian Law Journal*[3] deplored the fact that 'Despite the presence of a serious crime problem' in Australia criminological research was still in its infancy, and they expressed the opinion that 'The area in which we believe there is most pressing need for investigation is that of statistics of crime'. According to figures for New South Wales released in September 1973,[4] there had been a drop of 6.7 per cent in serious crime reported in New South Wales in the first eight months of 1973 compared with the similar period in the previous year. There was a fall in all major areas of crime except offences against the person which rose by 17.2 per cent in that period. The number of cases before petty sessions courts had dropped by 9 per cent. Admissions to Long Bay Gaol had fallen by 8.7 per cent in the June quarter of 1973 compared with the same period in 1972. On the other hand, the Director of the Bureau of Crime Statistics and Research in New South Wales, Dr Tony Vinson, has expressed the view that, in common with most overseas countries, a substantial amount of local crime is unreported. In a statistical report on 'Unreported Crime' which was prepared by Associate Professor Congalton of the University of New South Wales and Mr J.M. Najman of the University of Queensland and published by the New South Wales Bureau of Crime Statistics and Research, some interesting observations were made about the extent and nature of crime in Australia. The authors pointed out that there is a 'recurrent cry' that crime is on the increase but unless it can be ascertained to what extent crimes are committed, as distinct from the extent of which they are reported, it is difficult to know the true state of affairs. They embarked on a research project which was aimed at discovering victims rather than offenders. They believed that, having taken all necessary precautions, their research indicated that in a list of fourteen crimes which included burglary, car theft, fraud, sex offences other than rape, consumer fraud and others 'There is much more crime happening than is revealed by the police figures'. In the case of fraud, sex offences other than rape and assault, for instance, they found that the comparison of the incidence of crime as reported by people interviewed in their survey with the official figures showed that the offences were 6.37, 8.82 and 13.18 times larger than the official rate per 100,000 persons.

In terms of accurate measurement we must admit that we are confronted with difficulties in setting out the precise nature of the problem with which we are confronted. However we are reliably informed by Inspector R.E. Dixon of the Central Crime Intelligence Bureau, Commonwealth Police Force, that 'Within the Australian context organised crime has overtly manifested itself in various forms and at various times . . . Australians have been active in major criminal activity involving other countries.' Several of the professional criminal associates of 'most wanted men' overseas, men who are

regarded as 'of the upper echelon of crime, with organised crime backgrounds, have come to Australia'. Inspector Dixon warned against 'the increasing accessibility of this country to criminals and the active role that Australian criminals are prepared to take in criminal conspiracies overseas'.[5]

Inspector Dixon also issued a warning about the 'white collar' type of criminal activity and pointed out that the development and prosperity of this country is the object of interest and inquiry overseas and could lead to the increase of organised crime interests likely to find answers to their problems in Australia. According to the Inspector, one way in which organised crime can be curtailed is by the awareness of business, industry and the trade unions of the methods employed by organised crime operatives.

At the other end of the scale from organised crime is the amount of juvenile delinquency in the community. Whereas the very nature of adult crime, problems of definition and reluctance to report its occurrence all combine to make it difficult to quantify adult crime the problem is even more complex when it comes to juvenile delinquency. Such statistics as are known are deliberately withheld in some cases and the exercise of police discretion, the arbitrary divisions fixed by law on various chronological bases and similar difficulties make it almost impossible to do more than say that, so far as we can observe, it seems that juvenile delinquency is manifesting itself on a scale and in forms of behaviour which are not socially acceptable, not considered likely to develop into responsible behaviour in adult years.

What we do know is that the majority of identified offenders are either young or started criminal careers when they were young.

In September 1975, the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders will be held in Toronto, Canada. An important item on the agenda to be considered at that Congress is 'Economic and Social Consequences of Crime: New Challenges for Research and Planning'.

It is extremely difficult to identify the costs of crime in the community. To the cost of maintaining law enforcement, judicial procedures and correct- ional services must be added the cost of such secondary and tertiary services as special education, mental health and the securities services. Losses by shoplifting and pilfering cannot be ignored. Traffic accidents make a tremendous drain on the community's resources. Losses as a result of burglary, the effects upon the economic situation of the families of victims, as well as the families of offenders, and countless other items are susceptible to estimates, but how does one set about assessing the pervasive, pernicious social consequences of crime?[6]

Some years ago a survey by an independent body estimated that the cost of crime in Australia was in excess of 350 million dollars a year. Most of us believe that this is a highly conservative estimate and that in fact the real cost is much greater.

THE PRESENT TASK

Probably the best that we can say is that in our present project we are endeavouring to come to grips with a problem, the true extent of which is unknown to us although we all have some idea as to its nature. It is a problem about which we are anxious. It is a problem which we believe to be unacceptable in what we like to regard as 'The Australian Way of Life' and, I submit, one which must be the concern of the community as a whole.

Australians have shown great courage and self-sacrifice in two World Wars; they have been energetic and tenacious in pioneering inhospitable terrains; following successes in primary industry they have built up vigorous secondary industries in which natural resources have played a vital part; in a highly competitive market they have developed lucrative overseas export businesses - all notable achievements in a nation not yet two hundred years old. Yet notwithstanding these notable achievements Australians have been reluctant to accept corporate responsibility for dealing with social problems. There has been a tendency for them to leave such problems to 'the authorities'. In the case of crime and delinquency this has meant the professional institutions upholding law and order. The time has come when it is no longer possible to delegate responsibility to such agents.

Crime prevention involves a vast range of community services. It concerns young and old alike. It has attracted the attention of the Henderson Poverty Inquiry, the National Commission on Social Welfare and authorities responsible for planning the growth and development of new cities and urban and regional areas. It has forced itself to the notice of voluntary and statutory authorities concerned with the welfare of Aborigines and minority ethnic groups. But this is not enough.

It is our task this week to find out what else can and should be done.

THE PROGRAMME

In drawing up this programme the Training Branch has endeavoured to provide satisfactory accommodation at the Ambassador Hotel, palatable meals at the Southern Cross Club and a pleasant conference experience which includes provision for an afternoon tour of the National Capital. However we do not expect that this week will be one long picnic for anybody. As a matter of Institute policy training projects are one of the two major reasons for the Institute's existence. I is part of our policy that distinctions are not drawn between teachers an e taught. We are all engaged in a cooperative venture in which we endea to diagnose problems and match needs with resources.

However there is a sense in which we are this week attempting to break entirely new ground. There must be new thinking about crime prevention and community responsibility and you have been brought here to do that new thinking. You have been brought here because it is believed that you are in a position to contribute to the project. Probably each of us will have a different personal approach to the subject of crime prevention as a result of our age, background of education and experience, value standards and all those other complex variables which combine to make us what we are. Some of us will probably reveal strong feelings about certain issues before very long. Others may feel reluctant to express ideas and opinions in open debate. The important thing is that each person here is required to be actively involved.

Without wishing to be ungracious we ha endeavoured to make it clear to every applicant for a place in this Institute's training projects that the Institute does not hold 'conventions' where people are not expected to attend every session. Those who indicate that they cannot attend the whole of the programme have been invited to nominate substitutes! In earlier projects we have felt that we should apologise for such a rule but in this project we make no such apology. We are here to focus on a serious problem. We hope to come up with some solutions. Ideally the Institute would like, as a

result of our cooperative effort this week, to publish a report which would be meaningful, which would contain new ideas and which would make suggestions and recommendations to Government and to persons responsible for policies and programmes.

We have given an undertaking to the representatives of the mass media that if we can find meaningful things to say we may consider it desirable to pass such statements to the press, radio and television stations for use as they see fit.

Our thinking will be guided by Professor Clifford and the other distinguished consultants but the real work will be done in workshop sessions and in plenary debate.

Having given a perhaps stern warning of what will be demanded of us all in this project let me conclude by saying that we are delighted to have you at the Institute. Our facilities, the members of the staff, the resources of the J.V. Barry Memorial Library and whatever we can offer are all available for your convenience. We appreciate your willingness to come and we hope that by lunchtime next Friday you will have found this to have been a worthwhile venture in which each and every one of us has made a contribution to something which is important to the country of which we are proud, to which we owe a good deal and for which we have high hopes, not only for the sake of those who dwell therein, but for the sake of others whom it can serve in distant places of this planet.

Footnotes:

1. Australia. House of Representatives, Debates 29 May 1969.

2. *Criminology Research Act* 1971.

3. G.J. Hawkins and D. Chappell, 'The Need for Criminology in Australia', *The Australian Law Journal* (31 January 1967) vol.40, pp. 307-314.

   (Since the article was written more attention has been given to Australian criminal statistics, but the fundamental comment of the authors is still relevant.)

4. *Sydney Morning Herald*, 21 September 1973.

5. R.E. Dixon, 'Organised Crime in a Democratic Society' (paper presented to the First Conference of the Australian Institute of Criminology, October 1973).

6. See also

   (a) Norman Fowler, 'The Cost of Crime', Conservative Political Centre, London (March 1973).

   (b) United States of America, 'The Federal Criminal Justice System' (Hearing before the Sub-committee on economy in Government, Ninety-First Congress, Second Session, 22-23 September and 12 October 1970) (United States Government Printing Office, Washington, 1970) pp. 4-27.

   (c) 'The Cost of Crime', *Trends,* (June 1968)

CRIME PREVENTION AND THE COMMUNITY - WHOSE RESPONSIBILITY?

WILLIAM CLIFFORD

Whenever you have a title which includes the words 'whose responsibility?' you know perfectly well what is coming. However delicately, diffidently, challengingly or inspiringly the theme may be presented, you can be quite sure that, if it begins with the question 'whose responsibility?' then it is going to end inexorably - and with as little surprise as a repeated sunrise - with you, the general public, being mainly responsible. Be it a threat from space, the energy crisis, the pollution of air and water, the decimation of wild life or the problem of growing crime, you - or we, as the public - are going to be saddled very firmly with the main burden of guilt and obligation. After all, the public is conveniently vague: it is everyone and yet it is no one in particular: the community is a robust and willing packhorse - it can be made to carry what no one else wants: society in general is a handy and a compliant scapegoat. What is more, we, the members of the public, have been conditioned for centuries to accept responsibility whether it be ours or not. Moreover, since the advent and rise to sovereignty of the mass media, we have taken to a regular beating of the guilty public breast.

Those of us who have been professionally involved in the prevention of crime and the treatment of offenders have not been slow to take advantage of any opportunity to switch a criticism of our professional endeavours into a more searching evaluation of the amount of public support which we have received or of the quality of public interest in our field. Since, in any form of democracy, the police, the courts and the correctional services depend upon the community for effectiveness, it is easy to trace all defects to deficiencies in public support. A fall in the police detection rate means that the public is not providing the necessary flow of information about crime: a correctional system which does not rehabilitate lacks the necessary public understanding and cooperation.

Then, professionals or not, we are all alive to the fact that individual behaviour is only part of a total public event. Buckle said,'Society prepares the crime for the criminal to commit'. An International Penal and Penitentiary Congress held in Paris over eighty years ago observed that responsibility for crime was not to be attributed alone to the author of the crime: it recognised 'the complicity of human nature and of society'. And Tolstoy believed that 'the seeds of crime are in each of us'. Ultimately and in fact, we cannot possibly deny our responsibility as individuals or as groups for the state of our society. We make up the society and the society is what we make it. It moulds and makes us but we also alter and shape it; and we therefore carry the final responsibility for crime because we carry final responsibility for the condition of the society in which we live. This is an eternal and fundamental truth transcending democracy and extending far beyond our usual call for more community spirit and for more cooperation with the authorities in our modern towns. It is more because it happens to be a profound religious doctrine common to most of the world's great faiths. We are our brother's keeper and we do bear responsibility for the condition of our neighbour. It is a recurrent principle of philosophy and life permeating the ideas of thinkers as famous and diverse as Zeno and his stoics, Teilhard de Chardin, Albert Camus, Franz Fanon and Mahatma Gandhi.

So we are responsible and there is no escaping this fact. However, the
trouble with this undoubted truth and with this thoroughly noble sentiment
is that it has more than two sides: the problem is that it can sometimes
be turned around to become an absolute abomination. For, if it be true
that we are ultimately responsible, then it can be equally true and equally
validly argued that we are ultimately to blame. And this construction of
the principle is truly dangerous in more than one respect. For instance,
criminals or unstable mental patients can, on this reasoning, vent their
spleen on the nearest pedestrian or householder, on the ground that they are
getting back at those responsible for their condition. Warring factions
used to feel sorry for innocent people who got in the way: now terrorists
who place their bombs in public places and who kill innocent people indisc-
riminately prefer to argue that there really are no innocent people -- that
all are to blame for the injustices and the evils in the world even if they
know little or nothing about them. People hijacked, kidnapped or held as
hostages are not innocent even if they are strangers, visitors, bystanders,
or women and children. Once you believe that anyone, everywhere is to blame
for everything it includes blame for your problem and everyone is against
you; everyone is a potential enemy, collectively plotting or working again-
st you whether they happen to know it or not. This is a grotesque form of
social paranoia which permits you to kick or kill anyone in spite or to
take out your grievance on your friends, foes or unsuspecting companions in
the bus, on a plane or in a post office.

So this is a kind of madness - the sickness which would justify Nazi gas
chambers for all Jews - visiting the sins of the fathers not only on their
children but on anyone of their race. It justifies the slaughter at Lod,
the blowing up of an aircraft full of people in Rome or the kidnapping of
children for the faults of their parents - or worse for the evils of a
society which they may not yet be old enough to know anything about.

Secondly, holding everyone responsible is naturally to invite them to do
something to expiate their guilt or to respond positively to their respons-
ibilities. We want people to become more concerned, more involved and more
active in promoting a better social system. But whilst we are therefore
ready to applaud self-sacrifice and public spirited action we do not always
understand that we have unspoken limits. Whilst we encourage involvement
and public participation in preventing crime we, correspondingly, recoil
from the people taking the law into their own hands or from the violent re-
pression of the acts of violence in our society by the counteraction of
mob violence and lynching. There have been examples in Africa recently of
crowds, impatient with police incompetence or inaction and with the slow
and technical processes of the court taking the law into their own hands
and stoning to death thieves caught in the act.

We sometimes forget that the *raison d'etre* of some of our law enforcement
agencies was to control mobs and restrain an over-vigorous application of
public resentment to the solution of local problems. One of the difficul-
ties about enacting gun control laws in the United States is the need that
people feel to arm themselves for protection in what they conceive to be a
lawless society. And this movement carried to an extreme can be as danger-
ous as the crime which we seek to control. In New Jersey at this time the
legislature is voting on a bill to allow anyone in reasonable apprehension
of being attacked in any way to carry a fire-arm on payment of a $3.00
licence fee. We naturally deplore extremist vigilante groups which become a
law unto themselves like the Ku Klux Klan or the Death Squads formed rec-
ently in Brazil to punish offenders who were reputed criminals but were
able to mock the law, to escape the police or defeat the ordinary processes

of prosecution. The Death Squads acted as judge and jury - a kind of public involvement in the administration of justice which we do not relish.

But mob rule, the Ku Klux Klan and Death Squads are all, in essence collective public responses to collective responsibilities. They are forms of community action to prevent crime and they represent a community acceptance of responsibility. However, they tend to operate outside of a criminal justice system which they no longer trust; and they are therefore examples of community participation in crime prevention and control which we do not want.

The community may be responsible, therefore, but it is necessary to be extremely careful not to over-simplify this concept of crime and crime prevention being a responsibility devolving upon everyone in the community either collectively or individually. It is just too easy to say that the public or the community is responsible. Nobody can opt out of his social destiny but we need to be very clear as to how crime comes to be everyone's concern in our kind of society; and we have to be able to specify, with assurance and distinctness, the kinds of responses which will improve rather than aggravate a situation of rising crime and deteriorating order.

Perhaps we also have to bear in mind that as the situation gets worse and the ordinary professional services of the criminal justice system (like the police, courts or corrections) seem increasingly inept or unsuccessful, there is a natural but unfortunate tendency to shift the obligations onto the community. It is not unknown for this to be an excuse for not expecting more from the regular services; they want others to share their obligations and to take some of the blame and the public is convenient. The reaction of the public is natural and to be expected. There is either public despondency and resignation which amounts to a progressive loss of confidence in public services, or there is a bitter response. Many people are tired of being blamed indiscriminately or being held responsible in a modern complex society for the problems that no one seems to know how to handle. When a plane is hijacked, a child kidnapped or when a senseless killer runs loose in a big city the people want effective action not general recrimination. They want to take it out on someone, not to be made to feel last in the pecking order. They are resentful at always being expected to carry the communal can - or the social buck - as tax payers, consumers, parents or citizens. They are tired of being shown the mirror by psychiatrists or sociologists every time they are having trouble. They begin to react negatively to the professionals they have appointed and whom they are still expected to pay leaving them - the public - to carry alone and increasingly unaided society's unlovable problem babies.

Moreover, it is necessary to recognise that we, professionals in this field of crime prevention -- whether from the police, courts or prisons - call for community support, but only of a certain type and only of a certain kind. We want help but we want it to be given in our way - as if, indeed, this were the only way. We talk greatly of community responsibilities and community action, but in rather restricted terms. We want community support of the kind that we can direct and control. We usually draw the line resentfully at any community criticism of our work. We do not particularly like the community becoming too obtrusive, interfering with us or intruding into areas of action and response which we regard as being our own professional preserve or technical domain. We, as professionals in crime prevention and control, seek public support of what we are trying to do - not public challenge of our efforts or unqualified enthusiasm without our professional guidance and direction.

The responsibility of the community is both a necessary and noble thought, then, without which no society can either prevent or control crime. But it is a principle which always needs to be held in delicate balance. Tilt it one way and it degenerates into mob violence. Move it just a little too far in the other direction and it feeds the fanaticism or paranoia of a host of extremists or provides a comforting and convenient outlet for sick minds. Shift it to the side and it slides into an excuse, a convenient refuge from professional incompetence. Pull it too far the other way and instead of uniting the professionals and the public it divides them with a swathe of resentment. Keep it level and poised and it provides the fulcrum for a wholesome and healthy social system with no unmanageable problems of crime. The question for any society is how to keep the balance and this balance depends very largely upon a consensus of basic values - which, unfortunately, and all too often these days, we do not have.

The relationship between the criminals and the public is another aspect of community responsibility. However, in this respect our task would be easier if it were possible to draw a clear line between 'them' and 'us', between the criminals and the public. Unfortunately this is not easy. Of course, we all know how crime can become the substance instead of the shadow of our civilisation, how corruption seeps into the marrows of our social structure. In one Latin American country recently the entire Supreme Court was dismissed for corruption. In some Asian countries officials of government anti-corruption bureaux have been charged with corruption. The USA has its Watergate, Israel has its oil scandals and most other countries have skeletons in their cupboards which are always in danger of rattling.

You may have read that the Soviet Minister of Culture is in trouble for building her £65,000 dacha near Moscow at wholesale prices (Daily Telegraph 31/5/74). Some of the most respectable businesses have been guilty of false advertising, short packaging or white collar crime; and in stealing from work or public enterprises, the whole community can become criminal in the sense of breaking the law either substantively or at least technically. But this is not the only problem when we try to distinguish between them and us, between the persons labelled criminal and those labelled non-criminal.

The only criminals we know are those convicted by the courts: but since in most countries the police clearance rate is only about 50% we can logically conclude that for every offender convicted there is another within the community which is supposed to control him. If you add to this the 'dark figure' for crime and consider that perhaps no more than one-sixth of all the crimes committed are actually reported to the police, then we have a situation in which we have far more offenders running loose than we have coming before the courts. Community responsibility for crime prevention means a great deal more than organising the people against the people's internal enemies, the criminals, because these offenders are not on one side of the fence but on both. Community responsibility means organising the community and the public services to become critically introspective - and to get people to remember that when they rail and rant at or about criminals they may really be talking to themselves. It involves looking at what people will tolerate in their own behaviour as well as in the conduct of others. It means stripping the hypocrisy from business executives who publicly deplore storebreaking and robbery whilst they are creaming off millions by false packaging and tax evasions. It means getting ordinary people to change to such an extent that their apparent need for gambling and their addiction to easy bargains, sex and promiscuity

will not support an expansion of that organised and syndicated crime which could never flourish without the public demand for the services or rackets which it supports.

This may seem like a tall order but it is not so much of an ideal that we cannot observe it in operation. In at least two or three types of society public response to community responsibilities is organised and normal so that crime is not a serious problem. At one extreme there is the simple tribal groups of which a great many still exist: at the opposite pole is the existence of at least one highly industrialised society with well developed social controls. In between are two other styles of social living - first, a number of rich developing societies which are strong on values and community control and correspondingly weak on crime. And secondly a number of politically or ideologically planned societies where dissent or discord are carefully contained.

Before using these examples we should perhaps observe that preventing crime is really a question of freedom. There is no trick about controlling crime. It can be done by simply restraining man's freedom of movement. Lock people up and they cannot commit crime. In the Philippines, martial law and a curfew reduced crime at once: in countries where liberty is restrained there is usually less crime. In rural areas where life is lived under constant surveillance crime is difficult to commit and detection difficult to evade.

The control of behaviour does not have to be legal. If we depended upon the law for maintaining order we would not have the kind of societies we have. For let us never forget that the problem of our society is not understanding why so many people commit crime but why so many people do not commit crime. Most people are motivated to live at peace with their neighbours, not by the law but by custom and social habit, by the respect of their families or neighbours, by the way in which involvement in crime would interfere with their life style. In other words, the law is a kind of last frontier of control which most people prefer not to approach. They usually operate within the bounds of social community, professional, trade or neighbourhood controls. When we think of a restraint of freedom being a restraint of crime, we are thinking of all kinds of informal as well as formal controls containing behaviour within fixed patterns. With this in mind let us look at our societies with more community and less crime.

The simple, customary society - the tribe or class is a closely knit social organisation which has no formal law as we know it but which keeps tight control of its members. Everyone is under a twenty-four hour surveillance - exposed to the neighbours and relatives: moreover, he is conditioned to conform from an early age - to accept, not to question, to follow not challenge, to preserve and not to change. So crime as we know it, deviant behaviour as we know it, is difficult to commit and even more difficult to get away with. Your Aborigines would presumably fall into this category - or the simple peoples of Papua New Guinea though I am more familiar with such groups in Africa and Asia. Now consider the Japanese situation: here crime is actually falling against all the established precedents of an industrialising society. With the highest density of urban concentration and all the complications of a modern industrial complex, Japan has no burgeoning crime problem. In fact, serious crime in all its manifestations is apparently going down as the society industrialises and urbanises beyond the experience of any other countries. But this is because the average Japanese lives his life not within the emptiness and anonymity of a modern town but within a social cocoon as tight and restraining as any small

customary society. The group orientation of most Japanese, the loyalty not
only to family and the community but to the people in the company where he
works, all help to give him the same feeling of moving at all times under
the surveillance of his relatives, friends or work associates. He is never
free and in the case of Japan the self image which he derives from the
esteem and opinion of those about him keeps him captive to the expectations
of others. In a completely different context of the world of ,'port the
famous American football coach Vince Lombardi once summed all this up very
succinctly when he said: 'Individual commitment to a group effort - that
is what makes a team work, a company work, a society work, a civilisation
work'. This is what we experience a little in time of war, or of national
crisis. And in Japan it is simply natural and traditional to canalise it
for the individual and public good. It is second nature to that kind of
society.

The midway societies are perhaps best exemplified by the oil rich intens-
ively Moslem countries of the Middle East and some of the socialist count-
ries. In the Arab group the familiar social controls apply but now they
are religious and highly moral. A man is not only a prisoner of his own
conscience but expected to reach even higher standards by the family and
clan organisation. His religion is not only personal but social; and his
morals are a community experience. Here crime is a problem of the cities,
of migration but extensively controlled by the uniformity of fundamental
values which not only regulate public life but private life as well. In a
socialist country of Eastern Europe everything is planned and controlled
so that there is the advantage of a uniform ideology of values and a com-
prehensiveness of government. Organised crime for example cannot long sur-
vive. And they have local volunteer militia and neighbourhood organisations
to bring Government to the lowest level. Their Comrades Courts have been
widely reported.

So these are the crimeless, crime free or relatively crime free societies
of our time: and all are dependent for their condition on community con-
trol. The community in one way or another prevents crime by imposing con-
formity, inhibiting deviance, encouraging the status quo and discouraging
any extremes of individuality. Crime control is no great problem because
people are not really free. Certainly they are not free in the sense that
they can disappear into the crowds of our modern cities. Therefore, not
only is behaviour more conformist and less deviant but when a crime is
committed detection is infinitely easier. Crime is controlled by simply
reducing freedom in the social if not always in the legal sense.

