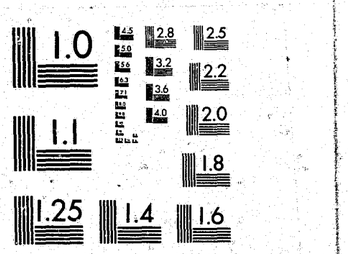

REVIEW OF AUSTRALIAN CRIMINOLOGICAL RESEARCH

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PAPERS FROM A SEMINAR
22-25 FEBRUARY 1983

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FOREWORD

This is the report of the third biennial research seminar conducted by the Institute and its aim, as in the previous research seminars held in 1979 and 1981, was to provide an opportunity for people actually engaged in criminological research to share their experiences in a mutually supportive environment in such a way that their confidence and competence as researchers may be enhanced by their participation. The seminar was held over the period 22 to 25 February 1983, during which time nearly 40 papers were presented in a very crowded program. The bulk of this report comprises summaries of those papers.

Participants at the seminar comprised recipients of grants from the Criminology Research Council, the Institute's own research staff and staff from other research organisations, including some police and corrections agencies. Possibly the greatest value of seminars such as this one derives from the numerous informal discussions that occur between people facing similar problems, and it is of course impossible for these discussions to be reflected in any report of proceedings. Nevertheless, a low-level attempt at evaluation of the seminar was made by use of a post-seminar questionnaire survey. The results of that survey are included as Appendix B of this report.

The Institute was extremely fortunate to have as a Visiting Scholar at the time of the seminar a distinguished American criminologist, Professor Daniel Glaser, from the University of Southern California. Professor Glaser presented the keynote address on pitfalls of criminal justice evaluation, which is reproduced in this report, and he played a most active role in all discussions. He also gave the summing up at the close of the seminar, and this is reported in the conclusions of this volume. All of the participants and all of us on the Institute staff were extremely impressed by Professr Glaser's breadth of knowledge and by the charming and gentle manner in which he presented his ideas, even when he disagreed with the views of other speakers.

In opening the seminar I took the opportunity of making a few remarks about my perception of the state of criminological research in this country. A few weeks before the seminar I had been invited by Professor Norval Morris to prepare an essay on Australian criminological research for a forthcoming edition of the annual book which he edits with Michael Tonry which appears under the title Crime and Justice: An Annual Review of Research. For this essay I was asked to describe the major research institutions, government influence on research, priorities, recent research trends and probable future directions.

This assignment forced me to think through our strengths and weaknesses as well as to make some judgements about where we are going.

A fairly obvious point that has to be made, and that I made in the essay, is that Australian criminological research is currently going through hard times. The Institute has suffered from significant cuts in staff and services over the past few years and the Criminology Research Council has available to it an annual sum only very slightly higher than the figure made available in 1971 when the Council was established. The cuts in university funding have also, of course, had a negative effect on research. Nevertheless, I have no doubt that the vast majority of the nearly 100 projects funded by the Criminology Research Council have been worthwhile, even though the average grant has only been a little over $10,000. Many of these projects have broken new ground and many have also had an impact on the development of improved criminal justice policy.

Within the Institute I believe the most successful areas of research have been concerned with five themes: the principles of sentencing, crime trends, victimisation, corporate crime and various types of correctional statistics (including the national prison census). In those five areas I think this Institute can take some pride in the products of its research. Valuable work has also been done on the subjects of terrorism, police administration, crime prevention planning, prison management, women and crime, juvenile justice, and drug offenders, but in these and other areas much more work needs to be done.

In the essay that I prepared for Norval Morris I argued that the area of research most urgently needing more attention in the future was that of Aborigines and the criminal justice system. Some useful projects funded by the Criminology Research Council have been conducted on this subject and, within the Institute, the Director, Mr Clifford, has written extensively on this subject. Like all researchers Mr Clifford has found it difficult to obtain reliable data on Aboriginal offenders and Aboriginal prisoners and he has also had to grapple with the problem of establishing an appropriate scientific orientation for research in this area. Because of his particular experience in this area I asked Mr Clifford to open this seminar by speaking on 'Problems of research into Aborigines and the criminal justice system'. His paper on this subject is the first in this volume.

The organisation of this seminar and the preparation of this report would not have been possible without the assistance and cooperation of many people. The staff of the Training Division of the Institute helped with a range of organisational and administrative details, and much of the preparatory work was done by my secretary, Mrs Marjorie Johnson. The typing of the report was undertaken by Mrs Barbara Jubb of the Institute's Research Division, and the proof reading and printing was done by the staff of the Publications Section. Warm thanks are offered to all who made this project possible.

David Biles

March 1983

PROBLEMS OF RESEARCH INTO ABORIGINES AND THE CRIMINAL JUSTICE SYSTEM

W. CLIFFORD

The specific research methodology for Aboriginal work does not really differ from that of other areas of criminology. Statistical analyses, empirical studies, participant research, comparative investigations - often in place of control groups, cohort studies, life histories - and so on. What is difficult is the modern context.