So there is no problem about preventing or controlling crime. It is easy
if we restrict liberty in the community sense - or in the legal sense - or
preferably both. The trouble is that many of us do not want to live in
that kind of society. It may be crimeless but it is also restrictive to a
point of stifling - especially for the young people. Our cities are crowd-
ed with new-comers escaping from the constraints of such crimeless societ-
ies. They prefer the risk (and excitement) of crime rather than to live
under surveillance. They want to be able to lose themselves in the crowds
- they like anonymity - they long to savour the freedom of 'doing their own
thing'. It is not all that strange to discover therefore that some commun-
ists do not wish to be tried by Comrades Courts or groups of neighbours or
that educated Africans do not like being judged by their peers in the
customary courts. They prefer the impartiality of professionals or stran-
gers and they do not relish life under neighbourhood surveillance. When
people call for more law and order, for more crime control they generally
draw the line at control of themselves, their own styles of life, their own

movements and career plans. But real crime control may mean just that.
For the real trick is not to control crime but to control crime whilst pre-
serving freedom and herein lies the problem for our modern cities.

It is really a case of finding the proper balance. How much crime are we
prepared to tolerate for what measure of liberty and freedom. Are we pre-
pared to be searched to stop people carrying guns? Are we prepared to be
registered to help the police trace mobile offenders? This is a level of
community toleration which only a community can determine; and we are
usually hopelessly ambivalent about it all. We want more police efficiency
at the same time as we call for the protection of the most detailed of our
human or civic rights. We want to tolerate all deviation but restrain
crime. We want women to be like men but we need better child care. We
want speedy trials but with lawyers to argue every inch of the way. We
want everyone released from prison as soon as possible but we hesitate to
have a half-way house opened in our neighbourhood. We do not like parole
to fail and we are always concerned about dangerous offenders on the
streets. We call for reform and punishment, absolute security and complete
freedom - all in the same breath.

Of course we are so confused, sentimental and contradictory simply because
in so many cases we are not a community at all. When we talk of community
solutions to some of our institutional problems we tend to forget that in
most of our modern cities we do not have communities to speak of. Imagine
that Greater New York has 1,000 separate government bodies, Greater
Chicago 575 and the U.S.A. generally 80,000. There the urban crisis has be-
come a national disease and urban renewal has been a failure so that com-
munities are easier to trace *in absentia* than in action. Around the world
large urban centres have the same configuration of community-less styles of
living so that crime is understandable and the shift to so called 'community
solutions' highly questionable. In such areas we do not have communities
of common interests and concerns. If we had communities they would be
clearer about what they want. That is why it is easier in a modern society
to unite people around special issues: it is easier to call for one kind
of change or reform without having to worry about its contradictions. We
can conduct a campaign for privacy and security from telephone bugging
without having to think of social consequences. We can campaign for the
release of all prisoners without having to consider the alternatives. Al-
ways in a modern city the political drive is organised around issues and,
as you well know, there is no issue too wild to lack support from some
quarter. But when we are a community we have to think not only of issues
but of the issues related to each other - we have to balance their effects
and defects - and we have to talk in terms of amounts, degrees or extents
of a particular measure. A community has to assign priorities, put first
things first and to develop community policy - and it is within the con-
text of this that crime prevention fits.

If we then want to make communities responsible for crime we may have to
begin to build the communities. Modern cities may need to be reorganised,
replanned, re-scheduled to help us create the community interest and the
community identity without which it is all too easy to have a mob, or a
series of interest or pressure groups seeking to manipulate public feeling
for their own advantage. Secondly we need an informed and educated com-
munity - not one which cries for blood everytime it feels outraged or
which operates on false premises about crime and criminals. In this res-
pect it is ironic to note that some of the best organised communities have
been formed to resist the building of a prison or a penal institution near
them because of its effect on property values. Thirdly we need a community

prepared to take responsibility for its own members - not so suburbanly conscious that only the respectable may belong. I am afraid this may mean some control of home movement to avoid people losing themselves in areas where they are untroubled but also uncared for. This brings in the fourth need - namely that our communities must be prepared to develop levels of tolerance which can be articulated and fought for at political levels if necessary.

Tocqueville recognised a long time ago that participation in the administration of justice helps to make the law less alien: participation after all, is the psychological and human foundation of the Rule of Law. But it is a principle easier to enunciate than to practice and in a mass civilisation we have developed all the trappings of participation by vote and referendum which provide the form but not the substance of our need.

Of course the community is and must be responsible for crime prevention. But let us be clear what we mean by the community: let us be sure that such an entity exists in the context to which we are referring; let us have no fanaticism about indiscriminate blame; let us not under this guise introduce the less palatable doctrine of collective responsibility which permits people to be punished vicariously for no direct fault of their own; let us sympathise with the public as a too convenient whipping boy who is not allowed to turn and react without public horror and let us not overlook the personal need for freedom which modern 'community-less' towns so often serve. Then let us build our communities - make them individually and severally responsible for each other, ready to shoulder their crime prevention responsibilities from the cradle upwards by balancing their needs and levels of toleration and maintaining standards of their own to which we will all want to conform.

Perhaps real crime prevention begins when we realise that a title asking 'The Community - Whose Responsibility?' is more important than 'Crime Prevention - Whose Responsibility?'. In this sense the title we have is perfect providing we construe it to mean that both crime prevention and the community are equal problems. Perhaps we should say 'Crime Prevention and Community Building - Whose Responsibility?'.

PUBLIC PARTICIPATION IN THE WORK
OF THE PROFESSIONAL SERVICES

WILLIAM CLIFFORD

It is an axiom of any democratic criminal justice system that it functions
efficiently only in so far as it is capable of involving the public it
serves. Whether it be the police, the courts or corrections, welfare and
educational services, the service has to be of the people and with the
people if it is to be genuinely for the people. We Anglo-Saxons are
fond of arguing that a policeman is no more than a citizen with perhaps
slightly enriched powers conferred by certain statutes, that a court is
essentially no more than a gathering of an accused's peers to find the truth
or to pass judgement or that (since a man can never be trained for freedom
in captivity) the correctional services have to be community-orientated.
And even those of us prone to depend upon better electronics for crime pre-
vention are beginning to realise that these are only as good as their users
allow them to be, so that there is no substitute for individual and collect-
ive interest in the criminal justice system.

The need to involve the community (if we take all this into account), is
much more than a simple principle of democratic efficiency - it is a deep
reflection of older traditions, an extension of the meanings fundamental to
any attempt which a democratic society may be making to control crime by
appointing public servants. Appointing full-time people as police, judges,
magistrates, probation or prison officers does not replace public interest
or relieve the public of responsibility - it simply refines the public action
to deal with crime. As you know, in the simplest forms of society, special-
ised public servants are not necessary to control crime. The members of a
small social group work together to ensure conformity and general understand-
ing of social needs. Everyone is responsible for everyone else. As a soc-
iety grows, however, and becomes too large for this kind of localised con-
trol, we cannot rely upon everyone to look after everyone else and we have
to select those we want to work full-time for the community in preventing
or controlling crime. However, we still like to think of them as just repre-
sentatives of us all in keeping order or in giving specialised and practical
effect to the public will. Officers of law and order, judicial administrat-
ion or correctional services are simply acting for and representing the
public.

Now this was alright as long as the sheriff could raise a posse, the watch-
man could begin a hue and cry, the court could use compurgation, or the
correctional system might use the stocks or rely upon a public disgrace or
stoning. It was a concept readily understood and quickly demonstrated when
societies were smaller as the people all knew each other. It becomes less
clear, less directly connected and infinitely more complex when we have to
consider all this in a diverse, highly structured and differentiated modern
society with its confusion of roles and its wide measure of intense special-
isation. It was alright to talk of direct public participation as long as
the jury was really made up of neighbours, the policeman was in fact a local
leader or as long as the executions were public and the gaol was a local
doss house for itinerant malefactors or vagrants or used for debtors who
were kept in food by relatives and friends. In these circumstances the
people were part of the prevention and part of the penalty. It is not
nearly so easy to realise community participation in the full sense however
where the police may be strangers to the local people - strangers who are

highly qualified professionals and who come with months, perhaps years of training - not only in law and its practice, in self defence and the restrained use of force, and in police organisation and the use of modern communications but perhaps even with training in computer programming, in the operation of highly sophisticated management techniques, or in the forensic sciences. How does the public fit into all this? Can it be called upon merely to provide the higher qualified professionals with the untrained second class labour it needs, or should it get involved in decision making at the higher policy levels? In all this we cannot afford to neglect the interests of the well trained profess- ional policeman who may readily accept direction from a qualified superior but respond somewhat differently if he finds himself subordinated to a committee of part-time enthusiasts who may have local 'pull' and political respect but no conception of the real problems of the policeman faced with a resourceful, ruthless and well-educated professional criminal or confronted with a riot or a challenge to authority or public order. In private security work the objective is presumably to protect the employer from the depredations of employees and the public and especially to combat the ingenious professional offender. But this is not possible in a democracy without the cooperation of the employee and the public. There is a very delicate legal and social role for the private security operator which he cannot easily escape by a dependance on television cameras, alarm systems or detection devices of different kinds. The situation will differ between plants and companies but the need to develop a security consciousness and to overcome the often natural resistance to security personnel is fundamental to such work - and it reverts at different levels to public relations. How do we involve the employee and the general public in private security work - by frightening them with warnings of camera surveillance and imminent prosecution? By regular lectures? By frequent staff parties to develop community spirit? By the promise of extra pay for greater care, information or property recovered? Or should we move to the other extreme and opt for complete permissiveness allowing everyone to do as he likes, and to steal if he feels like it, simply covering the loss by extra insurances and adding the higher insurance premiums to the price which consumers - that is the general public - will pay? If you think this farfetched, allow me to remind you that Denmark is seriously considering decriminalising shoplifting on the grounds that an affluent society can afford to tolerate such behaviour and carry the cost.

Then, let us not overlook the role of the public as police informers. We may not like the idea but the police need such information and sometimes they pay for it. There was, at one time, a facility for private informants to operate individually and directly with the courts and to initiate prosecutions without any necessary reference to the police. This was abused of course, but would there be any virtue in looking at some variation of the system to deal with the tremendous demands being made on the police in a modern society? If we are thinking of ways in which the public can help we should not overlook any possib- ilities. In New York we have small debt courts where you can take a dispute about payments providing the sum involved does not exceed $500. The ordinary person does not need a lawyer and the judge will investigate the case himself. Could we consider an extension of this to allow the public to deal with minor crime?

The democratic involvement of the public in the work of the courts is necess- ary but not easy where the law has reached such a high mountain of technical detail that the layman needs a lawyer not merely to protect his rights but to read the documents intelligently. And, let us face it, it is not easy where the lawyers are so numerous that their employment at all stages of court proceedings has been built into the concept of full employment. With all their nobility and distinction the courts shelter more than a few vested professional interests. It is difficult to define public involvement where

the mass media can be used to prejudice opinion before a judgement is made or where unsophisticated juries can be subjected to histrionics which readily unbalance by the use of emotion or technical ramification the traditional dispassion, equity and impartiality of the courts. Faced with all the complications of modern courts there is often a demand for greater public participation by developing simple, commonsense tribunals with laymen as judges to deal with the minor cases. This is alright but there are times in our modern society when the shift away from the regular courts with trained and experienced judges to the informality and less constrained procedures of local neighbourhood courts or administrative tribunals is not welcome. For instance we are now very concerned in many countries about the injustices which crept into our treatment of young people as juvenile delinquents in juvenile committees or authorities outside the control and sometimes beyond the scrutiny of the regular legal machinery. We thought that by such informality and concern for child welfare we were escaping criminal labelling and thereby helping young people to a more understanding, considerate and parentally oriented form of treatment without all the frightening majesty and imperiousness of the regular court system which we used for adults. This was an instance of bringing the public and especially the members of the public who worked with children into close association with the law. We thought it would improve the system. Perhaps in some respects it did but also we found ourselves sometimes depriving these children of their basic rights and submitting them to long periods of so called 'care' from which they would have had better protection under the regular court system. Untrained arbitrators or magistrates chosen as parents or educators were often more cruel or exacting than their more aloof legally qualified counterparts in ordinary courts. And this is not our only example of the problems of involving the public in court work. We all know that the modern jury system has been under attack for some time and we are not universally sure it can do better than the Continental or Civil Law panel of trained judges. Educated Africans do not like being tried by customary courts composed of elders whom they regard as less qualified and the involvement of neighbours or colleagues at work in judgements on our status or performance is not always something we relish. Jealousies and inter-family rivalries can often distort the otherwise beneficial effects of community involvement. In Europe after the Nazi occupation when local communities became involved in identifying and punishing collaborators there were a number of miscarriages of justice as local enemies and neighbourhood rivals paid off old scores.

We therefore need to think very carefully about judgement by our peers in a modern society - how we canalise it; how we try to avoid problems. I am sure that if tomorrow we decided to consult voluntary bodies in our society on public action to be taken on inflation or the right to strike we would have many people objecting to the kind of advice given by voluntary groups to which they themselves did not belong: and let us not forget that even within such groups there are sometimes internal jealousies about those holding office who might be claiming to speak with authority. So another problem for us is the question of which of our public bodies really represent the public interest in the situation with which we are confronted. It is worth remembering that the law has often been amended or changed by pressure groups which were active and vociferous but which by no means represented the view of the majority.

Finally, public participation with the correctional services or even with the professionalised welfare services needs very careful thought if it is to be beneficial and fruitful. The damage which can be unwittingly perpetrated by the enthusiastic amateur in some delicate welfare situations is too

well known for me to underline it for you. People trying to help but who know only half the story are bad enough: but those who know the whole story and proceed to impose their own solutions without regard for the dignity and wishes of the parties involved can be worse. Any of you who have been in emergency situations will appreciate the menace of good-will improperly applied. There is nothing more community oriented than the social services; there is no professional more concerned about unstructured public interference than the trained social worker.

So the involvement of the public is necessary. It is essential: but how; in what way; by what means? The answers are bound to differ according to the particular service or situation with which we are dealing: but it should not be too difficult for us to draw out some general principles which apply to the services which we represent here. For example how do we want the public involved in education? Naturally, as parents, the people are educators and the classical theory is that teachers are simply *in loco parentis*: but how realistic is this in modern times when, in a single generation, the form and content of education changes so radically? We all know the problem of immigrant children who have been locally schooled knowing far more than their parents - but this is happening nearly everywhere and not only to immigrant communities as the forms of education change and the world demands even more capably trained people in specialised positions. Parent/teacher associations have proved their worth in developing a parental injection to modern school training: but in some areas the whole issue of community involvement in education - especially in the appointment of the kind of teachers the parents want for their children has become an issue between local communities and the teachers' unions. These are situations in which a political battle can develop from the attempt to either overstress professional impartiality and professional rights or to overstress the extent of community involvement.

How do we get people more involved with the work of the police, the courts and the correctional services? Some of the ways have been institutionalised already. We have our Discharged Prisoners' Aid Societies. We have organisations for ex-prisoners. We have special constables and week-end policemen and we have crime prevention organisations of various kinds which try to bring together the public and those professionally involved in this work. If we look at the situation objectively however, it is clear that it is not really reducing crime to any great extent. So where do we go from here? The answers are in your own daily experiences of your work. Crime does not grow out of nothing: nor is it prevented by a mystical 'they' which operates at levels far removed from ourselves. If we want to find better ways of involving the public we have to ask ourselves, 'How do we want to become involved as members of the community?' 'Where do we feel we could make our best contribution?' Then as professionals,'How do we want the public involved: at what levels is such involvement helpful and tolerable?' Can we think of ways of involving the community which have not yet been tried?

THE COMMUNITY AND ITS VALUES

WILLIAM CLIFFORD

When we consider the kinds of communities which appear to be controlling crime or which appear to have less of a problem of crime it is perfectly clear that these are communities which have a consensus on basic values. Some of them may be able to tolerate or accommodate variations on the fundamental values but in general these are societies which have no real doubts, and are certainly in no state of confusion, about good or bad behaviour. They have frames of reference for their conduct and a pattern of life which they accept without too much question.

In our own society we have been trained to question all basic values. We have practically been conditioned to ask 'Why not?' or 'So what?'. We are much more concerned with analysis than synthesis. We have been encouraged to look very closely at the sacred cows of principles of behaviour or social strictures and taboos which have evolved over the years. We have been induced to question the government, the courts, the churches, the community associations and to question our homes and parents in the light of modern trends.

We have been trained to challenge the validity of a large number of the precepts by which we have conditioned, controlled or fashioned behaviour in previous centuries and in previous generations.

This entire process of questioning, criticising, analysing and looking for change within our organisations and within our ways of living has been actively promoted by the changes in the technologies and the styles of life in our times, by the pressures of urban living and by rapid transition, of course, from the more primitive ways of living to modern commercialisation and industrialisation within our own times. Particularly has it been encouraged by the gradual concentration of millions of people in the towns. In the mass complexes of our cities we have an incredible confusion of systems, organisations, interest groups, clubs, professional associations and political parties looking for power or seeking to exert pressure at different levels. In sociological language the sub-cultures proliferate - some in conflict, some in cooperation but all vying for attention, status, power, influence and security within a total and rather amorphous general society. This means that in many of our modern cities there is a great deal of confusion about rights and wrongs. In fact we are living in times when it may seem that yesterday's wrongs are today's rights and vice versa. This means that when we are talking about law, the law itself is going to be questioned, its relevance to reality is going to be challenged and its meaning for people who have decided to live in a given way becomes both questionable and open to discussion.

In any society we have a variety of social controls and not all of these are legal controls. Faced by growing crime as we so often are, it is not always easy to see that in society generally the law may not always be the most important of our controls. Indeed in the complexity of a modern society we should be surprised not at the amount of crime which is generated by urbanisation and by our apparently confused way of living but by the amount of orderly behaviour and by the amount of organisation that exists within our society. This general and sometimes rather surprising degree of order is achieved by means of a variety of controls which condition and

mould our behaviour. We act as we do because we seek the respect and recognition of our friends, and our relatives, of our professional colleagues or of our school friends, and if we ask ourselves why we behave as we do we will find that the answer lies in the meaning of our behaviour within our own peer groups or within the small organisations, groups or cultures to which we belong.

Every person in a modern society is cast in a variety of roles - today a man is not only a citizen, a voter and a parent, he is also a taxpayer, a consumer, a vendor or a purchaser, he is a householder, a tenant or an occupier, he is an employer or an employee, a student or a teacher, a patient or a client, a driver, a pedestrian or a passenger, and in all of these roles his capacity, his rights and his obligations are often quite carefully defined by law. But in addition to that he is expected, in all these roles, to behave in certain ways by those with whom he is working or by those with whom he is communicating. Union members do not 'blackleg', schoolchildren do not run to the teacher with tales, and doctors, lawyers and architects belong to professional associations which have their own codes of conduct.

Everyone therefore has a self image, an idea of himself in relation to the people or organisations, or the groups, or the authorities, or the systems which he considers to be important: and he measures his achievements, his status and his prestige by what he considers to be his standing within those particular organisations.

This is not a very complicated idea: it is no more than a simple idea placed in specialised language. In schools we are all acquainted with the fact that once we have a class of pupils they begin to order themselves into groups and to consider their behaviour in relation to each other. In fact we do not need to think about children. We as a group have been here for only two days but we are already divided into groups: we have made our friends and we know who we can tolerate. More than that we are beginning to know what we can do and what we would not wish to do in this group. We know that eventually whether or not a person will chew gum, wear jeans, dance, streak, demonstrate, play the piano or guitar, go to church, swear, steal, or indulge in different forms of behaviour will depend very largely upon the group with whom he is associating: that is to say it will depend very largely upon the group whose opinion he regards as being important.

One of the fundamental issues in our modern society is that at one time the home was considered to be the final arbiter, the final point of reference for behaviour and the final guide as to what would be right or wrong, however with both parents working, the house often being no more than the place to sleep, the television offering a wider world for comparison and the quality and quantity of modern education outstripping itself generation by generation, the traditional guiding and directive role of the home has changed. The home is no longer the focal centre for guidance or behaviour. Perhaps we would like it to be, perhaps we would like to see the home restored to that kind of guiding rule but we have to acknowledge the fact that when children enter the educational system they immediately change their points of reference, they immediately begin to look at life in a different way, at society in a different way, and at their own part in that society in a new light reflected from the groups which they begin to form. They begin now to take other points of reference and to take other forms of criteria for their behaviour. It is most important therefore that we know from what principles these criteria flow. It is relevant to our present discussion to know on what ideas these criteria are going to be

based, whether we are thinking in terms of the home, the school, the neighbourhood, the union or the professional group to which people belong. Whatever group or organisation we have in mind it is necessary to consider what the basis might be for the decisions which they make as to what is correct behaviour and what is incorrect behaviour.

There were times when certain activities by doctors or by lawyers were frowned upon but now the same practices may be more acceptable or tolerated. There were times when certain types of behaviour in society, such as extramarital sex, or homosexuality, or perhaps abortion were frowned upon or considered to be outrageous. Now of course these ideas of behaviour begin to change as we change our beliefs, our attitudes, our principles - or in a word - our values. So we have to know what these values are. Whether we are thinking of a peer group, or a neighbourhood group, or a club to which we belong, it will certainly have its standards of tolerable and intolerable behaviour. Let us take a club - if you belong to a club the club has rules - rules for membership qualification, rules for the payment of subscriptions and rules for the behaviour of members in the club premises and probably outside too. Sometimes these rules may not be written. Certainly in the British social structure for many years there was the 'old boy' network, the unwritten rules of behaviour, things that were not done, a kind of standard or respectability, or a code of honour was imposed without any details or any rules being committed to writing. There was nothing inscribed to tell you how to behave but you learnt to behave by belonging to the society, you knew what was acceptable, you knew what was not acceptable and therefore you conformed. At school we all had the written regulations but there were many other standards of conduct amongst our school friends which we had to observe. Sometimes we got credit in our group by deliberately breaking the school regulations. In a simple tribal society, people who belong to that society do not have to be instructed exactly how to behave because they learn it from childhood. They are gradually inducted into the form of behaviour which is required and as they grow up they know by second nature what will be acceptable and what will not be acceptable. Now let us apply this to a modern young persons group, to a teenage group, I am sure you all know there are uniform standards of dress, for example, you know the jeans, tight or slack: the long dresses and floppy hats, the leather coats and the high heeled shoes. A few years ago it was the U.S. army jacket which was for a long time a kind of uniform which, if you wished to identify with that type, you would have to wear. Always there are regulations, usually unwritten, that you all know. If you are young enough and you are interested enough to be considered a member of that group then you will make sure that you are wearing the kind of clothes which find acceptability at that time, which identify you as a sympathiser or a member. Similarly there will be standards of behaviour for that group: There will be some things which are just not done under any circumstances, and you will know what they are - you will know what they are simply by being there and by watching other people act - seeing how they react. There will be certain things you could not possibly tolerate - there will be certain ideas which will be 'in', which are trendy, which are part of the new scene and you have to know what they are, you have to belong.

So, whatever we are talking about, whether it be a peer group of this kind, whether it be a medical association, which lays down its standards by carefully written rules and regulations, or whether it be a factory, a university or a very ordinary mothers' union it will have some rules, precepts or standards to which everybody is expected to conform. Now what we are concerned with here in dealing with crime is those standards as they apply

to the local group or community, as they apply to the wider community and as they help to define what is intolerable behaviour. It does not have to be offences against the law. You are all aware that there are certain laws that we can break with moral impunity. There is no moral stigma about cheating on your income tax returns, there is no moral stigma usually about committing a minor traffic offence. Perhaps no-one wants to be against the law in this way, but you do not go home filled with remorse, with your head hanging in shame when you have parked your car in the wrong place, or when you have forgotten to renew your dog licence. On the other hand there are offences against the law of which you would be very ashamed. You would presumably not wish people to know that you might have committed an offence of indecency against a young person or perhaps that you had passed a false cheque or attacked another for gain. Any country has its laws which are out of date: any country has a large number of statutes which there has been no attempt to enforce for many years. These are offences which have lost their moral stigma, which have lost meaning in terms of the changes in society. There are offences which have become irrelevant to the modern pattern of life, but the statute has not been repealed. The law remains the same, the acts are still prohibited. Now by definition a crime is an offence against the law but not all these offences against the law can be prosecuted and not all are considered to be immoral or considered to be wrong by society as a whole - and as you well know we have many examples of people who can live illegally and still be considered to be respectable in their own communities. You know that if you can design a very special way of circumventing the law and cheating people neatly of large amounts of money either by exploiting their gullibility or by false advertising or sharp practice you could probably live respectably and with nobody questioning your behaviour - although your behaviour, by any kind of moral standards, would be considered wrong.

Now this entire area of social controls has been very much a concern of the sociologists for a long time. They distinguish between perhaps four types of controls, first of all the law which we all know about and we all are here to consider - a crime is an offence against the law: but whether a crime is considered serious or anti-social or immoral (as well as being against the law) is dependent upon the other three controls - custom, fashion and morals.

Custom is what we learn to do, what we are brought up to do within our society and is best illustrated perhaps by the fact that we wear clothes. There are some societies that do not wear clothes. It is our custom to live in houses of a certain type - other people may not wish to live in houses of the type we have. They may not value space in quite the same way. It is our custom to live at distances from each other and drive motor cars - it may be the custom of other societies to do it differently. We have over the years developed a certain type of customary behaviour when we meet. We shake hands. But in other places they would rub noses, or they would bow. We shake hands and we would consider it very bad form if we did not respond by shaking hands with somebody who offered his hand to us. Yet, in another society, that would be very difficult to understand. You will have observed that certain groups in America are marking themselves off from other groups by slapping palms when they meet. All these are customs.

There are also the social controls which we regard as morality - morality is a code of conduct which is designed to go far beyond anything the law could handle or that even custom could handle. Morality is a matter of conscience; although there can be an objective moral code as well as a subjective meaning to the term, and a moral code is generally something

which is laid down for us which may or may not have become customary, or
may, or may not, be incorporated into law. For example, the committing of
adultery is now no longer against the law in this country - and perhaps no
longer against custom. There are people who commit adultery very happily
in our modern society, and do not feel at all badly about it - it has no
immoral connotations. It is not considered by them to be against the cus-
tom and certainly it is not against the law. However you probably know
that it was against the law in America until quite recently and you may
still find laws in which adultery is proscribed. For those of you who
feel that there is some kind of inevitable drift to a non-moral or amoral
law I might mention that one country in the Caribbean has, for the first
time in its history enacted a law against incest. Lying is an example of
a moral offence we do not consider amenable to control by the law and as
you well know the trend has been to decriminalise a number of moral off-
ences.

Finally we come to fashion. You might have observed that custom is some-
thing which we are growing into in society all the time - it is a long
term thing - fashion is something more ephemeral - it comes and goes and
by the very name you can tell what it is, so whilst it is a custom that
we wear clothes, it is a fashion whether we wear long skirts or short
skirts - whether we wear blue jeans or body shirts, whether we wear blouses
or bras or whether we wear hats - all these are matters of fashion and they
change on the surface of the custom - fashion dictating how this will hap-
pen and of course if fashion continues it might change custom. Therefore
I think we can probably say that in our societies the fact that women now
wear slacks is very much a change of custom and not only a change of fash-
ion. The fashion as to what styles of slacks may change but that women
will wear slacks is, of course, a very significant change in our customs.
Also we should bear in mind that fashion does not relate only to clothes -
it includes the changes in the language we use, in the forms of drugtaking,
in the habits of eating or the shape of cars.

Every society is governed then, not only by the law, but by morality, which
I think you will understand from your church or your religious teaching, by
the custom which we all understand as a social control and by fashion which
will perhaps need no further explanation.

These four types of control vary in degree and extent according to the type
of society. If we go down to a small rural or tribal society we will find
there is no distinction made at all between morals, custom, fashion and law
- all are one - they do not have the differentiation necessary in that kind
of society to make such distinctions. They live closely together, they
know each other, they are born into a small group which does not need to
write down exactly what is necessary in the society - they can talk to each
other, they can communicate all day, they know exactly what is going to
happen. Therefore, they do not have any need to differentiate between the
different standards of conduct. All are one.

Differences begin to arise as the society gets bigger in population, be-
comes more complex in organisation, or divides in function. As we begin to
specialise in our types of work, as we move into industrialisation and as
we begin to develop in an urbanised community the different types of con-
trol and their effects can be distinguished. We have a great many differ-
ent ways of living in towns - people do not know each other so well. They
live maybe in small groups but they do not necessarily have contact with
the larger groups in society, and here the differentiation begins to appear.

If we look round the world there are some societies which appear to have solved this by having broad standards for the total society. For example in the religious groups, like the Moslem societies like Saudi Arabia we find considerable groups of people, large populations living together under similar law - the law and the moral code are very much one and also custom and fashion tend to support law and morals. This is an example of liaison if you like between the basic values of the society and basic standards of conduct, despite the fact that it may or may not be part of the legal pattern - there is a relatively undifferentiated way of living. Socialist countries with uniform ideologies and standards of behaviour discourage deviation by law, custom, and every moral imperative. They did not believe for a long time, for example that they had social problems at all. All problems were either health or educational. If you did not conform you were either sick or in need of better education.

When we move however to a modern complex urban centre which tolerates deviance then the sociologists tell us that we move not only into a new urban culture but we also move into a variety of sub-cultures and the values which we have in the larger culture may not always be the values we have in the sub-culture. A sub-culture is of course a sub-division of the larger society - often with its own and sometimes conflicting standards. It is perhaps best exemplified for our purposes by standards which are quite different to those of the larger society. A gang may have its own custom, its own morality, its own fashion and, if you like, a form of law. In much the style of a tribal society a gang will dictate how its members should behave - there will be conformity to certain standards. The conformity to those standards may contravene conformity to the standards of the larger society: for example it may be part of the code, written or unwritten, of a small gang that every member has to commit a crime to be a member. It would be against the rules of the larger society but it may be an essential part of the gang system or the sub-culture. If you want to belong to the sub-culture then you must conform. Those of you who may have read the books published on organised crime of the mafia will have no difficulty distinguishing the tight roles of behaviour based on definite value systems. Rules of conduct are understood and rigidly enforced. Whether you consider that to be law or custom or morality is a matter of definition but it is an enforced value system. It may be part of the standards of a gang that you never associate with people of a different class, if you do associate with such people then you are breaking the rules, yet again that form of segregation may be contrary to the rules of the larger society which does not allow discrimination: but if you are part of the sub-culture then you have to conform. If you form a small ethnic group within a very much larger society you may decide that collaboration or association with people outside your ethnic group is wrong and your society begins to enforce that by simply ostracising you if you do not conform or perhaps by being even more direct and punishing you physically if you do not obey. Then we have the societies which we have talked about before - societies like the associations for doctors or lawyers, professional associations which have their own value systems and codes of ethics. These are rules of conduct, standards of behaviour which have to be followed also where it is necessary, perhaps unspoken, that doctors or lawyers behave in a certain ethical way towards their patients or clients. It is not always necessary to write everything down but it will be a form of behaviour.

Now the point I am making here is that in all our communities we have basic values - when we talk, therefore, about preventing crime we are talking about preventing certain types of behaviour. If we are all agreed on what the law should be and we are all agreed on the kinds of behaviour there

should be then it is easier to enforce the law. If on the other hand we disagree intensely on certain laws it becomes extremely difficult for the police or for any other body to enforce it. If for example you belong to a dissident political group you do not agree with the society anyway, you do not agree with its laws, you do not agree with its standards, you do not agree with its ways of living, then when you commit a crime you are breaking the law you do not believe in your own mind you are acting immorally or against custom or against fashion and you do not necessarily accept that you are acting against the interests of your society and you feel much happier about committing that particular crime. Now the policeman arresting you is acting in the interests of the larger society but you in your sub-culture are acting in conformity with your sub-culture and you can well see that the question of whether you have done right or wrong is very pertinent to whether you are going to be able to prevent this behaviour in future.

If for example just now you are arrested in New York for mugging somebody on the street you would no doubt believe you had done wrong until you got into a prison in Rykers Island where you might then change your mind. You might suddenly find yourself amongst a lot of people who would convince you that you are now a political prisoner - a victim of the system. It does not matter whether you hit somebody on the head and took their money - that is a triviality - the fact is that you are in this situation because you are being discriminated against.

If we are going to talk about crime prevention we have to talk about this question of values - if our values are so varied, complex, contradictory or we cannot agree on what should be our basic pattern of behaviour then what is the use of talking about crime prevention? We may argue that what is crime prevention to one is not crime prevention to the other. We drift into a confusion of standards within the context of which no society can operate.

It may be that there is a certain standard, a certain stage, a certain scale of society within which it is quite impossible for the law to be enforced unless there is a basic agreement on some very fundamental and elementary standards of behaviour, and that if we cannot agree on those basic principles then we cannot prevent crime. It may be that unless we have a society in which it is difficult to form divergent and conflicting sub-cultures then it is impossible to talk of effective crime prevention. Now clearly any society committed to freedom must allow the formation of various sub-cultures, nobody wants to interfere with the healthy diversity of a developing society: but maybe there are limits to this diversity and perhaps we cannot have unlimited diversity and law and order at the same time.
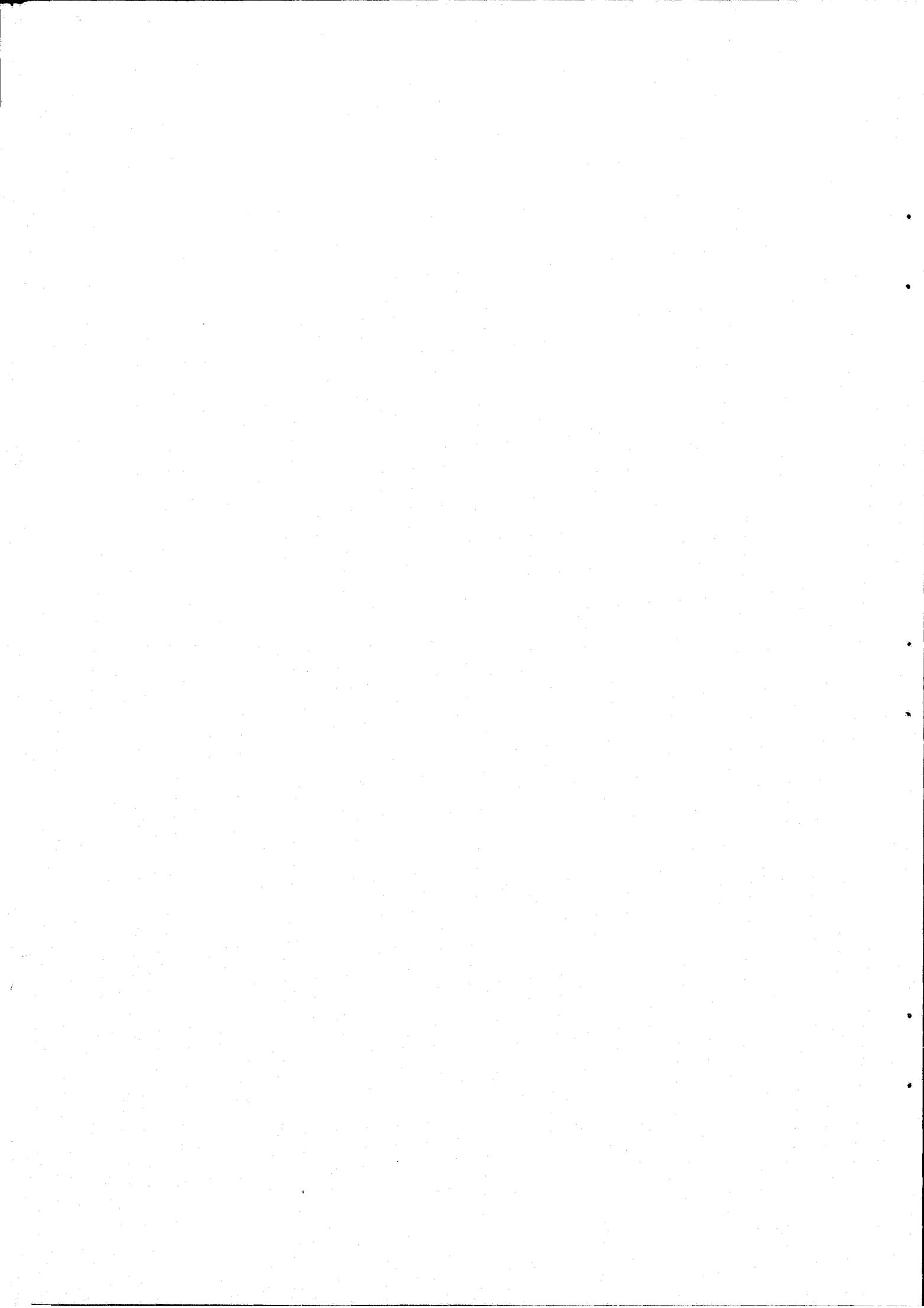
SOCIALISATION

WILLIAM CLIFFORD

I am sure all of you have been exercised, from the beginning of this week, by the word 'socialisation'. All the other terms we have used have had some measure of respectability and familiarity of connotation. But 'socialisation' is a beautifully vague term which we can twist to mean anything: in some constructions it could have a menacing quality of indoctrination and it is therefore significant that so many of you have taken a very reserved position on this subject. On the one hand I have been impressed by the amount of discernment that has been shown. Most of you have acknowledged your discomfort with the word. On the other hand I have been rather less impressed by those who choose to present their challenge in the form of a quiet statement of inverted humility. I am sure you know the kind of thing when people say to you 'I don't know what the term socialisation means'. Now if such people really meant they did not know, that would be fine, but too often that simple statement is a direct form of intellectual exhibitionism - it is intended to convey the impression not only do they not know, but that nobody else knows and that they know that nobody else knows and that therefore you are being intellectually rash if not indeed simple-minded to even attempt to use such terminology.

Of course in any strict sense they are perfectly right. We must not use words if we are not going to be careful about their meanings. Socialisation is a term which we can construe in any way we wish. But this is also true of the term 'crime' and it is also true of the term 'community' and it is also possible to construe 'criminology' in various ways and if we go on I'm sure we could find a lot more terms in our criminological vocabulary which are extremely difficult to use without careful definition at every stage of their usage. But if you really want to play this semantic game then I might remind you that the United Nations International Law Commission has spent twenty-five years trying to determine the meaning of the word 'aggression'. It is therefore one thing to be careful about our meanings, but it is quite another to indulge in the kind of intellectual asceticism (however methodologically correct) which can inhibit the use of any words and which can paralyse any kind of action.

So let us begin by saying what we mean by socialisation without spending too much time on refining its parameters. In the sense that we want to use it for our course, socialisation is intended to refer to the process by which individuals in a community are persuaded or conditioned or learn or are taught to conform. By socialisation we mean the process by which people incorporate in themselves as they grow the standards and values, the styles and the attitudes of their society or sub-society.

None of this could we discuss until we had had a look at the values of the communities that we are talking about. Now we have to ask ourselves whether we really do enough to instill those values, whether we assume too much about what others may be doing about this, whether we should be doing as much as we are doing to obtain a uniformity, whether we should not try to encourage people to be questioning non-conformists and to be different within our society (after all, our society depends upon innovation, competitiveness, a kind of independence of thinking which we rely upon to produce the inventiveness and the drive for change on which our kind of system depends).

On the other hand, we have seen that if we are thinking of crimeless societies, these are generally the conformist societies – they are usually the ones which do not make provision for the kind of things that we make provision for. They are the kind of societies that are relatively intolerant and that insist on a certain standard being observed at different levels and which impose sanctions without compunction. We have to decide therefore what kind of society we want and whether we are going to attempt to teach any of the values or attempt to induce any of these values into young people as they are growing.

Now all this is a very controversial issue in education, a very controversial issue at every stage of our social growth. However, it is an issue that we here cannot possibly evade if we are going to talk about crime and the community. There is no virtue in our considering our society as being one in which we can entertain the wildest extremes of diversity and open conflict without the consequent disorder and deviation. The real issue is how much of this deviation a society is able to tolerate and even the question of toleration reverts back to the way in which younger people are brought up or immigrants are inducted into our society with the standards and values which we think to be important.

Are we socialising? Should we be socialising – in the sense that I have used the term here? Should we be trying to get people to follow certain values and if not what do we expect them to do? If we do not know what the values are and we are not sure about our aim and purpose then should we be attempting to do anything with our children or should we allow them simply to grow up to a stage where they can make a judgement for themselves. This is not an academic issue, this is not an issue which we can shelve until tomorrow. It is not something which we can afford to leave if we are thinking about crime and its prevention. Because we are talking about something that is going on now, today in our schools, in our homes and in our factories and in our social life generally.

We are very exercised about changes in the forms of crime and in the forms of deviation in our society. Some people are saying that we should not even call them forms of deviation, that our society should be sufficiently tolerant to accept all these variations in the society and that in any case, our schools and our institutions should be sufficiently diverse to make it unnecessary for us to think of implanting values or training people in certain standards or of persuading people to accept certain ways of living. Instead, it is sometimes argued that we should deliberately create as much diversity of thinking as we can – we should encourage the critical faculties in everything that has to be done and we should thereby seek to achieve elevated standards of civilisation where the extremes of variation and non-conformity can be tolerated by an open society which is able to allow each individual to realise his own potential in his own way.

That is one point of view. But it is a point of view which can only be accepted if you are prepared to accept the amount of deviation and the amount of disruption in society, and the amount of unfairness and injustice in society which must go with it. If you wish to have a society which has its own basic standards which avoids the extremes of disorder and disunity and which is less troubled with crime then you have to have basic standards somehow incorporated in the thinking and the behaviour not only of the members as individuals but also in the members as groups of people.

Now the second problem with any concept of socialisation is the question of what it is which actually socialises. We have talked of young people

growing into certain forms of behaviour from the breast or the bottle but we do not know too much about how this happens. We are all acquainted with the relative interplay of heredity and environment. We are all aware of the disputes as to whether a person behaves in a certain way because of his chromosomes and genes or because of his faulty upbringing - you know, whether a child is nervous because he has inherited a nervous constitution or because his nervous mother handled him nervously. These are issues which will not be resolved in our time but what is it in the whole process of growing up at home or of being educated at school or in being inducted into various groups in the society - what is it that really produces the effect of socialisation? How do we absorb the standards in ourselves or incorporate the principles of our society? What is it that makes us conform - how do we assimilate - or alternatively, what is it that causes us to go the other way - to break out - to rebel to be intolerably frustrated and upset by society - what is it that creates the discontent - what is it that creates the contempt - what is it that creates the obedience to rules - what is it that creates the animosity and defiances of rules? It seems that these are issues that still have to be resolved in any society. We know that there are societies which from a very early age deliberately drill into children the way to behave - we know that these are societies where this drilling will have an effect if it is continued and supported by the society at large. These are the ideologically uniform societies or the religiously motivated societies. However, they do not entirely escape the reaction and sometimes the rebellion of youth. But if they do not manage to escape it, they seem to be able to contain it or to accommodate it. Our problem is how to reconcile the amount or quality of socialisation we decide upon with the freedom of thought and action we consider necessary for our society.

In the concept of socialisation, we have a fundamental principle and an essential feature of our social existence. Probably no society exists or can exist without a measure of socialisation for those who are born into or are later inducted into the community. Presumably, it is possible to argue that even in societies as diverse, as complex, as contradictory and as ramified as our modern urban societies there is a form of socialisation in that young people are born and grow up into their respective sub-cultures. No doubt it can be argued that immigrants who come into these societies gradually develop their own ways of life and their own forms of accommodation to the larger society to which they belong. I would have thought however that this kind of socialisation was socialisation for diversity rather than socialisation for conformity. It is micro-socialisation in macro-confusion.

Anarchy is the extreme of diversity I suppose - therefore whilst we do not want to achieve the opposite of a stifling conformity which might be imposed upon us by a totalitarian regime or by a uniform ideology from which no one can diverge, there is an obvious problem in having a range of variation which no society could support. There are limits to uniformity just as there are limits to diversity. The problem for our society, for any modern society trying to control crime, is the problem of drawing the line between diversity and uniformity which makes the law reasonable, which makes the law a fair reflection of a genuine consensus of values.

In drawing that line we are in fact drawing the line of socialisation - we are defining the kinds of values which we would like to see instilled into those who join our society, whether by birth or by immigration. Not only the law is important here. We do not have to legislate for the kind of values which we have been describing - it would be sufficient if we had

these clear and effective within the community without having to legislate.
It may well be that we can do just that if our education is right and if
our other forms of socialisation are right.

Perhaps we might regard the law as being an indicator of man's failure to
reach a consensus on values by means of other social processes - by, for
example, custom or morals or fashion. When we have a society which is chan-
ging in behavioural patterns and which is not clear as to how behaviour
should be defined then it usually has recourse to law. The law can be used
in this way or over-used. It is often said that a law creates a crime but
it is also true that crime creates law. The commission of crime has to
come first: the realisation that other forms of control, i.e., customary
or moral controls have broken down, has to be appreciated first. Then
there is recourse to the law to make sure that the values of the society
are enunciated clearly for the benefit of everyone in that society with a
clear indication that there will be penalties or sanctions - i.e. there will
be problems if they do not conform.

A question for us is how far it is going to be possible to socialise our
communities so that this recourse to law is rendered less and less necess-
ary. Apparently there are two ways of approaching this, one is to say that
we do not need the laws anyway - that we have used the legal machinery far
too much in the past, that our societies are capable of a great deal more
toleration, that we should in fact allow people to live their own lives in
their own ways and that we should not worry about socialisation in any form
at all. The other way is to argue that we simply cannot tolerate certain
kinds of behaviour, that we must clearly condemn it by law or custom, that
therefore we have to make sure from the earliest age a child knows what is
right and what is wrong and is trained in the kind of behaviour which will
be beneficial to society and is deterred from the kinds of behaviour which
will cause problems in society.

In this consideration of values and socialisation I would like to make it
clear that a great deal of what we said yesterday about values is reconcil-
able and is also amenable to use in socialisation. When, for example, we
had the references to the basic principles of honesty and love, or when we
had references to the basic principles of the protection of life and res-
pect for others, when we had references to a need for our society to accom-
modate the values of an extended family, and when we had the references to
values being related to basic needs for security, for emotional contact
with others - all these could be taken as elements from which to construct a
general theory of values which could accommodate most of these different
points of view. For instance no-one is going to object to the protection
of life (even if they begin to object to the protection of property). And
this could be one of the values - respect for life - imposed by peer groups.
No-one is going to say that accommodating the values of an extended family
involves a disrespect for life or involves any lessening of the need for
importance to be placed on honesty and on love. Indeed love and honesty
probably dictate that whatever standards we need to reconcile conflicting
social values of coloureds and Europeans should be formulated in a spirit
of generosity, understanding and participation. Nobody is going to argue
with the view that each individual should have his own way and his own
principles to adopt and to live by, providing he is not going to interfere
with anyone elses' rights and principles.

What we have to do is to see how all of these can be brought together to
enable a community to accommodate them but at the same time to insist on
drawing the lines beyond which they do not consider it possible or feasible

to go. Could we, for instance, tolerate infanticide in accepting the standards of others? Could we tolerate the personal standards of an individual who felt that old people should be quietly killed off? These are the areas along the dividing line.

Now maybe the lines we have to draw are lines so extended that in point of fact there is an enormous amount of toleration in society - maybe the lines we draw are tight, perhaps dictated by a strict religious code or by strict principles of behaviour but however we decide to define them, however we decide to draw the lines, we really should be clear for the sake of our children and for the sake of ourselves that we at least know and can enunciate those basic values without which we do not believe that this society could exist.

There is a great deal of loose thinking about society these days. There is a great deal of confidence that society will continue whatever you do and however you behave and in whatever way you draw the rules and the regulations. No matter how loosely, no matter how wildly you draw them it is sometimes thought that society will somehow continue because there is a general process of evolution going on. That is true of course but we may have a choice between Rome and the Huns, between the middle ages and the dark ages, between barbarism and civilisation. There was a time for example in Africa when many people said that all you had to do was to educate, continue to educate, educate, educate; once you educated people sufficiently they would indeed find solutions to their own problems. That of course is the basis for most of our investment in education in these areas and I am sure my colleague from Sri Lanka will remember that when his country attained independence, the greatest gift, and in fact the gift called 'a pearl of great price' received from the departing British Government was free education up to university standard. Recently in the same Parliament one of the members has referred to this 'pearl of great price' as being 'a sow's ear'. This is because in that country we now have people with three of four Ph.D's looking for work. We have a situation not only in Sri Lanka but in a number of other developing countries in which education is educating people out of the available work opportunities. We have a situation in which whatever education can contribute to improve the situation can probably only be contributed by revolution. Now perhaps revolution is what you want in a society. After all it is one form of social change and it usually has a profound effect on deviation. The only point I wish to make is that if you abandon careers with values to the inevitability of evolution you must be prepared for the fact that there are some things which determine how evolution will go and there are consequences to our measures of socialisation or the lack of them. We have to be aware that if socialisation is going to be ignored or if we are going to plan our socialisation in such a fragmented and disjointed way that it will eat away at the foundations of our society, then we must be prepared for the fall. Maybe the fall is only a fall before the build-up, maybe we need the fall in order to be resurrected - it is really a question of politics, it is a question of philosophy, it is a question of fundamental principles for all of us but whatever we do let us remember that no society will operate unless we go through the home, through education, through our community associations and through our various groups, educating and guiding our members in such a way that they can form part of the society, so that they can form a contributing unit within the society, so that they can in fact develop this society to the higher stages that we all want.