From Hostility to Concern

To begin to understand the research problems in Aboriginal criminology, it is necessary to account for the way in which Aborigines have become a national issue and not just the focus of missionary and anthropological attention during the past generation. The change has been nothing short of dramatic. And it has greatly altered the orientation of research.

In my 1981 John Barry Memorial lecture, I said :

> '... the modern plight of these ancient people has developed in recent years into a virtual growth industry for politicians, civil rights interests, the artistic sub-cultures, publishers, lawyers and academics alike. The anthropology has been popularised and political scientists, sociologists, psychologists, as well as a whole range of doctors, health officials, mining companies and social workers are showing immense concern for the survival and identity of a race once thought to be dying out. What a difference to those early years of indifference and open hostility.'

What a difference indeed - and it needs to be explained. That transformation of attitude in a few short decades can only be understood if we fully appreciate the analogy once drawn between law and the rules of a language by the historical school of jurisprudence. In accordance with its interests in folklore and *Sittengeschichte* (layers of morality) the Savigny school showed that both law and grammar formulate general rules which derive from but which over-simplify reality. Both law and grammar lead to an increasing degree of abstraction and 'formalism' and both are thus vulnerable to the same fallacy of forgetting that the rules they promulgate have meaning only in so far as they refer to a living reality. Grammars are no more language than statutes are true law and justice. What happens in literature or conversation is much more than grammar: what happens in social control and law enforcement is much more than the formal rules.

Formality of course greatly simplifies. As long as one could think in terms of the law of the land which, when broken, produced crime; as long as one could relegate the complexities of Aboriginal traditions and obligations to the realm of 'mitigating circumstances' to be taken into account before sentence, then crime remained as crime and any sub-cultural considerations did not really alter the concept. Only the anthropologists were interested in the Aboriginal network of obligations which provided a different perspective on the meaning of crime itself. Only when politics intruded did political scientists get interested: and it is instructive to see how few lawyers or criminologists entered the field.

However there is another similarity between law and language. Both are essentially functions of power. The language of a country or a region is generally speaking the language of the conquerors; the overlay of the dominant culture. The languages of the conquered people are confined more and more to their own localities and become dialects. The relative absence of dialects in Japan for instance is evidence of its unconquered condition until 1945. It was never colonised. England was - and it shows. Conquerors also bring their law. It tends to override any local system: but local customs and behavioural controls survive on the fringe of society or beneath the surface of respectability, and they greatly influence behaviour. The 'law of the land' perspective cannot formally recognise other forms of social control but sociologists have for a long time been making lawyers aware of the fact that formal law may only peripherally influence actual behaviour. In the Aboriginal situation this customary law control - or the influence of the sub-cultural standards on the behaviour of fringe dwellers was fully appreciated but relatively unexplored - until eventually the single-minded application of the 'law of the land' led to loud cries of discrimination which could be supported with facts and figures.

There is a third correspondence between law and language: they both serve ultimate masters. There are external standards against which they can both be measured. Just as the formality of the rules of language loses its meaning when it becomes so technical that it fails to provide a means of communication, so the vast libraries of statutes lose their meaning when they seek to regulate conduct but are bereft of contact with an overriding morality - call it reasonableness, common decency, natural justice, natural law or, of course, human rights. As long as the law of the land is supreme and unchallengable outside of the national legal system itself, then there is no need to give more than passing attention to those who appear to be disadvantaged by its operations. Allow some higher criterion and the laws themselves are vulnerable. It is the modern appreciation of this which has transformed the attitudes towards and the concern for Aborigines in this country.

The reason then for the dramatic change in the concern for Aborigines is the reassertion of ultimates in our conception of law. The positive law of Austin and his colleagues of the late nineteenth and early twentieth centuries was totally shattered by totalitarianism. If law really needed no other justification than sovereignty - or the power to enforce the rules - then the word 'atrocity' lost its meaning.

Countries became laws unto themselves. Human dignity might depend on who was in power. Out of that realisation came human rights and the recognition of standards over and above the principles of any dominant law. Along with this came the support for self-determination and the rights of minorities. These principles which applied to subject and colonised peoples were quickly understood in terms of civic rights and applied by minorities to their own conditions. For the first time there were international standards for national laws to observe.

Thucydides had told the leaders of the people of Melos,

> 'You know as well as we do that right, as the world goes, is only a question between equals in power. While the strong do what they can, the weak suffer what they must.'

Machiavelli had said much the same thing. And as religion and morality had been squeezed out of scientific knowledge the same theme had permeated studies of law. Law was what it was in fact - not what it ought to be. Positivism recognised no higher moralities. By the 1950s this was international heresy. And, since then, a morality of inalienable rights has been developed which has given heart and strength to indigenous minorities across the world which have demonstrated that the weak no longer need to suffer what they must. In this sense the rise of Aboriginal interest groups is part of a much wider movement of global proportions. What this has done to the patterns of research across the world is interesting, but is not our concern here. As far as Aboriginal research is concerned it suddenly made it less abstract or recondite, more modern, less committed to academic standards and more committed to exploring the inequities and deprivation which needed attention. Even medical research became more committed as the immediate problems were discovered.