Perhaps in all this what we are really saying is that to prevent crime we need to be very clear about our standards. Perhaps we are saying that to

prevent crime we not only need to be clear about our standards but we need
to be able to tell other people what those standards are. Perhaps we are
saying that in order to prevent crime we need to train people in certain
standards of behaviour so that they know what those standards should be, so
that they know how those standards might be developed into, as they go to-
wards the newer and better society that they want to create. Perhaps what
we are saying is that no society with a controllable problem of crime, no
society which hopes to exist at all, can manage without a basis on which to
build, and that what we are facing in our questioning, open, diverse, variated
society is a situation whereby our people do not have the ground on which to
stand in order to lift the weight of any new civilisation. Perhaps in all
this what we are really saying is that there is a limit to the size and the
scale of our social organisation. This has been said before, there is not-
hing new about it, but it may have to be said more forcibly, it may have to
be said in a way which will make it workable and if it can be made workable
anywhere, Australia is a place where it can be made to work.

COMMUNITY INVOLVEMENT IN CRIME PREVENTION

A.W. JAMROZIK

In this paper I would like to focus attention on some social aspects of crime and present some data with which to explore the issue of prevention. More specifically, to:

1. examine briefly the concept of prevention;

2. present some data from which suggestions could be drawn about the need and nature of prevention;

3. suggest some issues for workshop discussion.

My approach to, and interest in, crime and delinquency is mainly sociological. I believe that most, if not all, answers we are seeking in this area, such as: what causes crime; how, where, and when does crime occur; and how can we control or prevent crime, lie in society itself. By 'society' I mean especially our social institutions: the family, the school, the work place, the voluntary association, the government, and the business organisation.

Further, the focus of my attention is not so much on crime and delinquency *per se*, but on the means we use to control, and prevent crime, and in the ways we treat the people whom we label as delinquents or criminals. For it seems to me that we have considerable evidence which suggests that crime often occurs as a result of the actions which purport to prevent or to control it. One could say, as it were, that crime is often a by-product of the control processes, a phenomenon similar to that observed in technology where waste and pollution are the by-products of the good things the technology provides.

As an example, we can take the Law. Laws are formulated for certain purposes thought to be desirable. But the letter of the law acquires different dimensions when we examine the processes of its formulation and its enforcement, and of the outcomes of these processes. I would venture to say that the letter of the law is usually the myth and the processes of law enforcement, and of its consequences, are the reality. Certain laws, and the processes of their application may well be conducive to law-breaking. Laws regulating abortion could be quoted as an example.

CRIME PREVENTION: WHOSE RESPONSIBILITY?

The question 'whose responsibility?' seems to be the question of the year. It has become pertinent in many areas of social activity as more and more research findings seem to indicate that the aims of many of our social institutions and the mode of their operations might have to be rigorously reappraised. This applies particularly to crime and to the agencies which we have established to control or prevent crime. I think we have reached the level of understanding about the nature of crime to suggest that the responsibility for crime prevention and control has to be shared between the formal institutions we have devised for that purpose and other institutions in the community.

I intend to examine only three areas in which I think, some of this sharing of responsibility could take place: the family, the work place, and the migrant community.

WHAT DO WE MEAN BY 'PREVENTION'?

Conventionally, we speak of primary and secondary prevention. By 'primary
prevention' we mean taking measures designed to prevent the occurrence of
certain events or conditions, such as disease, accidents, unemployment, or
crime. Primary preventive measures would also include the efforts to identify
'high risk populations' on whom preventive programmes may be concentrated.

By 'secondary prevention' we mean the measures designed to control and mini-
mise the efforts of the events or conditions which have already occurred.
These efforts would include early detection and treatment so as to lessen the
gravity or frequency of the undesirable events, or to prevent the onset of a
chronic condition, such as recidivism.

In considering measures of primary prevention of crime and delinquency we may
ask the following questions:

1. What kind of population is more vulnerable to law-breaking
   (for example young people, poor people, less educated people)?

2. Under what conditions is law-breaking more likely to occur
   (for example large families, housing estates, semi-industrial
   and commercial areas)?

3. What kind of institutions may be conducive to law-breaking
   behaviour (for example schools, clubs, super-markets)?

4. What kind of measures can be taken (for example better urban
   planning, smaller schools, adult education)?

Questions related to secondary prevention may include:

1. to report or not to report minor offences?

2. to treat the offender as 'guilty', 'unfortunate', 'sick'?

3. to isolate the offender socially or to accept him as 'normal'?

4. to publicise individual instances of law-breaking or to
   'keep it quiet'?

DATA FOR THE CONSIDERATION OF PREVENTIVE MEASURES

The following statistics are from my research in juvenile delinquency in South
Australia. The information is based on all children and juveniles under 18
years of age who appeared in court during the year 1970-1971 and were subse-
quently committed to State control and/or supervision. These numbered 1,284.
The statistics are still 'crude' as the analysis of data is not yet complete.

I have arranged the tables into three groups: the family, education and
occupation, and ethnic origins. My purpose for presenting these statistics
is to generate discussion and formulate some questions on prevention.

The Family

It has become somewhat customary to seek answers to delinquent behaviour in
the family. Family breakdown, poor parent/child relationships, etc., have
been advanced as the major causes of delinquency.

The statistics that follow give some indication of the conditions under which the families of delinquent children live: for example their housing, income, expenditure, and life-style.

TABLE 1

Size of the Family

	per cent
1 child	2.8
2 to 4 children	44.8
5 to 8 children	42.7
9 or more children	9.6

TABLE 2

Supervision of Siblings

	Yes per cent	No per cent	Not Applicable per cent
All children in sample	31.4	65.8	2.8
2 children	9.2	90.8	
9 or more children	67.0	33.0	

TABLE 3

Housing

	per cent
Own home	41.5
Rented from Housing Trust	29.0
Rented from other sources	24.6
Living with relatives	1.9
Others	3.0

TABLE 4

Parental Income
(both parents where applicable)

Income Range (per week)	per cent
$30 or less	9.1
$31 to $45*	18.9
$46 to $75	41.5
$76 and over	30.6

* $45 was approximately the minimum wage as to 30 June 1971.

TABLE 5

Regular Financial Commitments
(rent, hire purchase, etc.)

Percentage of Income (range)	per cent
10 per cent or less	14.9
11 to 20 per cent	27.1
21 to 30 per cent	26.2
31 to 40 per cent	5.5
51 and over	5.2
No commitments	7.3

TABLE 6

Social Participation of Parents
(church, clubs, associations, etc.)

Nature of Participation	per cent
Active and wide	4.0
Active - neighbourhood only	15.4
Occasional	4.9
Nominal - passive	2.3
None	73.4

Education and Occupation

It is important to note that the social identity of the individual much depends
on his occupation. The question: 'what do you do for a living?' is asked
almost invariably next to the questions on name and address. A person's
occupation determines not only his income but his social status as well. It
also often determines where the person lives, what kind of friends he has, and
how he spends his free time.

Some occupations are more conducive to a particular law-breaking behaviour than
others, as they provide opportunities for the infringement of particular rules.
For example, an accountant may have opportunities for embezzling money, which
are not available to a motor-mechanic.

The road to earning a living is through education. The school, therefore, is
an institution where the future life of the individual takes shape.

TABLE 7

Performance at School
(educational)

	per cent
Very good	3.8
Good	13.7
Satisfactory	22.9
Fair	26.8
Poor	32.8

TABLE 8

Occupation
(youths who left school)

	per cent
Professional, technical, etc.	0.5
Clerical and lower administrative	2.4
Sales	9.1
Farmers, fishermen, timber workers, etc.	1.3
Transport and communication	0.8
Craftsmen skilled	6.6
Process workers and labourers	76.0
Service, sport and recreation	3.4

TABLE 9

Occupation Status
(youths over 15 years of age)

	per cent
Working regularly	37.7
Working irregularly	11.1
Not working	33.9
Never worked	4.5
Unemployable	1.5
Still at school	11.3

The Migrant Community

There is no indication that migrants are more prone to law-breaking than native-born Australians. The contrary often appears to be true. What appears to be evident is the assimilation of the young migrant and of children of migrants to the local pattern of behaviour. It seems, therefore, that the environment (for example school, local community, work place, etc.) has stronger influence on young peoples' behaviour than their immediate family.

TABLE 10

Pattern of Offences

Recorded Offence	Migrant Offenders per cent	All Offenders per cent
Against person	6.3	5.1
Against property (with breaking and entering)	35.4	37.6
Against property (other)	58.8	57.2
Against morality	3.6	3.9
Against good order	20.9	21.9
Illegal use of motor vehicle	15.3	19.8
Road Traffic Act	9.1	9.6
Uncontrolled	2.9	3.5
Other offences	12.0	12.0

Note: Percentages amount to more than 100 as some persons were charged with more than one kind of offence.

TABLE 11

Delinquency Among Migrant Youth

Region	Pop. 8-17 Years as % of Total Pop.	Offences Per 10,000 Pop. 8-17 years	Migrant Pop. as % of Total Pop.	Migrant Offenders as % of all Offenders
1	18.5	75	37.2	34.0
2	21.6	49	52.5	50.4
3	18.7	39	30.0	37.0
4	20.8	58	15.7	35.0
5	20.5	29	24.2	19.8
State	19.7	51	33.9	37.0

Correlations:

Migrant population and recorded offences:	Rho = +0.34
Youthfulness and recorded offences:	Rho = +0.44
Migrant population and youthfulness:	Rho = +0.55

WHAT KIND OF COMMUNITY INVOLVEMENT?

One of the early observations I made when I worked in adult and juvenile probation was the frequent isolation of the offender from the community and often from his own family as well. The offender lived, as it were, outside society. Furthermore, the corrective measures tended to isolate the offender even further from the community. For example, a high school student who found himself in court would have difficulties to go back to school as a 'normal' student. Once out of school, he would find his employment opportunities restricted. So, his isolation would continue and one of the easier options for him to choose would be to drift towards others who were in a similar situation.

How can this process be converted or reversed? How much can the community be involved in prevention? At this stage I would like to make only a few comments.

First, I think that we ought to ask less frequently, 'What is wrong with that person?' and, instead, focus our attention on that person's environment. For example, we know that the younger the population of a district, or suburb, the greater the incidence of law-breaking. Further, the poorer the locality, the greater the incidence of law-breaking. If this is the case, then the involvement of the community ought to be aimed at improving the quality of life in a given locality.

My second point concerns migrants. In retrospect, we may clearly state that the policy of previous governments, and well reflected in community attitudes, was not to encourage and, indeed, it was to discourage the formation of ethnic groups, clubs and associations. That attitude was short-sighted An immigrant who offends against the law is more likely to be one who has become isolated from his own group and has not managed to fit into the Australian community.

My third point concerns the role of trade unions. How much trade unions can, or ought to, be involved in the issues of social control is open to question. Traditionally, the concern of trade unions has been with wages and working conditions. Any time a trade union takes a stance on social issues this seems to be resented by some members of the community. Yet, we may see how important a role trade unions play in Israel, Western Europe and in the Socialist countries, especially in the areas of youth work, recreation, leadership training, and so on.

My last point is about the business community. I think that the business community has not always faced up to the consequences their practices have created. Hire purchase, open marketing, and advertising have created many opportunities for law-breaking. I think that the involvement of that part of the community in crime prevention will have to go beyond employing store detectives, television cameras and occasional prosecutions.
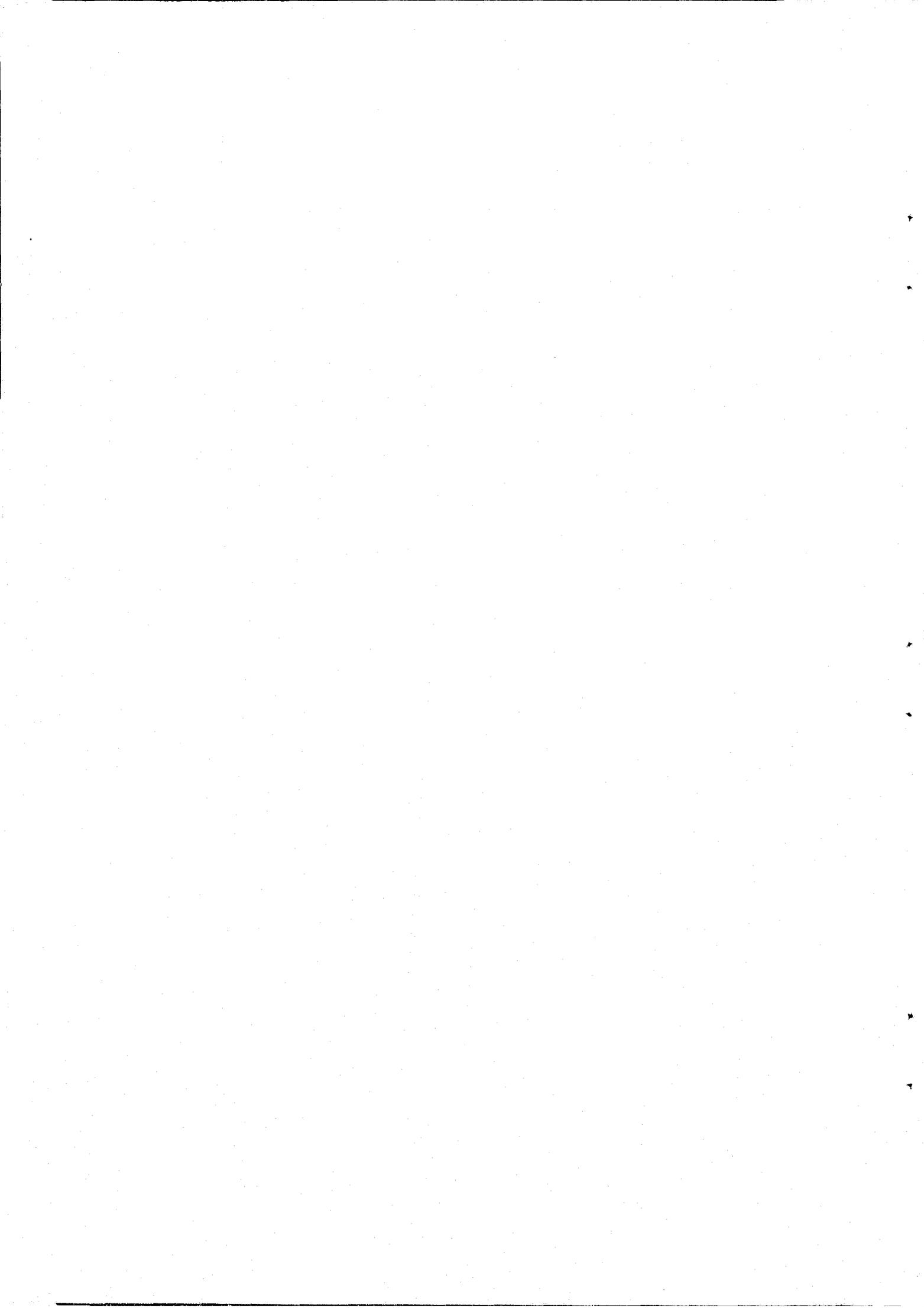
THE SECURITY INDUSTRY:
PROBLEMS OF CONTROL AND RESPONSIBILITY

D.G.T. WILLIAMS

> 'The existence of the security industry has, by the 1970s, become
> an established fact. Even the striking manifestations of its
> work, such as uniformed security guards and armoured vans, have
> been accepted by the public as part of the everyday scene. Yet
> for all that there is remarkably little public information
> about what the companies do ...' (McClintock and Wiles of the
> Institute of Criminology, University of Cambridge, 1972).

Self-help in the prevention of crime can hardly be regarded as a new pheno-
menon. Before the emergence of organised and efficient police forces, the,
enforcement of the law - from the prevention of crime to the prosecution of
crime - depended in no small measure upon the initiative of private individ-
uals. In theory nothing has apparently changed: the policeman, according
to accepted English doctrine, is merely a citizen in uniform possessing few
powers beyond those enjoyed by other people[1]. But as early as 1885 Maitland
wrote that it 'may seem to us a matter of course that there is a large body
of policemen, highly organised on a military plan, paid to maintain order,
detect crime and arrest offenders,'[2] and in a fairly recent English case on
the law of search it was pointed out that, in contrast to the eighteenth
century, 'there are throughout the country regular police forces whose
officers are charged with the duty of preventing and detecting crime.'[3]
From the mid-nineteenth century there have been many instances of legislat-
ion and judicial pronouncements which have had the effect of enhancing the
role of the police and reducing the role of private people in matters of
law enforcement. A steady expansion of police powers is especially evident
in the law of arrest. In many other areas there are differing interpretat-
ions about the role of private people in law enforcement: the right of
private prosecution in England was described by a Government Minister in
1974 as 'a cherished right'[4] whereas an appellate judge observed in 1968
that the process of prosecutions brought by ordinary citizens 'is becoming
regarded with increasing disfavour in this country.'[5]

In pursuance of apparently deliberate policy the courts in several jurisdict-
ions have, in interpreting legislation or adapting the common law, tilted
the balance in favour of the police and against the ordinary citizen. The
policeman is seen as deserving special protection because of his special
responsibility in law enforcement. In recent English cases involving charges
of assaulting the police there has been some reluctance to deprive him of
this protection even where he has marginally exceeded his powers;[6] and it
has been held in both England and Australia, in relation to English and
Victorian legislation, that a person could be convicted of assaulting the
police even if he was totally unaware that the victim was a constable.[7] In
the United States there has been an inroad into the common law rule that a
person who is illegally arrested may use reasonable force to effect his
escape: in New Jersey, for instance, it has been held that when a police
officer 'makes an arrest, legal or illegal, it is the duty of the citizen to
submit and, in the event the seizure is illegal, to seek recourse in the
courts for the invasion of his right to freedom.'[8] The citizen in such cir-
cumstances must know or have good reason to believe that he is resisting an
authorised police officer and his right of self-defence would doubtless re-
vive if the officer used unreasonable force in making the arrest. Otherwise

there is a duty to submit and this departure from the well-established rule at common law has been justified upon the ground that the concept of self-help is in decline. Self-help, declared Conford, S.J.A.D. in New Jersey, 'is antisocial in an urbanised society. It is potentially dangerous to all involved. It is no longer necessary because of the legal remedies available.'[9] Such a judicial approach represents in perhaps an extreme form the tilting of the balance in favour of the police, and it is unlikely to be followed - at least in the near future - by courts or legislatures in most American states, the United Kingdom, Australia, New Zealand or Canada. Yet it reflects a narrowing of the scope of self-help allowed to private citizens in all common law jurisdictions in recent times.

The English law on offensive weapons under the *Prevention of Crime Act* 1953 illustrates the relatively weak position of the private citizen nowadays.[10] The Act makes it an offence to carry an offensive weapon in a public place without lawful authority or reasonable excuse. There is no definition of either 'lawful authority' or 'reasonable excuse' and it has been left to the courts to determine the circumstances, if any, in which a private citizen may carry an offensive weapon for the protection of property or of the person. In *Evans v Wright*[11] the defendant claimed that he carried a knuckle duster and a truncheon in his car so as to guard against possible robbery attempts when he collected the wages for employees; he failed in his defence of reasonable excuse because he was not collecting wages at the time of the arrest and the last occasion for collection had been a few days earlier. The same defence failed in the Scottish case of *Grieve v MacLeod*[12] where an Edinburgh taxi driver claimed that the rubber cosh found in his cab was carried as a protection against assaults at night. In the more recent English case of *Evans v Hughes*,[13] however, the Divisional Court of the Queen's Bench Division accepted the justices' finding of reasonable excuse where the defendant, who had been found in possession of an iron bar, explained that he had been carrying the bar for self-protection as a result of having been attacked by three men about seven days' earlier. Lord Widgery, C.J., who saw this as a borderline decision by the justices, said

> 'that it may be a reasonable excuse for the carrying of an offen-
> sive weapon that the carrier is in anticipation of imminent
> attack and is carrying it for his own personal defence, but what
> is abundantly clear to my mind is that this Act never intended
> to sanction the permanent or constant carriage of an offensive
> weapon merely because of some constant or enduring supposed or
> actual threat or danger to the carrier. People who are under
> that kind of continuing threat must protect themselves by other
> means, notably by enlisting the protection of the police, and in
> order that it may be a reasonable excuse to say, "I carried this
> for my own defence", the threat for which this defence is requir-
> ed must be an imminent particular threat affecting the particular
> circumstances in which the weapon was carried.'[14]

What is the legal position, then, in relation to security guards entrusted with the carriage of wages or other valuable property? Private security guards in England apparently no longer carry licensed firearms in the per-formance of their duties, chiefly, it seems, because of a controversial in-cident in East London some years ago when a guard shot and wounded a bandit attempting to seize a van containing £122,000.[15] The use of noxious sprays has also been abandoned.[16] But, according to a statement made in 1972 by the director of one of the largest security companies, the crew of an arm-oured vehicle engaged in transporting cash would normally be equipped with truncheons, hard helmets and anti-ammonia vizors.[17] There is no express

legislative sanction for the carrying of truncheons. The justification, if any, would presumably have to be sought under the umbrella of 'reasonable excuse' in the *Prevention of Crime Act*. Much depends upon the flexibility of Lord Widgery's phrase, 'an imminent particular threat.' It is tempting to suggest that the growth of organised crime at the present day has created a clear and continuing threat of armed attack; but the difficulty of acknowledging the right of private security guards to carry truncheons almost as a matter of course is that one might be logically and even morally obliged to accord a similar right to those who live or walk in fear of life or limb in violent and crime-ridden areas. The difficulty could be avoided by providing legislative sanction, rules and safeguards for the arming of private security guards in defined circumstances. To date the matter has not been directly tested in the courts. A recent prosecution was undertaken in a somewhat different context where security guards on duty at ballrooms in the Isle of Wight were armed with truncheons. At the Crown Court three guards were each fined £50 on charges under the *Prevention of Crime Act,* and the trial judge strongly criticised the company which employed them for issuing the weapons: 'We know what happens in other countries where people carry weapons. In the United States, for example, they appear to shoot one another like people in this country shoot rabbits.'[18] The convictions were affirmed in the Court of Appeal where Megaw, L.J., while conceding that there might be cases where there was a reasonable excuse for carrying offensive weapons, emphasised that employers and employees should not regard them as routine or as 'part of the uniform.'[19]

Although the convictions were upheld in the Isle of Wight case - *R. v Spanner, Poulter and Ward*[20] - the fines were reduced on appeal from £50 to £5, perhaps as a recognition not so much of the novelty of the charge as of the novelty of the circumstances of the charge. The courts have had little opportunity of considering the problems raised by the rapid growth of private security companies during the postwar years. Outside the courts, it is true, particular aspects of private security have from time to time become the focus of public attention. A recent example was the use of a security company rather than the police to guard immigrants detained at ports of entry.[21] The police themselves have expressed anxiety about the activities of security companies: the Chief Constable of Lancashire, for instance, stated in 1970 that he was 'greatly concerned about what I see as the growth of private police forces in the form of security organisations who are not responsible to any form of control from central nor indeed local government',[22] and the chairman of the Police Federation commented in 1971 upon the fact that some functions which strictly ought to be performed by the ordinary police were now entrusted to the security industry.[23] McClintock and Wiles have pointed out 'that it is no longer possible for the research worker concerned with studying crime or with issues relating to prevention and law-enforcement to ignore the work of the security companies. It is clear that their activities today play a significant part in the efforts of society to combat criminality.'[24]

THE PROBLEM OF DEFINITION

In seeking to discuss the security industry in general terms one is reminded of an opening remark by Lord Radcliffe in a House of Lords case concerning an obscure area of the royal prerogative: 'As we know only vaguely what this prerogative is and have even vaguer information as to when and on what occasions it has been asserted throughout history, I have become more and more uncertain what it is about which, really, we are talking.'[25] The term 'private security' is vague and doubtless means different things to different people; the 'security industry' has been described as 'a heterogeneous and

ill-defined grouping',[26] and the diversification of functions among the several hundred so-called security companies or firms in the United Kingdom is both considerable and uncharted. There is no system of official licensing or registration of security companies and no limits, save those imposed by the ordinary law, as to the functions which may be undertaken. Some degree of regularity has been introduced, however, by the creation of a trade association which was formed as a company limited by guarantee in 1967. This is the British Security Industry Association Ltd. which is claimed to be representative of the security industry in dealings with the Home Office and the police.[27] Its membership is small and the vast majority of small companies do not belong, but it has been estimated that in 1971 the B.S.I.A. represented 90% by volume of business of the security industry in the United Kingdom.[28] Members of the Association would appear to regard the expression 'security industry' as covering 'those companies and firms whose main activity is the provision of products or services which will give their customers some form of protection against theft of their assets',[29] and it was stated in 1972:

> 'By 1970 the security industry of the United Kingdom, whose sales had been below £5 million a year in 1950, had become a substantial business with an annual turnover of about £55 million employing about 40,000 men and women of whom about 25,000 were engaged in the provision of services such as the guarding and patrolling of private property and the carriage of cash and valuables; the remainder are engaged in manufacture, maintenance and installation of equipment such as burglar alarms, locks, safes, strongrooms, safe deposits, cash-dispensers and so on.'[30]

That description of the nature and range of activities undertaken by the security industry is not unlike that given in the Australian context by a senior member of the New South Wales police:

> 'Security means much more than the locking of doors and windows, the conveyance of money and the collection and delivery of valuable property. These days security is big business and I am referring not only to the patrol services which are a common part of the scene in big cities, but also to such services and devices as document shredders, safes, alarms, armoured transport, communication equipment, bullet-proof glass, courier services, identification systems, private investigations into industrial espionage, and armed guards.'[31]

Broadly speaking it would seem that the security industry is designed to provide two main services on a commercial basis: physical security and manned security. Particular importance is attached in physical security to the proper provision of intruder alarm systems, and it is significant that the B.S.I.A. sponsored the formation in 1971 of a separate organisation called the National Supervisory Council for Intruder Alarms Ltd.[32] This body represents all members of the B.S.I.A. and many small companies outside the B.S.I.A. and is intended to provide a scheme of regulation and inspection which will take into account the views and interests of the subscribers who own or rent burglar alarms, the police, insurance companies, and the intruder alarm industry itself. It was only in 1916 that alarms were first installed commercially in the United Kingdom, and there are many technical and other difficulties which have not yet been resolved.[38] A constant source of irritation is the number of false alarms - in 1970 there were 90,866 false calls in the Metropolitan Police District[34] - but the police recognise the desirability of retaining and improving intruder alarm systems as a means of

crime prevention. A senior officer of the Metropolitan Police has accepted that the 'traditional role (which has never been satisfactorily evaluated anyway) of the patrolling policemen in "trying padlocks" and "leaning on doors" could not be effective in today's urban areas; premises at risk have increased and have become more inaccessible to the policeman.'[35] Physical security is not only a question of burglar alarms, of course, and there is doubtless ample room for technical improvement in such areas as the provision of satisfactory locks and the building of strongrooms. The British Lock Manufacturers' Association and the Master Locksmiths' Association are in fact associate members of the B.S.I.A. Physical security is also closely allied to manned security. An adequate alarm system, for example, may permit a big reduction in the financial commitment involved in the employment of security guards; and the security companies principally concerned with manned security often act, as do the ordinary police, in a consultative capacity as to methods of protecting property and the installation of appropriate equipment.

The provision of manned security is a wide-ranging function of the security industry. The employees of companies concerned with manned security are the 'front men' of the security industry, in contrast to the 'back-room boys' engaged upon intruder alarm systems and other equipment. It has been stated by Sir Ranulph Bacon[36] that the types of manned security offered include the transport of cash (especially the carriage of wages from the bank to the factory and the collection of takings from shop to bank); static guards or mobile patrols for the supervision of premises (it was estimated in a book published in 1970 that there were some 130 private watching companies listed in the telephone directories of the six State capitals of Australia);[37] special delivery services (including parcel-carrying work in virtual competition with the Post Office); the H.E.L.P. service (which is the Haulage Emergency Link Protection designed in particular for the protection of the long-distance lorry driver); racehorse and aircraft guarding; special assignments (which include 'one-off jobs' such as guarding an art exhibition or providing bodyguards for film stars); wide consultative work extending beyond physical security to advice on traffic arrangements and the installation of loading bays; and a variety of investigative work including the provision of skilled store detectives on request. This list would have to be extended if account were taken of the activities of many smaller companies and firms which have, for instance, offered assistance in the eviction of 'squatters' or students involved in sit-in demonstrations, the policing of large open-air 'pop' concerts, and, as we have seen, the supervision of dance halls. The range of activities of all security companies will also vary in response to changing demands and improved methods.

Apart from recognising the open-ended nature of the services offered by the security industry in relation to both physical and manned security, it has to be borne in mind that private security is by no means a problem which has to be faced by commercial security companies alone. Private householders, offices, businesses, universities, and many other institutions and bodies have their own methods and measures of protection. Security guards, watchmen and store detectives are frequently employees of ordinary commercial organisations, though sometimes working in close conjunction with or seeking the advice of the police and security companies. Most employees will have some incidental concern with security, ranging from the locking of doors and the securing of windows to the filing of confidential documents and carrying money or other valuables from one place to another. The different methods and aspects of security seem to have multiplied in recent times, partly no doubt because of the increase in criminal activity and partly perhaps because they provide their own momentum upon the old principle that 'one thing leads to another.' Other factors might include the stricter requirements imposed

by insurance companies, the growth of big business and large organisations, and the greater mobility available to people in all walks of life. The pressure upon ordinary people and institutions is such that they are often only too ready to recruit outside assistance through the commercial security companies. In effect the security industry has arisen to cater for the overspill in private security over the years.

In seeking to identify the functions of the security industry, a total or partial distinction also has to be drawn between security companies and other people or organisations engaged in allied activities. A total distinction applies in relation to the ordinary police, the security services and other bodies concerned with counter-espionage and the general protection of government property, and specialist police forces set up under statutory authority with powers which are restricted territorially.[38] Only a partial distinction applies in relation to such bodies as debt-collection agencies and private investigation agencies. Even the larger security companies in the United Kingdom will undertake investigative functions in some areas, but they apparently 'do not deal in evidence in divorce cases or in enquiries exuding a political flavour.'[39] Smaller security companies may be less inhibited. The activities of private detectives, insofar as they can be classified as a separate group, were recently investigated by the Younger Committee on Privacy which reported in July 1972.[40] The Committee had in mind 'the man who is, in popular parlance, a "private eye". We do not use the term to cover floor walkers, store detectives, security guards, night watchmen, solicitors' clerks, social workers, accountants or journalists.'[41] In examining and formulating proposals for a system of licensed private detectives, the Committee both looked at experience abroad and, in this passage alone, revealed some of the difficulties of terminology:

> 'We were interested to discover that some form of licensing of
> private detectives - including private security guards and in-
> vestigators who would not perhaps be thought to be covered by
> the words in this country - is in force in Austria, Italy,
> Spain, parts of Switzerland, three provinces [sic] of Australia,
> six provinces of Canada and 28 American states.'[42]

One of the statutes in force in Australia - the *Commercial and Private Agents Act* 1972 of South Australia - provides for licensing and control under separate categories of commercial agents (concerned, for example, with debt-collecting), inquiry agents (concerned commercially with information about people, obtaining evidence for the purpose of legal proceedings, and searching for missing persons), loss assessors, process servers, and security agents and security guards. A security agent is defined as 'a person who, for monetary or other consideration, performs the function of guarding property or keeping property under surveillance' and a security guard is someone in his employment or acting on his behalf. It is not altogether clear to what extent broader-based and diversified security companies would be affected by such legislation, but some at least of the functions associated with security companies would clearly be covered. Proper regulation of private investigators, whether or not acting under the guise of a security company, is surely desirable and is long overdue in the United Kingdom: a member of Parliament complained in the late 1960s that 'there is no one available to keep an eye on the "private eye".'[43] There have been several instances of late where private investigators have come into conflict with the law, and prosecutors have not hesitated to bring the law of conspiracy into play. In 1969 two enquiry agents were convicted of conspiracy to effect a public mischief in connection with attempts to trace missing debtors by impersonating Inland Revenue officials;[44] in 1971 two private detectives, who

had sought to obtain evidence for a divorce case by installing and using unlicensed radio transmitters, were convicted of conspiracy to contravene the *Wireless Telegraphy Act* 1949 and of conspiracy to trespass;[45] and in 1973 the Court of Appeal considered the prosecutions for conspiring to effect a public mischief brought against several defendants involved in an investigation agency which had secured information on behalf of clients from banks, building societies, government departments and local authorities.[46] Such cases reinforce the view of the South Australian Attorney-General who, in urging support for the Commercial and Private Agents Bill, declared that it was 'clearly a matter of grave public concern' that those who operated in the categories covered in the proposed legislation 'should meet high standards of personal honesty, restraint and discretion.'[47]

THE PROBLEM OF STATUS

The law accords no special powers or privileges to security companies. The officers and employees of these companies, whether employed on guard duty or as private investigators, have the same powers of arrest and search as ordinary private citizens.[48] In proposing a licensing system for private detectives the Younger Committee was anxious lest there should be any public misapprehension about the effect of a licence, stating that it was 'firmly opposed to any idea that private detectives should have any legal powers not enjoyed by other citizens.'[49] The South Australian legislation of 1972, which extends to several areas of security work, expressly provides (in s. 31[1]) that a licence 'does not confer upon an agent any power or authority to act in contravention of, or in disregard of, any law or any rights or privileges guaranteed or arising under, or protected by, any law.' Irrespective of any particular legislation, British governments have on many occasions emphasised both the absence of any special authority and the desirability of maintaining that position. In March 1911 the Home Secretary (Winston Churchill), when asked in the House of Commons about the practice of employers' associations of using private police during strikes and lock-outs, accepted 'that one or two firms of printers in London are now employing watchmen who are not constables to guard their works'; but he declined to consider swearing in such people as special constables upon the ground that that would increase their powers.[50] The Home Office took a similar attitude in 1970 in relation to security guards generally, the assertion being that they 'provide services which are supplementary to those of the police, but they have no rights other than those of any citizen under the law.'[51]

But the absence of authority is one thing, the appearance of authority is another. Many security companies nowadays supply their employees with uniforms, and it has been claimed that some of these are 'almost identical' to police uniforms.[52] The B.S.I.A. in the United Kingdom is fully aware of the problem, but, as we have seen, the great majority of the smaller security companies do not belong to the Association. Prosecutions do sometimes occur. In the recent South Australian case of *Schroeder v Samuels* the appellant, who was a licensed bailiff and enquiry agent, was charged under s. 27(1) of the *Police Regulation Act* 1952-1971 which provides against the wearing of a police uniform or representing oneself as a police officer. The charge was one of representation. A case directly concerning uniforms was *Turner v Shearer*[53] in England, where the respondent had been charged under s. 52(2) of the *Police Act* 1964 which makes it an offence to wear 'any article of police uniform in circumstances where it gives him an appearance so nearly resembling that of a member of a police force as to be calculated to deceive.' The Divisional Court held that the phrase 'calculated to deceive' meant 'likely to deceive' and it was accordingly no defence

that the respondent did not intend to deceive. He had been seen in the High
Street of Southend-on-Sea dressed in a black cap, a blue shirt with rolled-
up sleeves, black tie, black shoes, and black police trousers from which
there hung a truncheon strap; the cap, shirt and trousers were ex-police
uniform though they had been purchased legitimately. It appeared that he
was representing himself as 'Thames Security Services' but at the same time
there was found to be a likelihood that members of the public would take him
to be a police officer. Shaw, J. said that s. 52(2) - as opposed to s. 52(1)
which provides for more serious circumstances where there is an intent to
deceive - is appropriate for 'the kind of case where a person, perhaps with
lack of forethought, or for some mistaken motive, perhaps failing to realise
the impression he is creating, decks himself up in articles of clothing
which in fact cause other people to think that he is a police officer because
he is dressed like one.'[54] Such a ruling will doubtless be examined with
care throughout the security industry, bearing in mind the fact that s. 52
is relevant only to possible confusion with police uniforms. There is no
general prohibition against uniforms as such in the United Kingdom, except
that s. 1 of the *Public Order Act* 1936 makes it an offence for a person in
any public place or at any public meeting to wear a uniform signifying his
association with any political organisation or with the promotion of any
political object.[55] Few prosecutions have occurred under the provision, but
in the light of the enormous increase in the number of uniformed security
guards its continuing constitutional importance needs no explanation. Once
again the reputable security companies must be aware of the delicacy of the
problems raised by the issue of uniforms to their employees. What may be
appropriate for the guarding of property at night or the escort of cash in
transit may not be acceptable in the preservation of order at a large public
gathering.

There is an undoubted ambiguity about the status of security companies. It
is reflected in the uncertainty of the law concerning the carrying of offen-
sive weapons. It is reflected also in the attitude both of the police, who
are doubtful whether security companies are allies or rivals in law enforce-
ment, and of the general public which has observed the mushrooming of secur-
ity companies in a remarkably short space of time. Those who have raised
the spectre of 'private armies' emerging on the British scene by default
have met with little sympathy on the part of the Home Office, however, and
throughout the 1960s Home Secretaries consistently took the line that they
were not 'at present' persuaded of the need for any legislative intervention
to regulate security companies.[56] The larger security companies for their
part have been at pains to stress that their role is merely supplementary or
ancillary to that of the police and that they are meeting a need which the
police are incapable of satisfying.[57] It would certainly be unrealistic,
given the 'chronic shortage of manpower'[58] which police forces so often suf-
fer from in modern conditions, to expect the police to take over the funct-
ions now performed by security companies. It is questionable, however,
whether the Home Office's policy of legislative non-intervention should con-
tinue.

THE PROBLEM OF ACCOUNTABILITY

The security industry has an important part to play in the enforcement of
the law. Yet security companies owe no public responsibility akin to that
owed by the ordinary police. The police are subject to some element of pol-
itical control through central government, of local control, of judicial
control, and - by virtue of normal publicity in the press, of statutory pro-
visions relating to complaints, and of legal actions for compensation - of
public control. Despite any inhibitions imposed by official secrets or

or public records laws, much is known of the day-to-day activities of the police. By contrast little is known about the security companies, especially those outside the B.S.I.A. Concern has been voiced about methods of recruitment, methods of training, and the functions which will be undertaken. The reputable companies have doubtless taken the greatest care to avoid, for instance, the recruitment of people with a serious criminal record and to avoid the danger of any link-up between their employees and criminal organisations. But there has been relatively small independent research work into the rules, practices and conventions of the security industry. It has been argued that the need for greater facilities for the research worker can be justified on three main grounds: 'public responsibility and accountability; the need for completeness in coverage in criminological studies; and the advantage of feed-back from independent research to those responsible for crime prevention or control in both the public and private sectors.[59] Something has already been achieved by the publication of books - such as *Practical Security in Commerce and Industry* by Eric Oliver and John Wilson (2nd Edn., 1972; Gower Press. U.K.) and *Security (Attitudes and Techniques for Management)* edited by Noel Currier-Briggs (1968; London: Hutchinson & Co. (Publishers) Ltd) - and by the publication of the proceedings of conferences such as *The Security Industry in the United Kingdom* (papers presented to the Cropwood Round-Table Conference July 1972, edited by Paul Wiles and F.H. McClintock; Institute of Criminology, University of Cambridge, 1972) and *Security in the Seventies* (papers presented at Adelaide, 16 May 1973; Productivity Promotion Council of Australia [South Australian Branch Committee]). At the meeting in Adelaide, the Attorney-General of South Australia paid tribute to the work of the Security Institute of South Australia - which is concerned with information, liaison and training in the field of security - and went on to say:

> 'The work of the private security services, whether as separate
> organisations or as parts of organisations devoted to other
> activities, is an important service to industry and commerce
> and has very wide and far-reaching effects upon the public
> generally and upon the public interest.'[60]

It is precisely these effects upon the public and the public interest, however, which require fuller and independent investigation. Private security is no longer a narrow concern of individual people and bodies; it is, as we have seen, big business and has become one of the most important features of major areas of crime prevention in both Australia and the United Kingdom. Crime prevention is in itself part and parcel of the maintenance of law and order in our society, and it is surely a matter of public concern when it is undertaken - outside the direct supervision of the police and beyond the range of ordinary private citizens - by large commercial organisations, Efforts have already been made in some jurisdictions, including some states in Australia, to impose an element of regulation and licensing; but official enquiries and independent research could do much to explore certain outstanding questions which need to be faced at this stage in the development of the security industry. These include:

(a) Are the police to remain principally responsible for law
enforcement? The status of regular police forces and their
accountability to the public have been engineered over many
years and are still in the process of adjustment and adaptation.
If others are to compete in enforcing the law, it may be necessary to ensure that the primacy of the police is preserved by a
reconsideration of problems of police manpower and of the types
of responsibilities and functions which ought to be retained by
them. It may be regarded as constitutionally important that the

activities of security companies should be subject to the
direct or indirect supervision of the police.

(b) To what extent should the activities of security com-
panies and, indeed, many other aspects of private security
(including the protection of one's own premises) be made
subject to external regulation and control. What form of
regulation is desirable, and how far should the police be
directly involved? Should a system of complaints be pro-
vided for by statute akin to complaints procedures relating
to the police?

(c) What particular aspects of the work of security com-
panies need to be re-assessed from the standpoint of the
public interest? These might be the arming and the methods
of arming security guards in public places and on private
premises; the wearing of uniforms; the protection of pri-
vacy in relation to documents and records assembled by
security companies; the degree of cooperation between
police and those engaged in private security; and specific
areas of difficulty such as shop-lifting and industrial
espionage.

(d) What are the implications of entrusting law enforcement
to bodies of a commercial nature? The problem of vested
interests is not confined to the world of business, but it
would be unfortunate if the elaboration of security or fail-
ure to relax security where appropriate were to depend
principally upon commercial considerations.

Although much of the emphasis in this paper has been upon experience in the
United Kingdom and although there are significant differences between the
United Kingdom and Australia in such areas as the licensing of firearms, it
is unlikely that the fundamental issues raised by the growth of private
security will differ greatly. It may be that there is a danger of exagger-
ating the problems and underestimating the work which has already been done
by the security industry itself to ensure integrity and responsibility. At
the very least, however, the provision of more information is needed to
allay doubts which the growth of the industry has occasioned in the context
of constitutional accountability, civil liberties, and the proper administ-
ration of the crimin 1 law.

Footnotes:

1. See the Report on the Royal Commission on the Police, Cmnd. 1728 of 1962, paras. 30-31.

2. F.W. Maitland, *Justice and Police* (1885) at 105.

3. *Chic Fashions (West Wales) Ltd* v *Jones* [1968] 2 Q.B. 299, 316.

4. House of Commons, Standing Committee B, Tenth Sitting, 17 January 1974, c. 472 (Cinematography and Indecent Displays Bill 1973).

5. *R.* v *Metropolitan Police Commissioner, ex p. Blackburn* [1968] 2 Q.B. 118, 149.

6. See e.g. *Donnelly* v *Jackman* [1970] 1 All E.R. 987; *Squires* v *Botwright* [1973] Crim. L.R. 106.

7. See Smith and Hogan, *Criminal Law* (3rd Edn, 1973), at 293-94; Colin Howard, *Australian Criminal Law* (2nd Edn, 1970), at 372-73.

8. *State* v *Mulvihill* 270 A.2d 277 (1970), at 280 (S.C. of New Jersey). See also, Paul G. Chevigny, 'The Right to Resist an Unlawful Arrest' (1969) 78 Yale L.J. 1128.

9. *State* v *Koonee* 214 A.2d 428 (1965) at 436 (Superior Ct. of New Jersey, App. Div.).

10. See Smith and Hogan, *op. cit.* at 317-22.

11. [1964] Crim. L.R. 466.

12. 1967 S.L.T. 70.

13. [1972] 3 All E.R. 412.

14. *ibid.*, at 415.

15. See *The Times*, 6 September 1965, at 6.

16. *The Security Industry in the United Kingdom* (1972) at 77.

17. *ibid.*, at 40-41.

18. *The Times*, 10 February 1973, at 26.

19. *Daily Telegraph*, 24 July 1973, at 17.

20. [1973] Crim. L.R. 704.

21. *The Security Industry in the United Kingdom* at 61.

22. *ibid.*, at 71.

23. *The Times*, 21 May 1971, at 2.

24. *The Security Industry in the United Kingdom* at 91.

25. *Burmah Oil Co.* v *Lord Advocate* [1964] 2 All E.R. 348, 362.

26. *The Security Industry in the United Kingdom* at 10

27. *Ibid.*, at 101-102.

28. *Ibid.*, at 69.

29. *Ibid.*, at 67.

30. *Ibid.*, at 67-68.

31. *Security* (the Australian Security Journal), Vol. 4, No. 5 (1972) at 6.

32. *The Security Industry in the United Kingdom* at 103-105.

33. *Ibid.*, at 19-23.

34. *Ibid.*, at 29.

35. *Ibid.*, at 30.

36. Sir Ranulph Bacon is the Director of Securicor Ltd, and the following information comes from his paper in the conference at Cambridge, at 39-43.

37. R.W. Harding, *Police Killings in Australia* (1970) at 187, note 9.

38. On specialist police forces, see *The Times*, 21 February 1962, at 11.

39. *The Security Industry in the United Kingdom* at 43.

40. Cmnd. 5012 of 1972.

41. Para. 456

42. Para. 446

43. House of Commons, Vol. 782, c. 1444

44. Cmnd. 5012 at para. 443.

45. *Ibid.*

46. *R.* v *Withers* [1974] 2 All E.R. 100.

47. South Australian Parliament, *Debate* 1971-72, vol. 4 (40th Parl., 2nd Session), at 3706.

48. See generally, cases relating to false imprisonment.

49. Cmnd. 5012 at para. 473.

50. House of Commons, Vol. 22, cc. 1862-63 (13 March 1911).

51. H.C., Vol. 805, cc. *413-14* (written) (5 November 1970).

52. [1973] 5 S.A.S.R. 198.

53. [1973] 1 All E.R. 397.

54. At 399.

55. See Williams, *Keeping the Peace* (1967) at 216 ff.

56. H.C., Vol. 751, c. *525* (written) (26 October 1967). See also, H.C., Vol. 656, cc. 1534-35 (29 March 1962).

57. *The Security Industry in the United Kingdom* at 39.

58. *Police Manpower, Equipment and Efficiency,* HMSO 1967, para. 3.

59. *The Security Industry in the United Kingdom* at 91.

60. *Security in the Seventies* at 4.
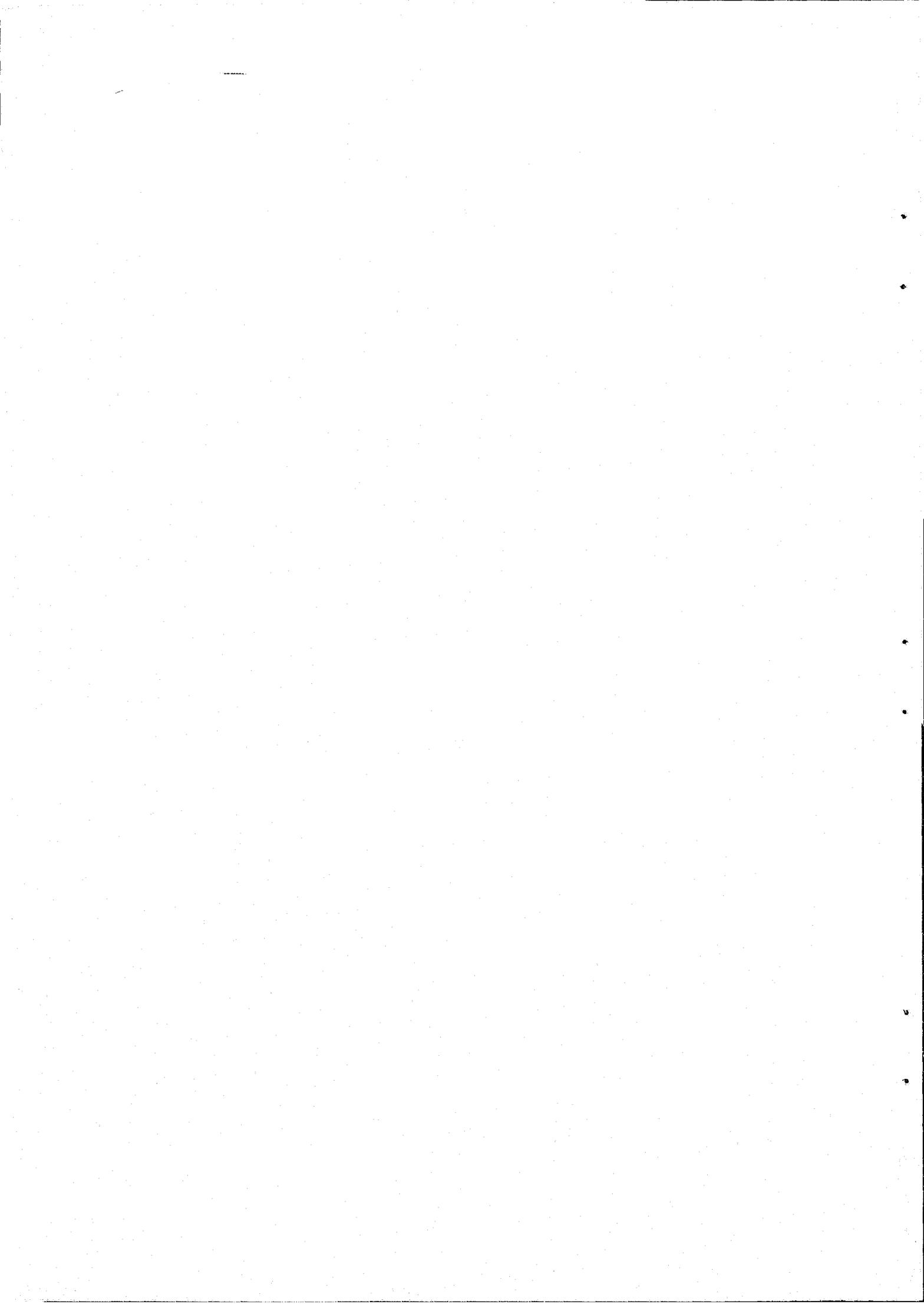
WHITE COLLAR CRIME
ITS IMPACT ON THE COMMUNITY

DETECTIVE SERGEANT J.D. ALLEN

There is on record a man named Ferguson who is regarded as having been one of the most glib and perhaps even the cleverest of all tricksters. His speciality was selling public property and some years ago he disposed of Nelson's Column in Trafalgar Square for a tidy sum. He noticed a credulous American tourist observing the monument, struck up a conversation with him, nominating himself as the 'Commissioner For Ancient Monuments'. As Trafalgar Square was to be modernised, he confided, the Nelson monument was to be disposed of by auction. However, should the American be interested, perhaps the Commissioner might just be able to arrange a private sale. The American later paid over the sum of $34,000 to Ferguson, in small denominations, 'in order that the antique trade would not be alarmed' and was more than satisfied to part with his money, having successfully beate⁀ Ferguson down from $40,000.