Conceptualisation

This background to the changes in the perceived situation of Aboriginals in Australia obviously has been important for research. As the realities have permeated the decision-making at political levels more money has become available for research: then, as grant-giving bodies have been pressured for solutions, the funds have been directed more to community projects and less to research thought to be for its own sake. This has had advantages and disadvantages. Obviously it induces researchers to design projects which will attract funds. At the same time it restrains research by those who are wary of political heat. Researchers are practically always scholars who begin their work with a sense of sympathy with Aboriginal aspirations. Such understanding might well be a prerequisite if the necessary community cooperation for the project is to be obtained and the data made available for analysis. After all, there are so many Aboriginal communities already sick of being researched and suspicious of inquiries that might be detrimental. This however sets the groundwork for the studies before they begin. There is a subtle pressure on researchers to meet expectations. Not surprisingly their findings add to the accumulating mass of evidence of heartless extermination, social rejection, exploitation and under-privilege.

The evidence is there and it has now been dramatised to elicit a national conscience. This has obviously fed into official policy-making at federal and state levels - though by no means to the extent that is desired by organised Aboriginal groups. All this has generated not only a conscience but a climate of ideas which affects the non-Aboriginal researcher long before he begins his work. Yet we know from experience in other areas of research that reality is not wholly black or wholly white. There will in the future be counter-balancing studies showing the negative factors in the Aboriginal situation as clearly as the positive factors, but politics being what they are we have to await the training and deployment of Aboriginal researchers to bring out more balanced studies than we are likely to get at present. I believe that there will be countervailing research winds in the years to come - and that these will be Aboriginally managed and Aboriginally investigated. This is an improvement devoutly to be sought.

Meanwhile Aboriginal research hinges very largely on the kind of initial conceptualisation. It is not easy to come to Aboriginal research with an open mind, no matter how scientifically-oriented or emotionally neutral the particular study may claim to be. Of course, it has to be acknowledged that this problem of objectivity applies to some extent to all kinds of research. The open mind is and always has been, a myth; the hypothesis is always influenced by experience and the process of question selection never really unbiased. There is nothing wrong with this, providing the preconceptions are recognised and not hidden by self-deception. With Aboriginal work in Australia however, the conceptual problems are confounded not only by the compexity and variety of the cultures and the different types of Aboriginal communities, but also by the rapidity of change, making studies out of date by the time they are published - and, of course, by the political climate and the risks of being labelled.

The effect of all this is that general statements have become almost impossible to make without substantial and vitiating qualifications. Hampering much of the work are language barriers which can lead to misconceptions difficult to correct as time changes the very tribal groups or communities about which those conceptions were entertained. A reliance on Aboriginal interpreters brings its own problems. Undue caution in the face of foreign interest, genuine changes in opinions or customs over time, and the guileless but no less unfortunate embroidering of traditional events for their public presentation are all possible and very likely. Indeed it has been a feature of the Aborigines' culture to trim the sails to the prevailing winds. The Aborigine has become adept at this over thousands of years of survival on the edge of subsistence, and it still gets him into trouble with the police when he readily gives the answers which he thinks they are seeking. It is an adaptive skill however which erects double and triple barriers for the genuine researcher to surmount if he is to know what is really happening. As an outsider he may never be able to reach the secrets that give meaning to Aboriginal life: but if he is Aboriginal, then his knowledge is not for publication.

This was the situation I found when I came to Australia in 1975. Even then there were calls for the Institute to become involved in the problem of crime amongst Aborigines, and we obviously needed to encourage research without becoming too deeply influenced by personal sympathies or by the politics. There was a dearth of data and a surplus of anger: above all there was a need to discover the facts without fear or favour in so far as this was possible.

There are those who would argue that the Aboriginal crime problem is a political problem *par excellence* and that it is hypocritical to make a pretence of science when people are being pushed around, badly housed or when the issues are deprivation, ill-health, and less eligibility. Political solutions it is said will get to the root of Aboriginal criminality by providing an identity and improving living conditions. I do not subscribe to that view. Political solutions have merits in their own right: they are important for their own sake: but I believe it is a mistake to rely upon them to be a panacea for all the social ills of a community. I have experienced too many campaigns for independence and self-determination across the world not to be appreciative of the importance of politics, the need for recognised ownership and self-determination: but I know of no country or territory that has found any such simple solution to its crime problem. Crime too has a potential for survival. It is compatible with social change - even with revolution.

Actually, looking back now, it seems that I might not have come to Australia wholly unprepared. I had qualified in African law and had spent half my life in developing countries. As some kind of apprenticeship for an involvement in customary law I had seen at first hand the results of imposing an alien culture on indigenous people in many parts of the world. I had worked at the Rhodes/Livingstone Institute for Social Anthropological Research in Central Africa, published studies of crime there and engaged in joint prospects with both rural tribal and urbanised tribal people in both West and East Africa. I had recorded cases heard by Urban Native courts and collected life histories of individual recidivists - and of course, the clash and combination of cultures in the United Nations had a significance all of its own. However this was also the kind of background which as many of you in this field can now appreciate could be as much a hindrance as a help. Common principles are never transferrable from culture to culture without very substantial reservations or qualifications - and superficial resemblances can easily mislead. Moreover, time has always changed the situation one has left behind. So the perspectives I brought with me could disqualify me in some respects for Aboriginal research. Much of the same was true of scholars brought up with Aboriginal tribes and initiated. They were too deeply implicated for objectivity. But much less qualified were those who were young and relatively inexperienced academics who had read a lot but had too little exposure. Where there was political motivation the difficulties were very real. So where to begin? Whom to trust?

One of the difficulties about Aboriginal research is therefore finding a reliable footing from which to operate. Cultural distance hampers understanding because it risks picking up the wrong signals. Cultural proximity ensures insight at the expense of perspective.

Getting the Facts

On crime and criminal behaviour there is a serious lack of data. We are still not quite sure how many Aborigines there are, how many are still subject to traditional controls, how many are arrested, remanded, sentenced or released. We still do not have precise information for those held in prison.

The mass of anthropological work gives little guidance on the meaning of criminal behaviour amongst Aborigines and accounts of disputes and punishment leave a lot to be desired. Neither economic nor crime come out very well in anthropological work amongst the Aborigines - though let me hasten to say that this is now improving. We cannot approach it from a Western construction of law and law-breaking, of course. In traditional Aboriginal cultures the entire body of sacred knowledge is called 'the law' - including stories, myths, songs, paintings and the formal interpretations of these. It is believed that this law derives from the Dreamtime. It was believed that if either land or knowledge were lost the law would be weakened and there would be danger to the people's existence. This of course was exactly what was happening until the turn around in interest to which reference has already been made. The modern Aboriginal communities frequently seek to repudiate the white man's law and rely on custom and tradition: but the societies in which these customs and traditions are practised are either no longer functioning or have become inaccessible. Finding the true meaning of the behaviour we label 'crime' is complicated; many of the older studies need up-dating and perhaps translating to contemporary conditions.

So the criminologist has to become part anthropologist and the anthropologist part criminologist if we would appreciate the true significance of all the breaches of a law which is merged - and sometimes secretly submerged in a layer of magical and spiritual life subjected all the time to social change by cultural contact. Even then it is impossible to find out how many instances of 'crime' there were in earlier tribal life - the extent to which they ever grew to proportions which broke up the society - or the precise meaning of all this for modern Aboriginal communities living in or near the towns.

The Approach

Without an anthropologist on staff we had first to see to what extent there existed a parallel legal system in operation. Accordingly in March 1976 we invited experts not only from Australia, but from New Zealand and Papua New Guinea as well to discuss, 'The Use of Customary Law in the Criminal Justice System'. Later, as you know, a reference on Aboriginal Customary Law was given to the Australian Law Reform Commission and I like to think that our earlier approach was not without its influence on this decision. To make sure we had overlooked nothing

in the conflicts between the police, and the Aboriginal legal services, we organised another seminar three months later - in June 1976 - on 'Aborigines and the Law'. This and a further seminar on 'Aboriginal Culture, Traditions and Values' held in November 1977 were designed less to be scientific than to focus attention on the difficulties which Aborigines had in coping with the law. Then, four years passed before we held a more scientific workshop in March 1981 on the subject of Aboriginal Criminological Research.

Meanwhile the Criminology Research Council was providing funds for criminological research - notably to Professor Colin Tatz for a project in the Northern Territory and to Morice and Brady for a study of delinquency amongst young people in an Aboriginal community on the far west coast of South Australia. And at the same time we were trying to monitor Elizabeth Eggleston's figures of 30 per cent of the prison population being Aboriginal. Then there was a gradual turn around in the availability of data. From 1976 we had been publishing in our newsletter - with the cooperation of the Correctional Administrators around Australia - the daily average prison population in the several states. This showed the Northern Territory and Western Australia to be using imprisonment more liberally than the other states. The Western Austalian Government set up a special Committee of Inquiry into the Rates of Imprisonment under the chairmanship of the Ombudsman. This committee study confirmed not only the high rate of imprisonment in the state but also provided public information for the first time on the high rate of Aboriginal imprisonment. At well over 1,000 per 100,000 it matched or exceeded anything recorded up to that time. Practically simultaneously the South Australian Bureau of Crime Statistics began to provide data on Aborigines passing through the system, and again at about the same time a House of Representatives Standing Committee on Aboriginal Affairs began to use the New South Wales material on court cases in those smaller New South Wales towns with the largest number of Aborigines. All of this showed that, though the proportions differed, every state was imprisoning Aborigines disproportionately - and this provided me with the information I needed for the John Barry Memorial lecture of 1981. The comparisons were rough, the periods for which information was available did not always coincide, and we were never sure of the relationship between arrests, the types of crime and imprisonment.