Ferguson's next victim was a gullible Australian squatter visiting New York. Ferguson relieved him of $40,000 in settlement for the sale of the Statue of Liberty. This naive gentleman had even gone so far as to contact the New South Wales Government as to a possible site for the Statue in Sydney Harbour. Upon his release, Ferguson leased the White House to a Southern 'cattle king' for 99 years and obtained the first year's rent of $4,000.

These matters, though serious in themselves, do give us cause to smile and indeed, they are humourous. Doubtless, the victims in these cases could probably suffer monetary loss far easier than they could the indignity of publicised gullibility and naivety. On the basis of this argument, I submit that it is not unreasonable to expect that the community at large regards fraud as being something less than real crime. However, on the contrary, I would stress that by its very nature, fraud is very real crime, perpetrated by individuals and groups of individuals whose cunning and guile far surpass that of the average man guilty of committing crimes in the commonly accepted sense. To the police officer investigating the complex frauds most certainly, in many cases, particularly company fraud, the identity of the offender is not the difficulty (though proving that before a court of law so often is) but elucidating the complexity of the fraud perpetrated and tying it to the accused represents the greater difficulty.

Thorstein Veblen in his *Theory of the Leisure Class*,[1] said: 'The ideal pecuniary man is like the ideal delinquent in his unscrupulous conversion of goods and persons to his own ends, and in a callous disregard of the feelings and wishes of others and of the remoter effects of his actions, but he is unlike him in possessing a keener sense of status and in working more far-sightedly to a remoter end'.

Many illustrations could be given as to the commission of frauds in big business. One such case in the United States involved senior executives of three of that country's largest corporations who misappropriated company funds to their own use. Following the disclosure of the defalcations none lost status within his own corporation and, indeed, one came to be regarded as a shrewd manipulator from his endeavours. 'This simply amounts to the general principle that a violation of the legal code is not necessarily a violation of the business code'.[2] Prestige is lost by violation of the business code but not by violation of the legal code, except when one

coincides with the other.

'The criminal businessman may be likened unto the professional thief, who feels contempt for the law, police, prosecutors and judges. Businessmen believe that the least government is the best unless of course, favours can be sought and gained from government, and in the main tend to regard the enactment of the law rather than the violation of it as the crime'.[3]

It has been pointed out that the professional thief and the criminal businessman paint two different pictures. On the one hand the professional thief regards himself as a criminal and is so regarded by the public at large. He seeks no public reputation and takes little or no pride in his reputation as a criminal. The businessman on the other hand regards himself and likes to be thought of as, a respectable citizen.

In 1933, whilst sentencing members of the firm of H.O. Stone and Company in Chicago for fraudulent transactions in real estate, the presiding U.S. Supreme Court Judge said, 'You are men of affairs, of experience, of refinement and of culture, and of excellent reputation and standing in the business and social world'. This summary would apply readily to most businessmen apprehended in violation of the law. Even when offending against the law and having been caught for it, they do not conceive of themselves as criminals.

In his text, *White Collar Crime*,[4] Edwin H. Sutherland says, 'While white collar criminals do not conceive of themselves as conforming to the stereotype of "criminals", they do customarily think of themselves as "law violators" ..... In their confidential relations businessmen speak with pride of their violations of law and regard the enactment of the law rather than its violations as reprehensible. Their consciences do not ordinarily bother them, for they have the support of their associates in the violation of the law ..... The public, likewise, does not think of the businessman as a criminal; that is, the businessman does not fit the stereotype of criminal'.

Perhaps the most important action recently brought as far as the businessman's point of view is concerned, was that by the people of the United States of America against the former Vice President, Spiro Agnew. Through a system of 'plea bargaining', in addition to the status of the accused and his accumulated wealth upon which he could readily draw in seeking the best representation available, it seems a great injustice came to pass.

The Tip of the Iceberg

In mid-1973, Associate Professor A.A. Congalton of the University of New South Wales Sociology Department and Mr J.M. Najman of the University of Queensland Sociology Department conducted a survey of 600 Sydney families, the major finding of which was that nearly two thirds of the crime committed in Sydney is never reported to police.

In support of the findings disclosed in this survey, Canberra can boast such a claim per capita, particularly in relation to fraud. It is easy to appreciate that as a small city, rumours, whether founded or unsubstantiated, take little time to circulate and policemen, being what they are, very often are not the last to hear.

Accordingly, we have become aware of certain matters which, in themselves, if reported to the proper authorities, would reveal perhaps far greater defalcations than the would-be complainant himself has discovered.

One may suggest that we have come a long way from the days of the common law and because of statutory predominance in the law nowadays, the more obtuse provisions of the common law are neither sought nor utilized. However, it is interesting at this point to deviate slightly and to explain the possible repercussions which could ensue from this neglect. Two common law provisions which, as I have said, are rarely implemented, are those entitled 'misprision of felony' and 'compounding a felony'. Both are common law misdemeanours and relate to the citizens' deliberate oversight in bringing criminal matters before the notice of the proper authority.

In the early days of the common law in England it behove every man to ensure the honesty of others with whom he was closely tied and from this situation, of course, we have come to learn of the 'hue and cry' which involved each citizen in the apprehension of a guilty party, and without exception. This situation ceases to exist today in that form, for obvious reasons. However, these laws have recently been held to be 'good law' and in this regard I cite a most recent decision from the Supreme Court of Victoria (recent from the point of view of time as to the existence of our laws). In *R.* v. *Aberg* [1948] 2 K.B. 173, it was suggested by the Court of Criminal Appeal that this offence was obsolete or had fallen into desuetude, but in *R.* v. *Crimmins* [1959] V.R. 270, the Supreme Court of Victoria held that it is a 'live' offence.

I can have nothing but praise for the businessman who, having discovered that a trusted employee has not only defrauded him of substantial monies but has, additionally, placed him in a position where, to report the matter to the authorities will inevitably cause him substantial embarrassment, comes to the police with evidence upon which a prosecution can be based.

In the matter of *R.* v. *Woolley* 1 Den. 559, 564, his Honour commented.

> 'It was once thought that the law was only for
> the protection of the strong and prudent. That
> notion has ceased to prevail'. He continued:
> 'Cases which come before the courts show that
> it is difficult to assign any limit to human
> credulity and if fools were not entitled to be
> protected from their folly, unscrupulous men
> would more easily come by what is not their own'.

It is reasonable to expect, knowing human beings as they are, that one, who because of his own greed, has not only subjected himself to the devices of the 'false pretender', but has also been humbled by his own gullibility, will be regarded in poor light by his peers and indeed, become the subject of some ridicule. With this in mind it is not unreasonable that most people, so situated, will refrain from coming forward with information upon which the police can formulate a prosecution and will instead, readily accept the loss, perhaps absorbing it into their business in some surreptitious way.

It is felt by many detectives whose tasks involve the investigation of fraud that this is a subject, a crime, which has long since come to be regarded as something less than crime. It is quite obvious that this is not confined to our own society; indeed other English speaking countries are faced with the same unfortunate outlook. I am not speaking only of attitudes in relation to generally accepted public and police thinking as regards this subject but to the penalties handed down by our courts in dealing with persons convicted of fraud.

To suggest that more serious crimes of a social nature do not exist would be foolhardy and indeed invite well directed criticism. However, too little regard is paid to penalising the man who, in most cases, is extremely intelligent, cleverly motivated and who, possessing substantial criminal guile, succeeds in depriving the citizen or the corporation of accumulated funds. In such an instance as this society attempts to balance the criminal, against a moral issue, endeavouring to seek some justification for lighter penalties, imposed in the inference of contributing factors which are in no way mitigating in the criminal sense.

Were it a murder that had been committed, any person other than the accused, who was in any way involved, would be indicted accordingly; Alternatively, were there no evidence in support of such action, the court, having regard even to this fact, would not reduce the penalty imposed on the guilty party. Such, however, seems not to be the case where fraud is concerned.

Additionally, and in support of this, can be cited numerous instances involving business executives where, having been caught out for defrauding the corporation, continue undetected because of the attitudes of the very people whom they have defrauded. Most of these examples to which one can officially refer are from overseas yet, we can cite examples even within this small community where such apathy on the part of the senior corporation executive, or board of directors, allows criminals to go at large. I cannot stress too firmly that fraud is indeed 'crime'.

Every day, business in one form or another creates new systems by which we will, by necessity, come to re-regulate our way of living; one such instance is that of the credit card system, an arrangement which will come into being in this country within the next few months. To the uninitiated, its advent may well represent a most desirable means of improving one's living standards. However, as far as the police are concerned, we are undoubtedly destined for a great increase in crime, regardless of the implementation of new and sophisticated security methods. As far as fraud is concerned, the false pretender is the most cunning of all criminals. Just as new legislation, however well intended or drafted, in most cases can, by interpretation or inflection, be swung in favour of he who stands in peril thereof: so the false pretender manipulates the 'foolproof' system to his own end.

In order to combat such crime, it is paramount that the legislators draft effective laws and amend the existing statutes wherever necessary. We must remember that the perpetrator of fraud is, for the most part, a clever, well educated criminal, (whether or not such education is of a formal nature or acquired by application on his part), a man practised in the art of deceit and who is more than well versed in those aspects of the law that directly pertain to him.

In corporate, or white collar crime, we as a community, come to accept the claim that professional people who are guilty of criminal acts are not so regarded. In fact, it seems to me that we are more inclined to use a bracket of tastefully acquired comments or cliches, some of which are, 'contravention of professional ethics', and 'guilty of professional misconduct'. I put it to you that the usage of such terms is a gross misnomer.

Offences committed under the Companies Acts, Securities Exchange and Crimes Acts are indeed more premeditated than are the more commonly accepted crimes of break, enter and steal, assault and larceny. In a recent address to a seminar in Sydney on corporate crime, Professor G.J. Hawkins of the Sydney University said that 'the amount of money involved in white collar crimes

far exceeds that involved in offences of burglary, larceny and auto theft, matters that we all get very excited about'. He went on to say that society has no real appreciation of white collar crime and that neither the white collar criminal nor the community regard the former as a criminal. This comment is, of course, supported by Sutherland in his work, *White Collar Crime*,[5]. He added that they believe that they have been careless, even unlucky, and in any case, everyone else in the business community is doing exactly the same as that for which they have been arraigned.

In the United States in 1961, the President of G.E.C., on indictment for corporate crime, in answer to the question, 'Did you realise that what you were doing was illegal?', said, 'Well, yes illegal, but not criminal'.

In the Scandinavian countries it seems that they tend to regard corporate crime as more serious than 'robbery' or 'armed assault'. The authorities in Norway, Sweden, Denmark and Russia, have stated that they will make examples of these people because of the fact that they are well educated and should therefore be expected to adhere to the letter of the law more so than the 'common man'.

At the seminar that I have already mentioned, Mr J. Ford, Q.C. a Crown Prosecutor in New South Wales, said that corporate crimes are complicated matters and a jury of unskilled people cannot give proper attention to such matters. He concluded by saying that perhaps a tribunal should be substituted in these cases.

In matters involving corporate or white collar crime restitution is rarely available to the injured party. In most cases, the damage is well done by the time the offence is discovered and deprivation of liberty seems to me to be the only answer. As to penalties for corporate crime, Professor D.E. Harding of the University of New South Wales, addressing the seminar said, that he could see no benefit in the legislators imposing stiffer monetary penalties as a means of stemming the flow of corporate crime. To increase a penalty from $1,000 to $10,000 in a matter involving $1m. in criminal 'rake-off' was absurd. Rather, should it be that the criminal be deprived of his profit. Additionally, of course, incarceration remains if only for its deterrent value.

Throughout history man has conceived not always ingenious ways by which he can acquire property by deceitful means and each country bears its own distinguishable scars. Herodotus, the Greek Historian tells us of the stone mason responsible for the construction of the stone treasury of Rameses III, who built a secret entrance through which he passed nightly to steal a portion of the royal treasury. The Bible itself evidences embezzlements by servants of their masters' resources and Aristotle, the embezzlement of funds by public officials.

The Government of course cannot remain immune and has, from time to time, fallen prey to the cunning, but oft crass stupidity of the faithless employee. Many examples could be cited but I do not intend to digress to them at this time.

Perhaps one of the most devastating revelations of recent times is that which involves the manipulation of computers. Again this is an extremely large area and could well embody a separate paper altogether. However, by way of interest I would like to demonstrate by example, methods that have been used in the past by devious individuals. When computers were first introduced in the United States commercially, an astute programmer in a

large bank noticed that interest on accounts was truncated, having been cal-
culated to the nearest cent. He adjusted the computer to allow the residue
to flow to his own account. In the meantime, the customers' accounts
remained in order. He was eventually caught when auditors noticed large
withdrawals from his account.

Upon receipt of a set of magnetically imprinted bank deposit slips a custom-
er dispersed his among those in general use at the bank. These were used by
customers throughout the day and all the deposits were paid to his personal
account. He closed the account the following day and disappeared with
$50,000 never to be seen again.

Between 1951-59 the brokerage firm of Walston & Co., was computer defrauded
by the siphoning of funds in the area of $250,000. By the time the theft
was uncovered the offender, who had transferred the monies to accounts in
both his and his wife's names, had risen to company vice-president. Records
indicated a purchase of stock from the two accounts; then he 'sold' this
supposedly purchased stock and pocketed the cash. He was caught when sus-
picions were raised following the withdrawal of a huge sum prior to the end
of the year - which would thus cheat the account of accrued interest. Of
interest in this case was the fact that had the accused been able to repay
the money, he would have been released conditionally. However, the court
determined that as this was not possible, he should serve 12 months in prison.

In 1968, a credit card fraud on Diner's Club cards resulted in a $1m. loss
to the company. A computer printout of real Diner's Club customers was used
to make up phony credit cards having real names and account numbers on blank
Diner's Club cards. The listing had been stolen in 1967 together with 3,000
credit cards and the thief was assassinated upon the scheme's discovery.

In the Equity Funding Life Insurance Case, that company had established a
total of 97,000 policies, 34,000 of which were non-existent and the remain-
der were concocted from falsified records. It seems that this became essent-
ial because of the company's financial failing and, naturally enough, these
fictions enhanced the firm's financial status, thus enabling it to make
advances to other firms, and to receive similar advances in return, such
having no basis whatever. The amount involved bordered on $3b. American,
thus making this the largest known computer crime yet on record.

Recently, a massive well conceived computer crime, also in the United
States, which received little press coverage here, was responsible for the
downfall of a number of legitimate companies and severe financial injury to
such eminent corporations as Wells Fargo and the First National Bank of
America. The fraud was exclusively perpetrated through the use of a com-
puter and originated from the selling of fictitious stock to other corporat-
ions who, in turn, pledged the *prima facie* value of the stock to their
shareholders, in terms of percentage reduction and similar advantage. In
essence, the stock was factually non-existent and ultimate discovery resulted
from a human error in judgement. Conservatively, this fraud involved some
$300 m.

In 1972 I was fortunate to be able to travel to Canada for the purposes of
extraditing a man for a series of substantial frauds. During the course of
my stay, my enquiries as to the regard had for corporate or white collar
crime in that country, only served to corroborate my own experiences in
Australia. I do, however, have some hope for the future; I look forward
to a complete change in attitude, one which will change the course of crim-
inal investigation, such occurring with the advent of the more complex and

intricate fraud with which we are coming to grips each day, and which requires specialisation of the police officer and a greater dependence on the system. This will, however, take time, perseverence and tolerance.

In the recent Sydney seminar which I have so often quoted, Mr Goldrick, S.M. summed up his paper with the following comments and I commend them to you one and all:

> 'The courts at all levels, will continue to
> function and to play their parts as best they
> can. I conclude, however, by suggesting that
> our society has hardly begun to comprehend the
> nature and extent of corporate crime let alone
> reached the point of realising that our attempts
> to combat it are at a very primitive level'.

Footnotes:

1 Thorstein Veblen, *Theory of the Leisure Class* (New York, 1912), p.237.

2. Edwin H. Sutherland, *White Collar Crime* (New York, 1949).

3. *Ibid.*

4. Sutherland, *op. cit.*, p.2.

5. Sutherland, *op. cit.*, p.2.
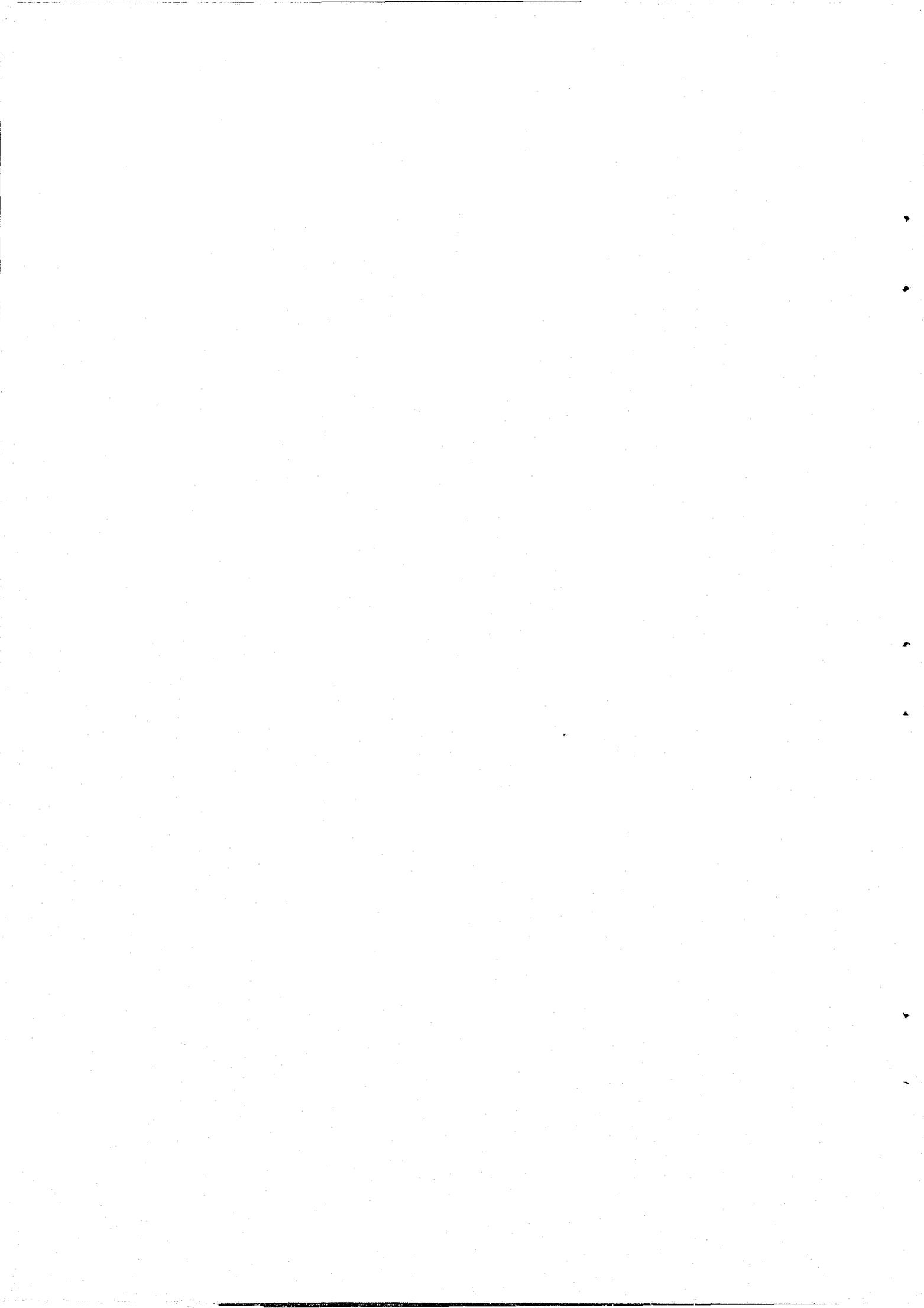
THE ROLE OF THE WOMEN POLICE

SERGEANT JOHANNA WENDLER

To offer some explanation of the role of a policewoman - which is not a
very publicised one - the initial reason for the employment of women in
this sphere is required. Researching into the history of policewomen would
indicate that the emancipation of women became more publicly known through
the work of Elizabeth Fry in 1813. Elizabeth Fry was not of course a police-
woman. She did however, visit, teach and occupy the women prisoners in
Newgate Prison, London. Through the publicity of her work and the demands
made by women campaigning for greater freedom and the right of dealing with
members of their own sex and with children who for various reasons came
under police attention, that proposals were strongly made that a few women
should be appointed to the police service.

It was not however, until the outbreak of World War 1, that women militants
had their way. In order to release more men for active military service, a
number of volunteer policewomen were appointed. So competently did they
carry out their duties that in 1916 an English Act of Parliament authorized
the permanent employment of policewomen in Britain.

The United States of America appointed their first policewoman, then called
a Police Matron, in 1845. Her duties comprised the searching of women
offenders and guarding them in cells. As time went by, these Police Matrons,
it was found, were using their initiative in counselling and guiding female
offenders in prisons. Detectives then began using them to assist when girls
or women were questioned and found - probably to their surprise - that women
could fit into this type of activity. Since those early days, employment of
women in law enforcement agencies has spread throughout the world.

There is some controversy as to which State in Australia appointed the first
policewoman. It was however in 1915. Through the following years to our
present time, policewomen in Australia have increased in numbers in cities
and towns according to their need. Many young women are attracted to the
field of police work, but certain qualifications are required before accept-
ance is assured. The educational and physical standards differ slightly in
each State and Territory of Australia.

Here in the Australian Capital Territory, the qualifications required of the
applicant is that she be at least 5'6" tall, physically fit, having attained
the age of 21 years and possess at least her School Certificate. Her char-
acter and conduct must be of a high standard. With these qualifications,
the prospective applicant appears before a selection committee and then sits
for an entrance examination. She must also meet the physical and health
standards of the Force and the Superannuation Fund. After being selected,
the applicant is appointed as a recruit, or probationary constable, for a
period of twelve months, after which period her appointment may be confirmed,
annulled or extended. She commences her initial training at the Recruitment
and Training Division at Woden. From the time of her appointment, a police-
woman accepts the same salary, the same powers, the same conditions of ser-
vice and entitlements as her male counterpart. Her basic training is under-
taken in a class-room atmosphere alongside male appointees, for a period of
sixteen weeks. Apart from learning the theoretical and practical approach
to police work, the laws involved, the physical aspect of body and mind

building during training, the two basic principles upon which police employment exists are learnt. Those two principles are firstly, for the prevention of crime and secondly, for the detection of crime. After completing the initial training, the policewoman then finds herself attached to the Women Police Section for a period of eight weeks. During this period she receives further training in applying the theory learnt to the practical everyday situations she will encounter during her career. She returns to the Recruitment and Training Division for a further four weeks during which period she is examined on the theory and on-the-job training she has received. From the time she is appointed as a recruit until she sits for her examinations, she has received a total of twenty-eight weeks training. She then stands alongside the male members with whom she has trained, to receive her Graduation Certificate. Following the Graduation Parade, a policewoman has the opportunity of entering into one of the many areas open to her within the structure of the Police Force. No matter whether she is selected to assist in the Criminal Investigation Division, the Traffic or General Duties Divisions, her main function is to deal with women and children, whether they be victims or offenders.