Since then with the help of John Walker, our computer expert at the Institute, and the Australian Bureau of Statistics we have been able to refine the data. For Aborigines held in prison, their offences, past records and age groups, we now have more information than ever before - thanks again to the whole-hearted cooperation of our Correctional Administrations which have collaborated with the Institute on a prison census - the first of which was taken on the last day of June last year. We are still awaiting the permission of the Ministers of Corrections to use it however. That will enable us to provide a comparative study of the use of imprisonment for different geographical and age groups in the community - Aboriginal and non-Aboriginal. Meanwhile the information suggests that we may have to refine somewhat the broader conclusions drawn.

The gross discrimination in imprisonment cannot be either excused or sufficiently explained but it needs to be measured; and when one tries to identify the limits of normal and discriminatory imprisonment some difficulties arise. Whilst it is true that Aboriginal offending is alcohol-related, associated with poverty, deprivation and unemployment - and compounded by social apathy and the lack of identity in a white society, it is becoming increasingly evident that at least a core of the Aborigines are imprisoned for offences for which they could hardly have been dealt with otherwise - given the lack of suitable alternatives in some of the remoter areas and their own past records. The discrimination would appear to be against a group of Aborigines rather than all Aborigines for, of course, there are many who do not get into trouble with the police or who rapidly grow out of the criminal phase of their lives.

Frequently the imprisonment follows attempts to deal with the offending by bonds and fines - and occasionally it is the Aboriginal communities themselves that have insisted on the incarceration by refusing to find the money for the fines - or by their own social workers advising the courts that there was no other satisfactory way of dealing with the case. An ordinarily peaceful people become extraordinarily violent under the influence of drink. To deal with the problem it may not be enough to change the policy on imprisonment or to transform the economic and social situation of Aborigines. It may be necessary to know a great deal more than we do now about the effect of alcohol and the motivation for drinking. It may not be enough to conclude that a people demoralised take to drink and become apathetic. I know that we have many precedents for that kind of situation - in Ireland in the 19th century, in Africa and even in Russia today where 60-70 per cent of all offences are alcohol-related; but I detect already some specific aspects of the Aboriginal situation which do not fit that familiar pattern.

Problems for the Future

There is first of all a need to get rid of stereotypes. Aborigines are not all wandering in the deserts with nulla nullas, spearing each other in anger or throwing boomerangs at the birds, and suffering from their customary spearings being treated as assaults by the law of the land. Nine-tenths of them are in towns or living near to towns. A great many of them have been born and brought up in towns, going to white schools and exposed to TV. Aborigines are no longer identified by their colour, their geographic location or their different lifestyles. There is a new kind of Aboriginal identity which is being organised and recreated by Aborigines living 'cheek by jowl' with Europeans and other migrants. It is a combination of older tradition and contemporary dreaming. It aims to revive and restore customs long submerged with a maximum of publicity to flaunt their respectability and deep meaning for everyone who feels part of the group. It aims to carve, publicly, a niche for all who feel themselves to belong - no matter how remotely and regardless of the distance there may be in time or space or blood line from their full-blooded forebears. It is not a

purely Aboriginal thing either: it has the active support of a great many white Australians who feel alienated from their own traditional white exclusiveness. It draws strength from Australia's own avowed idealism and commitment to equality and it is sustained by the need of all Australians to preserve the national image in international circles where equality and justice, human rights and self-determination are taken for granted. The crime which exists amongst Aborigines has to read against the complicated background as part protest part frustration and part the consequence of a social dependency and of an alcoholic tradition that probably cannot be shaken off without resocialising a new generation.

There is a need to be able to count Aborigines accurately for any samples or statistical techniques to be validated: but 'identity' in the terms already described has radically changed the picture. As long as there were laws supposedly to protect Aborigines but which in fact marked them off in a detrimental and discriminatory way from all other Australians there were many who preferred to seek acceptance in the wider society. They denied their own Aboriginality because of the disadvantages it brought; and the total number of Aborigines steadily declined. Now a racial pride has been stimulated and there may even be advantages to being Aboriginal. The political progress of the race in past decades has engendered a pride of ancestry which was not there before. So the Aboriginal population, i.e. the numbers of those identifying as being original Aborigines is growing in a way which will complicate the figures for a long time to come.

Thirdly there is a need to trace more precisely the offences for which Aborigines are charged, to set these alongside comparable non-Aboriginal cases in terms of the grants of bail, the decisions of the courts and the behaviour following the court appearance. We want to know the extent and nature of the discrimination for the benefit of Aborigines and other minorities who may be affected. But this means comparing like with like.

In this respect the age groups are particularly important. As we know, most offenders are between 18 and 25, the peak age for violence is between 20 and 25 and the peak age for property offences is between 15 and 17. Now if the Aborigines have proportionately much larger numbers in these age groups than the other sections of the Australian society then we might well expect them to be more frequently prosecuted and imprisoned. If on the other hand the age groups are more evenly distributed then the discrimination may be worse than we thought.

To determine the real effect of the system on individuals we need far more life studies of the hard core recidivists than we have had to date. These need to be compared with the official criminal statistics to show the situation in personal as well as official terms. It is more than likely that these will bring us back to a consideration of the merits and demerits of our child care system as it applies to Aborigines.

We still need more depth studies of crime in traditional and modern Aboriginal communities. More precise information is needed about imposed standards of behaviour and the punishments. We require knowledge

about the ways in which Aborigines manipulate their own and the over-riding white culture to serve their own purposes and to appreciate the ostracism which attends certain specified and disdained forms of conduct. In part this could be bibliographical - abstracting the information from published studies. In part it could be historical. But we need too a number of field studies to enlarge our understanding of this area.

We know that in drink Aborigines are inclined to attack their own people but property offences are more likely to be against non-Aboriginal owners. Could it be that this is the recorded position only - that there is theft amongst Aborigines which is not reported, which may even be tolerated as part of the need for community sharing. We still don't know. Do the forms of ostracism differ as between rural and urban communities? There is at least one group, the Walbiri which is said not to have practised either ostracism or exile. We need to know more. What happens when the younger problem people settle down in later life? How do they feel about their own children?

It is still not possible to follow Aborigines through the criminal justice system (or anyone else for that matter) and we need to provide for this. The statistics gathered routinely do not always distinguish Aborigines - largely because of the desire to get rid of discrimination in the system which, in the part, differentiated race and religion or ethnic groupings. Such identifying labels were taken off in the 1960s so in only a few places it is possible to separate Aboriginal and non-Aboriginal cases. This is being changed by the Aboriginals themselves who now appreciate that they actually suffered from their plight being hidden in a commonality of statistics. Yet, even when this data is available it will not sufficiently identify the nature of discrimination in the criminal justice system if there are not more case studies with a view to matching Aboriginal and non-Aboriginal records and methods of disposal. We need to collect and compare like cases to establish the extent of discrimination - and the points within the system at which it occurs.

Whatever the causes and wherever the responsibilities may lie it is important to stress that the Aborigines have a <u>modern</u> problem of crime and violence which will not easily be eradicated by improved social and economic conditions or by forms of self-determination. One can acknowledge that the sad situation that obtains today is the result of the hostility neglect and rejection of the past two hundred years. Yet the habits may continue long after the causes are withdrawn. And, curiously in developing these habits Aborigines have sometimes become far more Australian and non-Aboriginal than many of the whites. It is better to treat them as a modern minority in a modern society than as some kind of odd survival which requires unique methods and defies ordinary analysis. The Aborigines themselves will suffer if their problems and particularly their crime and violence problem is not treated as we would treat the problems of any other sub-culture with issues of identity, violence and alcoholism to be solved by improved social conditions and higher expectations. Continued crime, violence and imprisonment will undermine their own legitimate aspirations if the debilitation is not countered by better education (in the widest sense of the word) and improved forms of socialisation as the children are reared.

PITFALLS OF EVALUATION IN CRIMINAL JUSTICE

DANIEL GLASER

The pitfalls of criminal justice evaluation are deep and numerous. One could be lost forever in trying to explore them. Yet a few of these traps should be looked into at least briefly now and then to avoid the wasted effort and frustration that comes from falling into them.

<u>Trap 1. Failure to Ask Why a Program Should Work, and for Whom</u>.

Evaluators too often fail to apply in their research design a theory as to why the program they assess should work, for whom it would work best, and the conditions most likely to influence its impact. Any criminal justice activity studied--whether it is a special police or court procedure, a trade training program for convicts, or an effort to supervise parolees more adequately--is likely to vary in impact with differences in its setting, staff, subjects or administration. Because these conditions may be quite diverse, conclusions are most likely to be useful if a study does not direct itself only to assessing whether a practice, program or policy works <u>on the whole</u>; from the outset it is wise to test reasonable ideas as to how, when, and with whom it is most effective, and with what cases or circumstances little can be expected from it. When conclusions are qualified in this fashion, they are most likely to be useful in many times and places, rather than only with subjects and circumstances like those in the research setting. If, on the other hand, differences in a program's effects are sought only by statistical crosstabulations after overall results are known, the correlates of outcome that are found are more likely to reflect chance variation.

<u>Trap 2. Focus Only on a Program's Attainment of its Ultimate Goals</u>.

One implication of efforts to design evaluations so that they yield fruitful qualifications in their findings, is that outcome measurement should not be confined to how well a program achieves its ultimate goals, such as reducing crime or recidivism rates. One should measure also how well it achieves its <u>immediate</u> objective of carrying out the procedure or providing the service to be assessed. Useful evaluation begins with careful descriptive measurements to answer such questions as: How many person-hours per week are given to the activity? With what methods, at what pace, and with what care or skill is it conducted? The answers to such questions are often very pertinent to the qualification of findings. For example, in an evaluation of vocational training for California prisoners, economist Gilbert McKee found that this training paid the state more than it cost, because it increased the postrelease income taxes paid by such ex-prisoners and decreased their need for welfare payments due to unemployment.