CRIMINAL INVESTIGATION DIVISION

Employment in the Criminal Investigation Division requires the policewoman not only to deal with matters of a criminal nature herself, but to assist male members in this Division when they receive a complaint from any woman or child. The policewoman's first function is to try and bring calmness to a distressed woman or girl, thereby enabling the victim to give coherent details of her complaint. It is the detail that must be gone into that women and girls usually find so hard to discuss with men. For instance, a young girl sometimes finds it impossible to tell a man about the things that another man has just said or done that are indecent or obscene. If she is going to tell anyone, she may tell a policewoman. The policewoman then commits the account to paper - a statement for court purposes. The policewoman then accompanies the young girl to the doctor to obtain medical evidence, if the complaint is one of assault, and at the same time give moral support to the victim and assist the doctor. Later in court, she assists the girl or woman appearing as a witness in this type of case. Here it is found, that witnesses are more afraid of offending against the court procedure and etiquette than anything else. An explanation of court proceedings helps these people considerably. Male members of the Criminal Investigation Division frequently prefer having a policewoman present when they are interrogating a female offender, and this is not necessarily for the protection of the offender, but quite often for their own protection should allegations of misconduct be later claimed by the offender. Searching a female is a job only a woman can do. She is more suited to search female attire. She has a greater appreciation of where, in a flat or house occupied by a female, illegal property may be hidden. Other fields in which policewomen are employed in the Criminal Investigation Division are to assist detectives by accompanying them to a night spot or licensed premises to see if the owner is illegally selling alcohol or permitting underage persons to sell alcohol on his behalf; often to act as a decoy in areas where several complaints have been received from young women who have been accosted by male persons and to answer dubious advertisements in newspapers to establish the legality of the employment offered to lure unsuspecting young women.

One of the more glamorous duties available from time to time to the policewoman is her attendance at Official Royal and Diplomatic Receptions. In the role of a 'guest' and accompanied by a detective, she has the opportunity at times of being personally involved, as it were, with the special visitor.

Her foremost duty of course, is to assist in maintaining surveillance upon the V.I.P.

Attachment of a policewoman to the Criminal Investigation Division offers her an opportunity of undertaking qualifying detective training. Detectives are trained to become specialists in investigating criminal matters. Today, it is not unusual to find women detectives investigating crimes of violence. I would say that a female victim, participant, or witness to crimes of violence is psychologically more relaxed and cooperative when she can discuss or volunteer her information freely and openly with a policewoman. A qualified woman detective usually finds herself attached to a Squad within the structure of the Criminal Investigation Division. It could mean an attachment to the Homicide Squad, the Drug Squad, the Breaking or Stolen Motor Vehicle or even the Surveillance Squad. Regardless of which Squad she may be attached to, she has the equal opportunity of entering whatever matter is assigned to her, at the very outset. It is very rewarding to examine crime scenes, conduct investigations, develop new leads, initiate surveillances and appear as a witness for a successful prosecution in court. Detective duties are both interesting and flexible. It is a challenge to one's ingenuity and imagination and there is also room for the well known feminine intuition.

THE WOMEN POLICE SECTION

In the Australian Capital Territory, the Women Police Section is attached to the Criminal Investigation Division. However, it is a section which functions whereby the policewomen attached to it have the scope of dealing not only with criminal matters but a large part of their duties involve dealing with young persons. It is a section whereby the policewomen can become specialists in handling children and young persons in need of care or protection by reason of being exposed to moral danger or bad associations or who are beyond parental control. The powers given by various Ordinances and Acts of Parliament designed to protect juveniles, that is, young people under the age of 18 years, are extensively used by the Women Police Section. The work of the Women Police Section is not classified as social work, but you might say we 'dabble' in it. We are not welfare workers, but we do work in close liaison with all types of welfare and social organisations and are the channel by which some cases are passed to such bodies as probation, education, welfare, health and social services.

Inquiries made by women police to locate run-away girls, who, we sometimes find, force us to take them before the courts, for they adopt the attitude that they will only run away again if sent home. Many times though, a talk with a girl, pointing out her status under the terms of the Child Welfare Ordinance, and how much better off she is with her parents, than roaming unhindered through the country on her own, will be sufficient. The reasons young girls give for having run away from home are many and varied. In the main, the girls are escaping parental supervision of their activities and associations, and these girls object to this and feel, even at the age of thirteen and fourteen years, that they should have full control and direction over their own lives. Some run-away girls have second thoughts about wandering, and present themselves at the police station and dramatically announce that they have come to give themselves up. They are often surprised when they are simply sent home with some good advice. With this type of girl, the community and government agencies assist greatly, as no police force has funds allocated for use in this field. Whilst waiting for parents to lodge fares for the return of the girls to their interstate homes, they must sleep somewhere and it is the organisations in the community who

nobly come to the aid of the police and the girls.

Sometimes when the girl's parents are not able to afford the fare for her return home, organisations have even paid for the girl's full fare to her home. Perhaps I could deviate for a few minutes on some of the organisations in the community who have been of great assistance, not only in assisting to re-unite a child with her parents, but with another type of case - the stranded woman with children and no funds for accommodation and food. Usually this type of case comes to the notice of police at the beginning of a weekend, when the government agencies handling such cases have closed. The woman and her children's needs are immediate. In each case when an approach has been made to the several organisations we have established here in Canberra, we have never been refused assistance. A special mention should be made of the Mary-mead Homes for Children, the Saint Vincent de Paul Society, the Salvation Army, the Smith Family and the Travellers' Aid Society.

Broadly speaking, the Women Police Section deals mainly with the problem society has named as 'juvenile delinquency'. I have heard a child delin-quent defined as 'one whose parents left it too late to start at the bottom'. Lack of parental control is a very big factor which leads a child to be de-clared 'uncontrollable'. In many cases parents have appealed to women police because of their own inability to control their children. This appeal, if no immediate solution is acceptable to the parents, is treated as a complaint, and the child usually appears before the Children's Court on an application that she be declared an 'uncontrollable child'. Number one priority in our work is to look after young people. We try constantly to prevent trouble, or to nip it in the bud, instead of being forced to take action after trouble breaks out. A lot of trouble we see is caused more by negligent parents than their so-called delinquent children. The same problems we have here in Canberra are seen in other parts of Australia to a greater degree. Canberra has a slightly unsettled atmosphere, which inevitably reacts on children, placing them in an insecure position, making them emotionally disturbed and often under no proper control by their parents. We are very familiar with the many ways this type of atmosphere finds expression in young people - unusually anti-social conduct with extreme hostility towards police or par-ents or both. Unfortunately, the parents of many of these disturbed child-ren make little or no effort to see that their children get the proper train-ing as they grow up. This is a big handicap to any child trying to grope his or her way to adulthood in the difficult world of today.

It is the responsibility of parents to teach and train their children in the home, long before they even enter a school. A school is not a substitute for parents. The problem of wayward children stems from the home in the greater number of cases. It is argued that children who grow up in slum areas or who have insufficient playgrounds or recreation facilities are often termed delinquents, due to economic conditions and principally poverty. This is not necessarily the cause, as two identical homes in poor areas produce totally different children - one law-abiding, the other criminal. If economic con-ditions were the cause, the identical homes should produce identical effects. The difference is due rather to home influences, that is, from the training, love and understanding given by the parents and the respect the children have towards them. The problems can most certainly be treated by the parents. Children not only get their names, features, food and clothing from their parents, they also get their characters, their morals and their habits. Parental discipline today appears to have undergone an extensive transform-ation. The emphasis upon uninhibited personality development bears inevit-able fruit.

Other phases of duties in which the Women Police Section specialise are the
follow-up inquiries in relation to reported missing persons; taking state-
ments for court purposes in respect of complaints received from women and
girls; the preparation or presentation of cases in court where women and
children have been apprehended for committing offences and inquiries and
observations in connection with a wide variety of general crimes, that is
stealing offences, frauds, sexual crimes and other offences. During the
period from 1 July 1973 to 31 December 1973 seven juveniles appeared before
the Canberra Children's Court on applications that they be declared 'uncon-
trollable'. During the same period seven juveniles also appeared in the
Children's Court on applications that they be declared 'neglected'. The
most prevalent offence involving juveniles during the same period of time
was that of shop-stealing. Eighteen juveniles appeared in the Canberra
Children's Court charged with shop-stealing from twenty-nine business pre-
mises in Canberra. As far as adult women offenders were concerned during
the same period of time, shop-stealing again was the most prevalent offence.
Twenty-six adult women appeared in the Canberra Court of Petty Sessions
charged with shop-stealing on forty-four occasions. Apart from the thirty-
two juveniles referred to as having appeared in the Children's Court, one
hundred and eight juveniles were spoken to by members of the Women Police
Section and cautioned about their behaviour, running away from their homes,
being on licensed premises and drinking, truanting from school and miscon-
duct generally, during the same period. One hundred and ninety-four state-
ments were taken from women and girls for court purposes in respect of com-
plaints received by members of the Women Police Section. One hundred and
forty-two follow-up inquiries were conducted in relation to reported miss-
ing persons. These figures were compiled from the Women Police Section of
the Australian Capital Territory Police Force where six policewomen were
attached at that time.

Every community has a sprinkling of people without kith or kin, or with mental
worries who favour the police for their outpourings or worries. Canberra
is no different. This type of person is not predominant among women, but
women do seem to approach the women police more than do men approach the
male members of the service. This again is not strictly police work, but
it certainly is a service and very often in collaboration with other depart-
ments something can be done for these people. On a yearly average one
female per month is escorted to Kenmore Mental Hospital in New South Wales.
A policewoman always assists with the escort of a female patient.

Another small aspect of our work is caring for the small ones lost on shop-
ping expeditions or just having strayed from home. Often considerable time
elapses before some parents contact police inquiring after their lost child-
ren. If the child is a nervous one, it can be very upset after spending
some hours with us, who are strangers to it. However, some children and
parents have found that police make good playmates and display a distinct
disinclination to leave us and often conveniently return to our temporary
custody on further occasions.

THE SAFETY EDUCATION SECTION

This Section comes under the control of the Traffic Division, and is
another area where women police are attached. Just like the male members
of the Force, they too control traffic outside a school where traffic is
heavier than usual and would endanger the lives of the children as they
cross the road to go to school. Few cities and towns have sufficient
officers, whether they be police, school crossing guards, traffic supervis-
ors or school teachers to cover all the necessary school crossings during

the time students would assemble for and be dismissed from schools. Protection of school children is however one of the most important functions of any police force. Women are by nature protectors of children and it has been accepted that women police performing duty in uniform on school crossings are serving an important need in this motorised age. Apart from the control of traffic on school crossings and guiding the children across the street, some countries have given women police the powers to issue on the spot traffic infringement notices to offending motorists and pedestrians. We have to date, not found it necessary in Canberra to issue traffic infringement notices during the course of school crossing control, after all the basic object is to get the children across the road safely. Our job in this field is not effectively done if we fail to gain the cooperation of parents and motorists.

Women police in the Safety Education Section also move into the different schools and lecture on some aspect of safety. The lectures cover nearly every type of hazard a child could encounter such as road safety, water safety, talking to strangers, safety with gas and electricity in the home and other dangers they could come up against. These lectures are conducted in pre-schools, kindergartens and primary schools. High schools are visited on request.

Duties are also performed at the Deakin Demonstration Centre. It is here that children are assisted in learning to ride bicycles correctly with care. The Centre is an enclosed area. It is kerbed, the asphalt roads are marked and the normal road signs and traffic controls are appropriately indicated. Children, with the assistance of members of the Safety Education Section learn, in practice, to control their bicycles and observe and obey road signs assimilated to normal conditions.

THE UNIFORM SECTION OF THE WOMEN POLICE

No doubt the policewoman in uniform often seen walking in the streets or patrolling in a car is more familiar, and her actual duties may have been observed more closely. She is in fact attached to the division of the Force referred to as the General Duties Division. Like its name, the members attached to it carry out a variety of duties. The greater part of their work however is confined to patrolling duties. A policewoman on patrol, whether she is 'pounding the beat' or driving a car, requires two important qualities – discretion and good judgement. Apart from giving her attention to unoccupied houses, shops, etc., where offences visibly observed may have occurred, (that is, broken windows, doors open, etc.), she must be alert to the behaviour of women and children. Checking certain areas frequently, such as boarding houses, amusement centres, cafes, and milk bars where young people gather are part of her routine patrol. Parks, playgrounds, dimly lit areas, hotels and dozens of other areas are checked throughout the tour of her patrol. When she is patrolling on foot she becomes the tourists' answer to accommodation, direction finding and many other difficulties tourists find themselves confronted with; she becomes the 'lost child's' friend and any victim's 'Samaritan'.

In some cities she can step on the road and disperse traffic congestions; divert cars from a road accident and afterwards continue with her patrol duties. The 'General Duties Policewoman' is not however confined to forty hours a week of patrol duties. Her inside duties consist of helping the members of the public with problems they wish to report to police – directing them to areas where their complaint can immediately be attended to or taking particulars of their complaint herself. Escorting women and/or children detained in custody to court; guarding female prisoners in custody in

the cells or the hospital and keeping their welfare under observation during their detention are also part of her duties. The taking of fingerprints from women offenders when directed, as well as monitoring radio calls from police vehicles on patrol form part of the duties that a 'General Duties Policewoman' performs.

In conclusion, I would like to clarify our role with regard to the apprehension of women and children offenders. From the figures quoted earlier, the number of cautions issued outweigh the number of arrests. Perhaps this can be better explained by looking at the attitude adopted by women police, particularly when dealing with juveniles. We would not for instance take a juvenile before a Children's Court for stealing a ten cent comic. Consideration and discretion is applied to determine what course of action will more effectively assist the juvenile found in these circumstances. Likewise female adult offenders frequently give impressions of having health, domestic or financial problems which sometimes are the basis on which they have committed offences. Again, due consideration is given to the offender and the nature of the offence committed before court action is considered.

Finally, I am of the opinion that women who are engaged in police work, regardless of the division they may find themselves attached to, have a most challenging avenue to travel concerning any assignment given, as I feel the general public looks upon any police force as a man's organisation. In this respect, the male members assuredly deserve the credit, honour and respect that has been bestowed upon them. Respect in law enforcement, as well as any other profession is an intangible item that women police officers must work for and strive to obtain. In law enforcement, the overall object - the protection and welfare of society - is paramount to all other issues. Nothing should interfere with this responsibility.
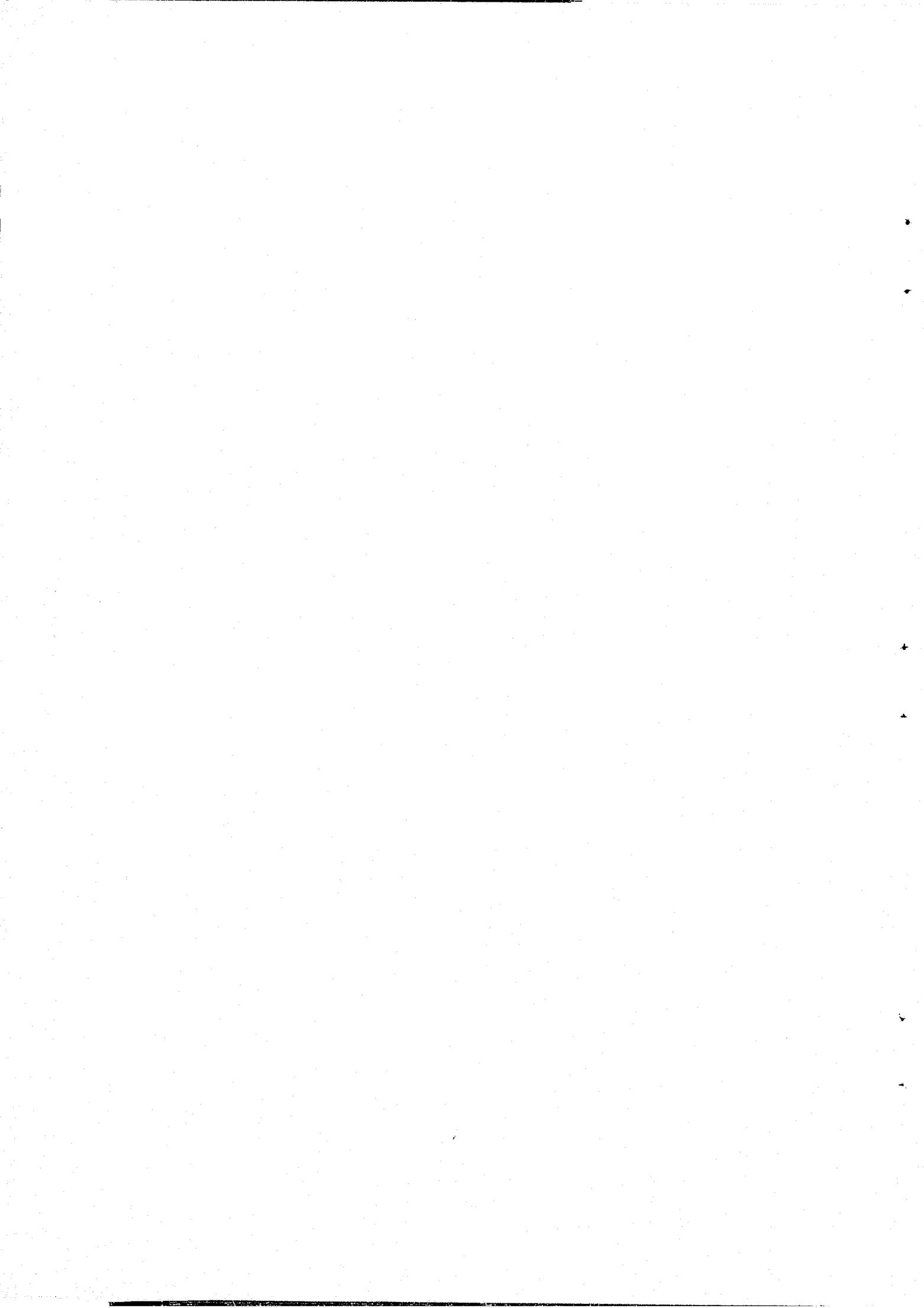
WILLIAM CLIFFORD

INTRODUCTION

Training Project No. 4 of the Australian Institute of Criminology took the
form of a seminar on the subject of 'Crime Prevention and the Community -
Whose Responsibility?'. The intention of the Institute in holding this
seminar was to focus attention on the role of the community in the preven-
tion of crime and to expose for closer examination some of the more familiar
assumptions that were made when the subject of community involvement was
under discussion. An attempt was made to obtain representation from all
walks of community life. This proved to be rather more difficult than at
first appeared but ultimately, the interests of police and private
security organisations, legislators and ex-offenders, women's organisations,
social welfare services, probation, parole and social work agencies, school
officials, teachers and students were all brought into the seminar. There
was one representative from India and one from Fiji. Finally, as a novel
feature of this training project the Institute invited the schools in the
Canberra/Queanbeyan region to send students and six high school students
participated in the seminar. There was, therefore, a fair cross section of
the social, professional, educational and general community assembled at the
Institute for the study of crime prevention and the community.

The programme for the seminar was not formulated until the exact constitu-
tion of the seminar was known. To ensure uniformity of treatment and con-
sistency in direction, one Visiting Expert was asked to be director of the
project, to produce keynote papers for each day's discussion, and to chair
the open sessions. Four consultants - one psychiatrist, one sociologist,
one educator and one lawyer were invited to conduct the four workshops
into which the seminar divided after each keynote address. However in
addition to these proceedings the Project Director took the opportunity to
involve different persons within the seminar with special expertise, or
whose opinion would be of special interest to other participants and by
varying this procedure day-by-day the open discussions tended to incorporate
most of the concerns and points of view represented at the meeting. Work-
shops were then used to achieve greater specificity and to encourage
detailed consideration of the subject matter.

As this report will show, the wide range of interests encompassed by the
seminar was moulded during the week in such a way as to achieve a remarkable
degree of consensus on the issues before Australia in its task of involving
the community in the prevention of crime and the treatment of offenders.
There were different perspectives to reconcile. The term 'crime prevention'
had different connotations. For some participants it referred primarily to
the practical measures necessary to ensure the cooperation of the public
in protecting their own lives and property. For others, this term encompas-
sed everything from effective child care and efficient education to a concern
for neighbours, minority groups and the reintegration and rehabilitation of
the offender. There were also different levels in the discussion of social
controls and social values; both subjective and objective criteria were
applied and the concepts ranged from individual and sub-cultural values to
those of the wider society.

The duration of the seminar was too short for all differences to be resolved but this was merely a reflection of the true situation in the wider society where such differences subsist and become obstacles or tacit dividers in the attempts to obtain the kind of community cohesion implied by community development. The value of the seminar was that in this very short period it proved possible to rise above these differences and to achieve a measure of understanding and cooperation, demonstrating that even if there were differences there existed an even greater concern for the future of the wider society. What follows therefore is a brief summary of the conclusions of the seminar and this is presented in advance of a full report (which would include all documents presented) in the hope that it will be of value to legislators, professional personnel and concerned citizens who are still struggling with the problems which confronted the participants in this seminar.

CRIME PREVENTION AND THE COMMUNITY - WHOSE RESPONSIBILITY?

The seminar began with an examination of the role of the community in crime prevention. It was thought that the term 'community' as well as the term 'crime prevention' presented problems because, in many urban areas, communities in the real sense of the word might not yet have been developed or may no longer exist. Urban centres presented a complex of sub-cultural situations within which it was not always possible to assume that because a neighbourhood group existed this would constitute a community. Cohesion, common interests and sufficient concern to act in unity were some characteristics of a community as understood in this connection and such bonds of social solidarity were not always evident in people occupying a common geographical area of residence or activity.

Whilst it was indisputable that the members of a society carried the final responsibility for crime, it was observed that the term 'community involvement' could be interpreted in many ways not always or necessarily beneficial to society. Lynching and mob violence were obvious examples of negative community participation which could aggravate rather than improve a situation of rising crime and deteriorating order. The violent repression of acts of violence by extremist vigilante groups or private security teams or, as is the situation in some countries, the carrying of firearms by people who feel the need for protection in what they consider to be a lawless society were other examples of community involvement which might be less than desirable.

There was really no problem about controlling crime if liberty were sufficiently restricted. Crime could be controlled by formal and informal restraints on individual freedom. In countries where liberty was tightly controlled by law and where law enforcement was strict there was generally rather less crime. Similarly, crime did not seem to be a problem in societies which were closely knit and group orientated with common standards in custom, religion or political ideology. Such societies remained relatively free of crime through community control. The community itself prevented crime by imposing conformity, inhibiting deviance, encouraging the status quo and discouraging extremes of individuality. Therefore the problem for modern cities, in the view of the seminar, was not to control crime but to control crime whilst preserving freedom.

In making urban communities responsible for crime, the cities may need to be replanned and reorganised to assist in creating the desired levels of community interest and community identity. It was fully appreciated that

community needs had not been overlooked by architects and planners in respect of shopping centres, schools, community centres etc. But such facilities did not necessarily create or foster communities in the sense of creating or fostering the kinds of cohesion needed to control crime and develop healthy, wholesome neighbourhoods or improved and integrated social life.

The 'shift to the cities' was discussed in some detail. Whilst there was some support for the view that people, especially younger people, moved to the cities to achieve anonymity and comparative freedom from the social constraints of more tightly organised smaller communities,there was concern about the possibility of this being generally true as a motive for the urban drift. The benefits of health services, education and work were mentioned as other inducements and the seminar felt that it was very important to decide for purposes of planning whether people liked to be private and undisturbed or whether they wanted to 'belong' and share with neighbours. Probably people wanted both privacy and a bond with neighbours, in a fine balance which planners would need to recognise and allow for. However, crime was likely to develop more from an excess of privacy and separation than from an excess of social involvement and people should be better informed on the dangers of isolation in urban areas.

On community standards there was a feeling that individuals would resist externally determined standards of conduct whilst standards which arose from within the community would usually be more acceptable. However, this was an assumption still to be vindicated by future research. It was thought that this question should be considered not only in terms of what the community needed but in terms of what the community would be prepared to accept. In the development of standards and the shaping of new societies it was observed that crime need not always be regarded as a negative phenomenon. Crime itself could be an important factor in the process of social evolution. Nevertheless it was clear that excessive crime producing fear, insecurity, and unjustly diverting the benefits of production could not be regarded as normal in any circumstances.