However, such net benefits occurred only if the prisoners received at least 1,000 hours of the training, and only if the training was in auto repair, welding or other mechanical or construction trades, rather than in the laundry or shoe repair skills that the administration encouraged in order to meet institutional needs.*

It follows that an evaluation should also try to measure the attainment of intermediate goals. These are the direct objectives of a criminal justice procedure or service. For example, the objective of providing prisoners with academic or vocational training is presumably to improve their knowledge or skill. To measure attainment of such goals one might compare their scores on standardised attainment tests before and after their training. For another example, expanding the police patrols assigned to an area is presumably done to increase the amount of time that officers are on its streets. This objective's attainment can be determined by measuring the before and after average frequency of police presence on some typical blocks. A Kansas City study found it low with all intensities of patrol, and hence, no impact of patrol intensity on crime rates.

A common deficiency of criminal justice evaluations is the estimation of program impact only by effects on crime or recidivism rates, without including data on the nature of the programs themselves (the attainment of immediate goals), and without assessing achievement of direct objectives (the intermediate goals). By interrelating immediate, intermediate, and ultimate goal attainments one can gain insight into why a program succeeds or fails, which is probably the most valuable information for planning new programs or improving old ones.

Trap 3. Using Suboptimal Indicators of Goal Attainment.

This is really a long series of traps. Regardless of what aspect of a program's achievements is measured, one may readily fail to find impressive or dependable results because the indicators of goal attainment are unreliable or insensitive. Insofar as possible, criteria of outcome should be objective, improvable, continuous, adequate in duration, and economically relevant. Each of these features merits separate discussion.

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* Gilbert J. McKee, Jr., "Cost effectiveness and vocational training" in Norman Johnston and Leonard D. Savitz, eds. *Justice and Corrections*, N.Y.: Wiley, 1978.

A. Objectivity.

Criminal justice policies have traditionally been influenced primarily by the personal impressions of decision makers regarding what works best or what the public prefers. Evaluation research benefits society most in the long run by providing objective data to replace the assessment of programs by mere speculation or by generalisation from sensational but atypical cases. Problems arise because decisions often cannot be made in the long run; they must be made immediately, from the best information now available.

Two rules are suggested for coping with this dilemma:

First, of course, try to procure the best objective evidence possible, and keep trying to improve this evidence.

Secondly, try to make as explicit as possible the assumptions on which current criminal justice policy decisions are based, and the adequacy of the evidence supporting them.

This second type of effort, to identify the grounds for an agency decision and their quality, requires a distinctive type of research, and consultation with decision makers. It has been pioneered by Ward Edwards, a colleague of mine at the University of Southern California, who calls such inquiry 'multiattribute utility evaluation'. It begins by trying to get all who are much involved in making a difficult decision to agree on the principal types of benefit or utility they desire from it. For example, in deciding whether to add a maximum or a minimum security institution to an overcrowded prison system, participants may reach consensus on the utility of preventing escapes or disorder, as well as on their concern for economy, speedy availability, and minimising criminalisation of inmates. They are then asked to assign a number, such as 10, to the least important of these benefits, and to assign numbers to the other types according to their judgment of the relative importance of each compared to the least important. If no consensus is reached, the averages of their numbers is taken, then each of the final numbers is expressed as its proportion of the total of all the numbers. Thus, in the example of choice between a maximum or a minimum security prison, the principal utilities and their weights might be: Preventing escape or disorder 0.4; economy 0.3; speed of availability 0.2; minimising criminalisation 0.1.

The researchers, in consultation with experts, then use the best currently available evidence or speculation to score each feasible alternative decision that they are considering on its achievement of each of these utilities. They use a standard range of scores for each, for example, zero to ten. Thus, from a study of data and possibly some guesswork, the researchers and their advisors might score the maximum security prison that they are considering 9 on preventing escapes and disorder, and the minimum security prison only 4, but the minimum security institution would be highest in its score on economy, speed of availability, and minimising criminalisation. Each of these decision

alternatives is then given the product of its scores on each utility and the importance weight of that utility. The alternative with the highest total score should then be the one selected by the decision makers.

This simplified example illustrates quantitative methods of decision analysis that are now widely used in business and government (see Robin Hogarth's *Reason and Choice*, Wiley 1980, for one of the better books on this field). This type of scientific analysis of decisions probably will be applied increasingly in the criminal justice system. Since it reveals the inadequacy of available knowledge for guiding important decisions, it should foster more and better evaluation research.

B. Improvability.

The term 'base rate' is often used, and will be used here, to designate the success rate of subjects in an activity before some innovation is introduced to try to increase their success. It is generally easiest to improve a base rate of about 50 per cent. This preference for a 50 per cent base rate is derived both from the laws of probability and from a limited (but, I think, sufficient) survey of actual experience. If the prior success rate is much higher--for example, 80 per cent--it is difficult to improve it greatly; if it is too low--for example, 15 per cent--there is much room for improvement but it is likely to be a very difficult task.

To cope with low or high base rates, it is often useful to divide goals into components so that each has closer to a 50 per cent success rate before the new effort at improvement. For example, if holding a job for a month or longer is made a condition for relaxing parole supervision requirements but only about 20 per cent of young parolees achieve it, a useful strategy may be to divide the task of raising this level into two components. One might be to raise the 50 per cent rate of their ever obtaining employment while on parole, developing for this purpose a program of training in job application; another project might be to raise their 40 per cent rate of retaining a job when hired. At least one of these separate goals is probably more achievable than the overall goal of raising a 20 per cent rate, and both may be pursued more effectively because of their separation.