The subject of crime in the context of a changing society was discussed at length. The problem of the law as a follower or leader of public opinion was considered and examples were given of outmoded laws and new legal developments in pollution and race relations. The observation was made that societies tended to decriminalise certain forms of behaviour or conduct because of changes in values; for example homosexuality, abortion and prostitution had been decriminalised in some places. Similar or other changes were introduced by technological change, as evidenced by the disuse of legal controls on horsedrawn vehicles and by the criminalisation of pollution.

The difficulty of evaluating the effectiveness of public participation in crime control was emphasised. Whilst it was assumed that public involvement increased efficiency and whilst this was necessary for its own sake in a democracy, it was necessary to look at different types of public involvement with a view to assessing their value. It was thought that, in general terms, the public was not adequately involved and current measures to control crime could not be said to be working effectively.

On the subject of decriminalisation the following observations were made.

(a) Decriminalisation,if limited to crimes relating to homosexuality,

abortion and prostitution could be peripheral in relation to the great bulk of the criminal law and might only have a minimal effect. However an instance was quoted of one region of Australia in which it could be shown that the removal of public drunkenness and vagrancy from the list of prosecutable offences would release substantial police, judicial, and correctional resources for other uses.

(b) Decriminalisation alone was not sufficient and the diversion of some types of cases from the criminal justice system could imply a need for additional resources to be provided for alternative social and health services.

(c) Decriminalisation, if extended to the bases of criminal law, could be considered as a means of changing a society's fundamental values and reform on this scale was much more than legal. Here there were political, social and ethical issues which should not be disguised as limited legal reform. The need for legal reform should be identified and the wider implications made clear for more general public discussion.

PUBLIC PARTICIPATION IN THE WORK OF THE
PROFESSIONAL SERVICES

Involving the community in crime prevention was not difficult to discuss in general but the participants sought to identify in more specific terms the opportunities for and the limitations of community cooperation with the professionals in the field of crime prevention and criminal justice. The seminar reviewed the question of community involvement in the operation of the criminal justice system at all stages of the prevention process, from informal controls of behaviour before crimes were committed to the re-integration of the offender. An examination was made of public participation in the work of the police, the courts, probation, parole and correctional services, welfare agencies, education systems and private security organisations.

It was thought to be axiomatic that in any democratic criminal justice system the police, courts and prisons could function efficiently only in so far as they were capable of involving the public they served. In many of these services the forms of community participation had been institutionalised already. Examples included special constabularies to help the police; prisoners' aid societies to complement the correctional systems; and juries, assessors and lay magistrates to bring the public into the work of the courts.

To find better ways of public participation the questions which needed to be answered were (a) How did a community want to become involved? (b) How could a community best contribute? and, (c) At what levels would such involvement be helpful and tolerable to the professional? It could not always be assumed that the public wanted to be involved and there were many cases of people deliberately avoiding involvement. There were also the types of public reaction already mentioned which were patently undesirable, such as mob violence and revenge or a disproportionate use of force. At the same time it was recognised that when police, prison officers or other officials called for public support their calls were rarely unconditional. There were areas of their work which they usually considered to be the preserve of the professionally trained personnel. It would be unwise to have public groups with little training interfering at purely professional

levels. A balance was needed to achieve the best working relationships, a balance which it was not always easy to attain.

The importance of educating the community in the operation of the criminal justice system was discussed and it was agreed that there was a definite need for public education in this field. The community could not be expected to participate in crime control unless it was adequately informed. Educating the public was a long process however, which should begin with the education of the parents in the development of the principles which might help to keep children out of trouble and which should continue through the schools and community organisations, making the working of the criminal justice system both familiar and understandable.

Consideration was given to the role of the media as an educational tool but it was evident that this needed careful handling in view of the way in which the media tended to sensationalise criminal justice issues, sometimes over-simplifying and creating a distorted impression. Whilst parents and the home environment were seen as the primary source of education, the support-ive, reinforcing role of the school teacher was emphasised. In fact, the school milieu reinforced by the mass media was combining to become the prime educational force in society. Teacher training should, it was considered, make teachers aware of the fact that their responsibilities extended to giving children and young people an understanding of our system of justice. There was some disagreement whether courses on criminal justice as such should be introduced into school curricula and whether such courses, if introduced, should be compulsory or voluntary. Whether treated as a separate course however, or provided for in curricula or extra-curricula activity, it was abundantly clear that students were not now receiving adequate information on this subject and they needed more preparation for their obligations to society.

The need for public awareness of questionable business practices was also stressed by the seminar. Consumers were too easily exploited and in a modern complex society could not always be expected to know all the 'tricks of a trade'. They needed both official guidance and sometimes more official protection from the unscrupulous. It was also observed that the community had a role to play in the education and training of adult and juvenile offenders. It was noted that volunteers often conduct educational programmes within prisons and it was thought that such facilities could be extended. Volunteers could also be used to prevent crime in the streets and to improve social services with a crime prevention element.

The involvement of juries in criminal cases was discussed. Since recent research had suggested that juries tended to decide cases with reference to largely irrelevant considerations, there was a real question as to whether juries should be abolished or improved. The general feeling was that it would be a pity if this form of public involvement were to disappear com-pletely. On the other hand improvements were definitely needed and some of these might be:

   (a)   the use of trained foremen;
   (b)   improved directions given by the judge;
   (c)   trained panels of juries for specialised cases.

It was felt that juries should remain if only to share responsibility with the judge for the decision in some of the more serious cases. It was observed that the problem of subjective decision making applied not only to

juries but also to judges. Not all judges always managed to exclude their personal feelings from their judgements however legally correct these might be. Nevertheless, it was becoming increasingly clear that the jury process and the use of juries in general should be reviewed and overhauled. Archaic practices should be removed if they had no relevance to the fair administration of justice.

There was a general lack of understanding and the seminar expressed general concern over the operations of private security companies. Even so, the consensus of opinion was that in present circumstances they were necessary. It was pointed out however, that such organisations provide services not provided by governments, and could in some situations develop a potentially repressive protective system for certain commercial interests. They were a valuable aid in preventing crime but legislation was needed to eliminate the less responsible or less qualified security organisations which might do as much harm as good.

In the area of industrial security, the involvement of trade unions was regarded as particularly important. Attention was given to the way in which unions protect the legal rights of members and become involved at times in disputes arising from the unexpected or inconsiderate introduction of new security measures. It was thought that a cooperative effort on the part of unions and employers would produce a quite effective control of industrial crime which would be to the advantage of all. Such an approach to crime prevention with union participation would operate as a deterrent and not as a more efficient instrument of detection. Its success would depend upon mutual trust.

Reference was made to the present lack of involvement between industrial organisations and criminological research organisations. It was considered important that there should be greater cooperation between these two groups on the subject of controlling crime.

On the question of involving the public in correctional work and the re-integration of the offender, it was suggested that after a suitable period without further offending, a person's criminal record should be expunged. There was real awareness of the complexity of implementing this ideal. At least there should be an absolute obligation on police to regard records as confidential as from employers and potential employers, credit rating organisations and other business organisations.

It was noted that in some areas in Australia employment opportunities for persons with criminal records were very limited. It was observed however that opportunities in government employment for past offenders had improved in recent years.

It was observed that the community was less inclined to become involved with crimes such as shop-lifting and fraud which on one hand are rejected as being illegal and wrong, but on the other tended to be accepted or tacitly condoned.

Reference was also made to the steadily increasing size and complexity of law enforcement agencies. As a result, these organisations had become de-personalised and the individual in society often had difficulty in identifying with them. It was considered that a possible method of promoting community involvement in law enforcement would be to make these agencies smaller and more accessible, or at least more decentralised in operation thus establishing in the community a greater sense of identity and responsibility.

Of course this would need to be reconciled with any necessary amalgamations of law enforcement agencies which might be considered necessary for purposes of economy, efficiency, or the more effective use of expensive equipment.

In general, with respect to the participation of the public in professional crime prevention work, it was considered by the seminar that volunteers had a definite role to play and that they should be involved in such positions and at such levels as they could best operate with professional advice and guidance.

THE COMMUNITY AND ITS VALUES

A study of the community and its values presented the groups with a number of problems, not the least of which was the wide range of meanings attached to the term and the perhaps inevitable tendency for the discussion to ebb and flow between the subjective and objective aspects of this subject. It was evident from the presentations made by clergymen, policemen, security employees, students and community leaders that there were many differences in the conceptions of basic values. Despite this, the group was able to reach a very creditable consensus. It believed that no society could deal with the question of crime without clearly understanding its own aims and principles and that no society could move to crime prevention work without enunciating its basic precepts and determining the kinds of behaviour which were generally intolerable.

It was observed that crime-free or near crime-free communities all appeared to have fundamental agreement on basic values even if they were able to occasionally accommodate variations in these fundamental precepts. In a pluralistic society however, and particularly in an urbanised setting, there was often a proliferation of value systems and a variety of basic principles which were often in tacit or express conflict.

There were various social controls which might be considered as value indicators. These were usually described as law, custom, fashion, and morals, all of which influenced our values in the home, in the schools, in business and in public life. The problem in a modern urban or complex society was that these did not necessarily coincide. Often the values of sub-cultures and primary groups with different customs, fashions and morals diverged from the expectations of the whole group. The idea that there were basic values for a total society which were supported by all sub-groups despite their differences was difficult to accept as mass society became more complex.

The seminar thought that it might be making too great an assumption to declare that organised society in Australia depended upon agreement on a system of basic values. Undoubtedly there were limits of behaviour upon which all Australians would agree but these were not always easy to distil from the various groups and sub-cultures which often disagreed on fundamentals. Nevertheless, the fact that more people observed the law than did not, argued for a general understanding on the most fundamental tenets of behaviour. This being so it seemed evident to participants that any attempt to accommodate all conflicting views, however contradictory, and to accept the influence of varied sub-cultures, however diverse, would be an exercise in social futility. Furthermore with such a complete relativity of standards it might only be a matter of time before communities disintegrated. Australian society may perhaps extol such values as tolerance, concern honesty and responsibility (and the seminar thought all of these important)

but their practice in society left much to be desired and left in question
the issue of their status as basic standards.

Perhaps the definition of values should involve both a rational and an
emotional component. People could be over-concerned with the emotional
pleasure of being tolerant, with the moral righteousness of being honest
and with being responsible without appreciating the logical consequences.
Toleration of the values of others was necessary but only if it stopped at
the toleration of intolerance or at the acceptance of behaviour contrary to
the principles of human rights to life and liberty. Similarly, honesty and
responsibility had to be related to society's essential precepts, aims and
objectives.

It was agreed that in modern public life in Australia t⁺e values of toler-
ance, honesty and the like are universal. These are values which are often
beyond proof or demonstration and they depend on the belief system. They
may be part of total values based on the Judeo Christian tradition, or on
Polynesian, Asian or Indian creeds. Though so very different, these diverse
religious groups often had quite similar or comparable standards of ethics
relatable to the well being of society. It might be possible therefore to
dist⁻l from these differing religious persuasions a common content of
essential standards. These would certainly include tolerance, honesty, re-
spect for others, a recognition of basic human rights and the values embodied
in codes like the Ten Commandments. It was observed however that the pleas-
ure-pain principle would be likely to interfere with the true worth of a
value based solidly on a belief system.

The seminar was well aware that in its limited discussions, the questions
had not been fully answered. The question remained: to what extent could
diverse values be safely tolerated in Australian society?

SOCIALISATION

The term 'socialisation' was taken by the seminar to refer to the process
by which individuals in a community were persuaded or conditioned, or learnt
or were taught to conform to the principles of the society to which they
belonged. It was construed to mean the process by which people incorporat-
ed in themselves as they grew the standards and values, the styles and the
attitudes of their society or perhaps their sub-society. The seminar con-
sidered such a process of socialisation in the basic tenets and values of
a society to be necessary to the development of a society capable of deter-
mining its own future and reducing crime. In reaching this conclusion the
seminar had taken full account of the possibility that western society
should encourage its members to be different because it depended on innova-
tion and competition for its progress.

The seminar considered the question of what kind of society Australians
might want. Participants felt that this had to be decided first.
However when this question was answered, it was still necessary to decide
exactly how it was proposed to impose such views on its children through
home training and the schools or on people through the various public in-
stitutions. In determining all this, Australia will need to decide how
much deviation from its accepted values its people could tolerate.

In learning to understand and appreciate each other's values, people's stand-
ards are formed under the influence of tradition, the family, the media and
the community. In the formative years these have tremendous effect. There-

fore the media must not present views which are misleading, over-simplified or one-sided for the purpose of drama or commercial gain. It was thought that in the past they had contributed to the distrust of people and to the widespread questioning of society's basic values.

The seminar decided that people in Australia were being progressively subjected to new forms of deviation. Some participants argued that schools should be sufficiently diverse to render unnecessary the imposition of standards on pupils. They thought that if society was to encourage pupils to reach their potential in their own way it must be prepared to accept the varieties of behaviour so implied. Whilst the seminar accepted the need to ensure individual fulfilment it thought that such diversity should not be taken so far as to exclude or reduce the need for the positive socialisation of children in the basic values of the society to which they belonged.

In considering exactly what it is which socialises, the seminar could only touch on the relative merits of heredity and environment, or the influence of family, neighbourhood, school, chromosomes and genes. The question of exactly what causes people to conform or to rebel could not (in the present state of our knowledge) be precisely answered, but the seminar felt that it could say with some measure of certainty that positive influence included family life, school and the community. It observed that there were ideological societies which deliberately drilled into children from a very early age the way to behave. The Australian problem was how to reconcile the amount or the quality of socialisation it decided upon with the amount of freedom of thought and action which Australians considered to be necessary for Australian society.

The seminar believed that neglected children presented a very special problem. Having missed love themselves, they found it difficult to give love and affection to their own children. And so, generation by generation, a problem of unsocialised and perhaps cold-hearted and dangerous children is created and grows to ever new proportions. Human behaviour could often be traced back to early experiences and there was no doubt that crime prevention had to begin in the cradle. Foster-care could be difficult, especially if the child had to be changed from one foster-mother to another and it was essential that a child have a regular mother or mother substitute. The seminar thought that the system of working mothers might be more costly to the nation than having them remain at home because all children needed a secure and harmonious relationship with and between their parents. Therefore the question of whether the mother should work or not, should never have to be considered on purely economic grounds.

A child's values derived from home influence and these could be either reinforced or weakened by peer groups. In at least one respect the seminar believed that this situation could be improved: parents could perhaps help to avoid the weakening process by identifying themselves with the school.

It was observed that if teachers allowed too much freedom of thought, pupils might derive little profit from their instruction. Authorities generally realised that in the early stages of education it was by process rather than content that learning occurred. As the child worked his way through the system, there was greater emphasis on content and there was perhaps a need for a better balance between these two.

The seminar then dealt with the problem posed by the possibility of a school being used to socialise children and thereby usurping the function of the parents. This was a continuing danger as the school became more important

in the lives of young people. Perhaps this was an additional reason why
parents should identify themselves with the school. With the help of
parents, teachers may become more aware of the role they play in the social-
isation of children, more especially problem children.

The participants recommended the following reforms to our educational
system:

(a) there should be an increase in pre-school facilities;

(b) greater resources were required in the primary schools to enable teach-
ers to cope with the maladjusted child;

(c) formal courses related to socialisation and to problem children should
be included in initial teacher training and later in in-service train-
ing;

(d) with the advent of school boards, schools would be tied to local commun-
ities and the problems of cross-community travel should not be ignored
by school administrative and government control bodies;

(e) schools should so diversify their programmes as to enable pupils to pur-
sue their own interests as a medium in which society's values could be
allowed to develop.

Participants believed that socialisation meant more than a belief that people
should be indoctrinated in certain values. They believed that it involved
the means by which this was achieved or attempted. Though the word 'indoc-
trination' was distasteful, the seminar believed that something of this kind
always went on when there was instruction in the schools or at home. There
could even be an indoctrination in confusion.

The seminar referred to the great sums presently being spent on education
and it asked whether some of this money should not be used to find out where
the country might have gone wrong in bringing up its children. Participants
repeated that they did not know what causes people to feel discontentment
or animosity. Similarly, they did not know what it is which makes people
conform. They felt that the Australian problem was to reconcile desirable
socialisation with the measure of freedom it wished to give its young people.
Australia would need to decide where to draw the line between deviation and
freedom.

Education provided an opportunity for recognising delinquency at an early
stage but the seminar observed that this had not always been successful.
Participants felt it to be important to observe that schools were not
established simply to convey knowledge. They had always had and should
continue to have a character building function. This brought up the sub-
ject of education for use or for its own sake. Whilst no one wished to
deny the value of education *per se* the seminar felt it to be impossible to
ignore the significance of education for use. It took account of the prob-
lem created in many developing countries where education unrelated to work
opportunities had created an educated unemployed.

The seminar noted that much of what it had said of values could be recon-
ciled with what it had to say of socialisation. Each individual must be
allowed to develop his own potentialities to the extent that he does not
interfere with the rights and principles of others. If it is true that
law creates crime, it is also true that crime creates law. Laws must be
constructed in such a way as to make it clear that they are for the benefit

of all and that those who do not conform will always need to be dealt with. From the earliest age, the child must know right from wrong and that he will face problems if he does not know the difference.
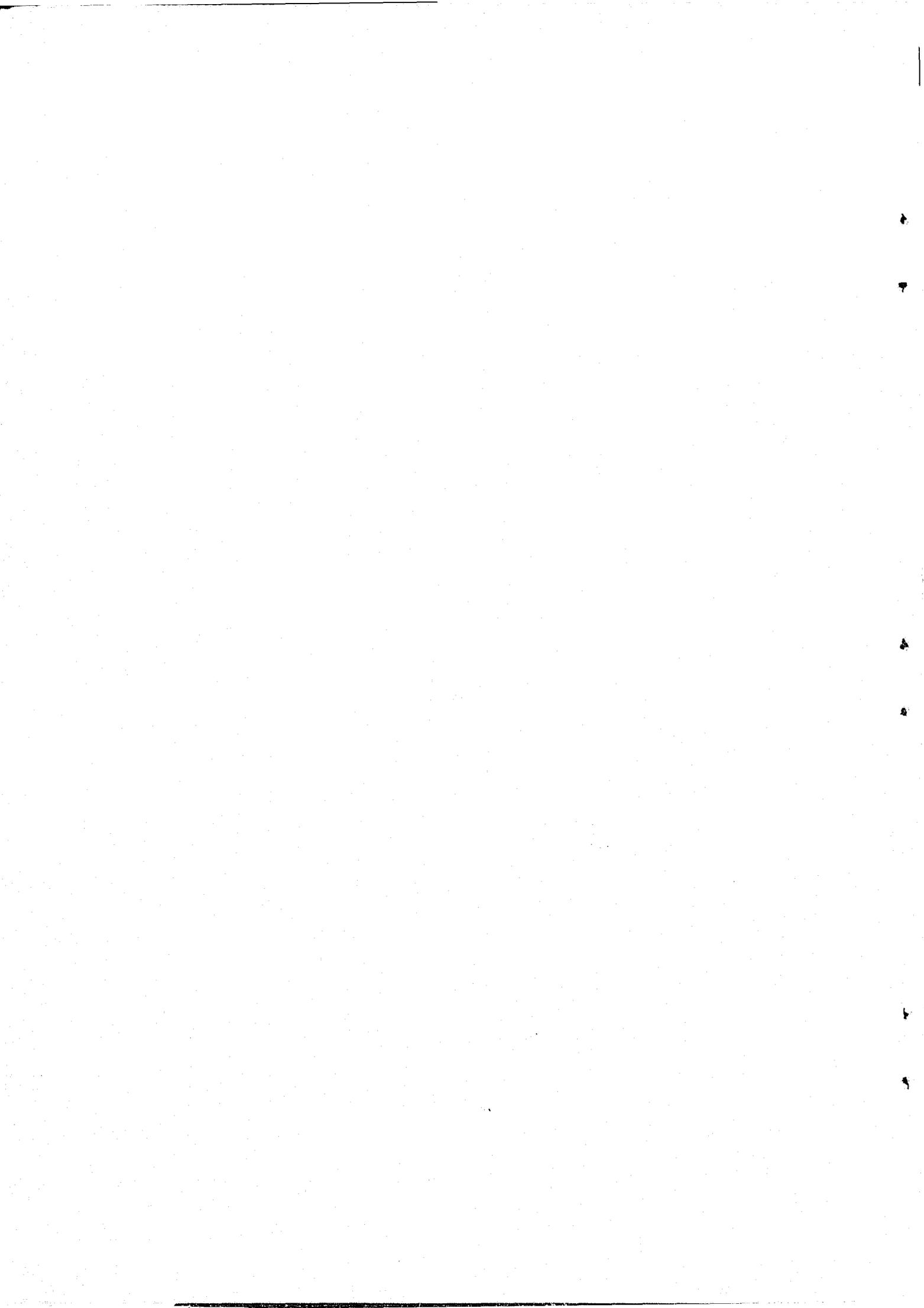
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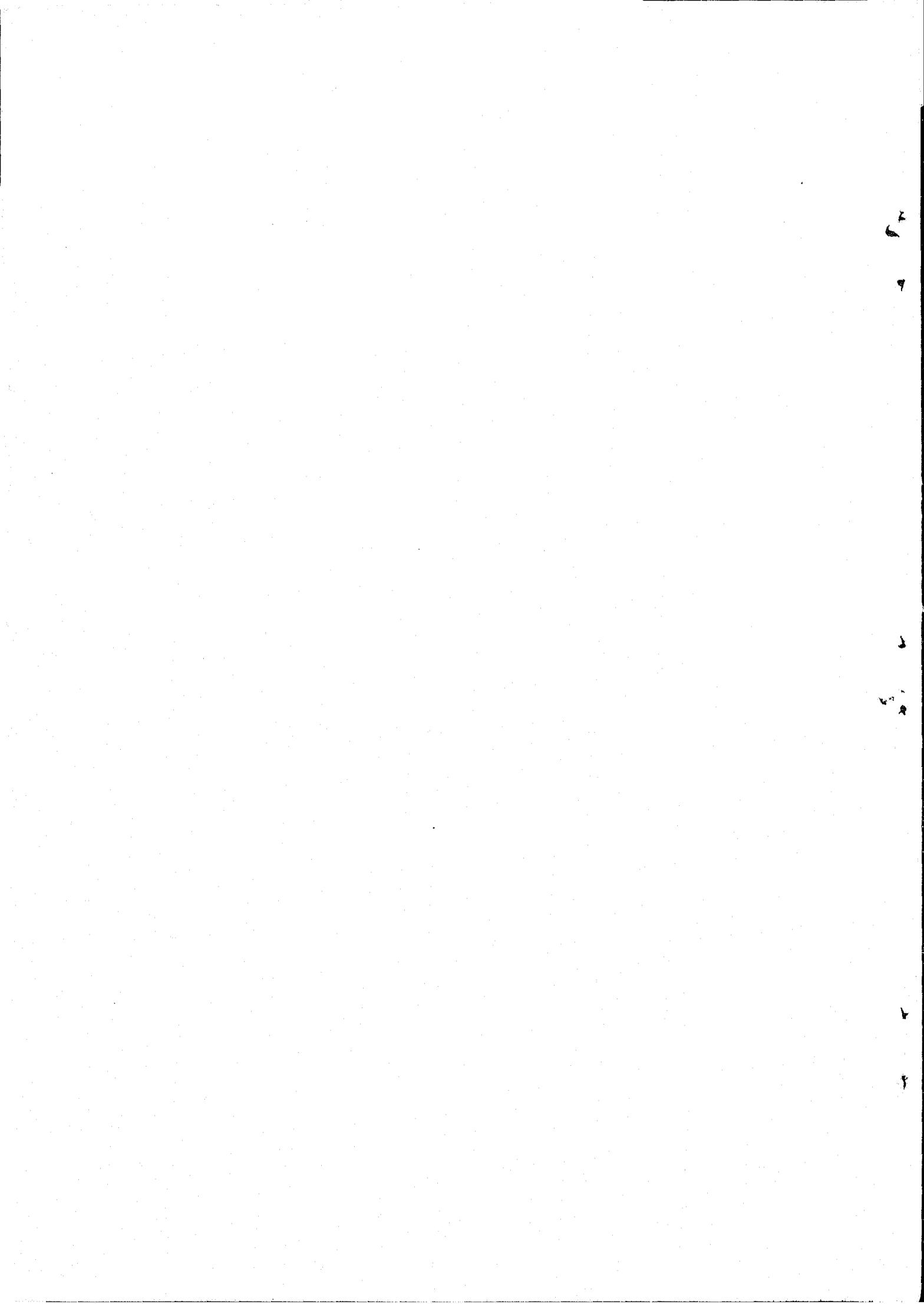
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