C. Continuity.

It is usually easier to find significant improvement by a criterion of outcome that is a continuous variable than by a dichotomy, such as success or failure. This is mainly because continuous variables are more sensitive to partial achievements than are dichotomous outcome rates.

An excellent example of such contrast in the sensitivity of outcome measures is provided in the study *Beyond Probation* by Charles Murray and Louis Cox (Sage, 1979). Although this work was at first criticised on both philosophical and methodological grounds, I believe

that the authors' response to their critics is more than adequate. They assessed alternative court dispositions for male delinquents who averaged eight prior arrests. These youths had only a 20 per cent success rate when success was defined as no rearrest in a one-year postrelease followup. None of the court's alternatives produced outcomes significantly different from 20 per cent by this no rearrest criterion. The researchers then redefined success for each individual separately as the percentage reduction in number of arrests from his last presentence year of freedom to the postrelease year, a continuous variable that was called the suppression rate. The average suppression rate varied with the length of time that the offenders were confined or were sent to a distant location, instead of being on probation in the neighbourhoods of their previous high arrest rates. This finding is consistent with those of several other studies which show that confinement increases the recidivism rate of unadvanced offenders as compared with probation or early parole, but decreases the recidivisim rate of those who have extensive prior criminalisation.

There are also other studies where continuous variables revealed significant differences not shown by dichotomous criteria. For example, measuring outcome by the percentage of a postrelease period that an offender is reconfined, which reflects the seriousness as well as the frequency of new infractions, is more sensitive than success defined only as whether or not the offender was rearrested or reconfined. Similarly, for evaluating vocational education or work motivation programs, either the percentage of time that the subject is employed in a postrelease period or total earnings will be more sensitive than whether or not he was employed in a followup period.

D. Adequacy in Duration.

Most evaluations of a criminal justice practice or service are based upon observations during a limited period of time. In many studies this period is not long enough for a valid conclusion. But what duration of observation suffices? There is no simple answer, but some comments may be useful.

In general, innovations tend to have their greatest impact on behaviour when they are new, especially if highly publicized. Thus, a threat of new penalties often reduces crime rates, as appears to be the case for the current random blood-alcohol tests of drivers in the Australian Capital Territory. Yet past experience with similar innovations shows that it is likely to have less impact when it is no longer new. Drivers will find that their prospects of being stopped are lower than they at first anticipated. Therefore, longer monitoring is needed before the impact of such a practice can be assessed conclusively.

Somewhat similar is the so-called 'Hawthorne Effect', named from a classic study that was at first concerned with the effect of lighting on productivity in a telephone equipment factory. The researchers found

that production increased with all degrees of lighting, from extreme darkness to a dazzling brightness, but they finally realised that the employees worked harder whenever they were aware that their productivity was being studied. The main point here is that whenever the impact of a criminal justice innovation is being assessed, it is wise to study it long enough for it no longer to be a novelty, for the subjects not to be self-conscious about being studied, and also, long enough to work out initial problems in administering this innovation.

Duration of the followup is especially important in assessing the impact of correctional programs because of maturation effects, which in this case is the tendency of most persons to outgrow their delinquent or criminal behaviour patterns, especially those of adolescence. For example, LaMar Empey and Maynard Erickson report in their book *The Provo Experiment* (Heath, 1972) that a one-year followup of an intensively guided group interaction and work program for regular juvenile probationers resulted in lower recidivism rates than traditional probation supervision. Yet as the youths matured, these rates converged, for both groups had fewer arrests in each subsequent followup year. Contrastingly, when delinquents with somewhat more serious crime records were placed in this special probation treatment program and their recidivism rates were compared with those of similar offenders sent to a state training school, there was no significant difference in the first year, but there was increasingly greater recidivism for the ex-inmates than the ex-probationers in each successive year of a four-year follow up. The criminalising effects of the state school on these offenders appeared to be quite persistent. At least a two-or-three year followup was required in this study to discern these patterns of convergence and divergence. The practical implication is only that when there is pressure to announce preliminary findings, it is well to qualify them as not conclusive until enough time elapses to establish a fairly clear trend.

E. Economic Relevance

Whether we like it or not, the most influential measures of the impact of a criminal justice innovation are usually those that can be expressed in money. Net economic consequences especially concern policy makers when they consider adopting a new service or procedure.

The simplest economic measure is cost-effectiveness, which is the average monetary cost of obtaining a given unit of goal achievement. This can be expressed, for example, as somany dollars per robbery reduced by additional police patrols in a high-crime-rate neighbourhood, or as so many dollars per grade raised in prisoners' reading attainment scores by an elementary school program. Professor Empey's intensive group guidance for delinquents who lived at home but reported to a treatment center was less successful in Los Angeles than in Provo in reducing the recidivism rates of moderately advanced offenders; crime rates were about the same after his program as after confinement in county probation camps, but his program cost much less, and thus was markedly more cost-effective.

The most potentially influential economic impact measurement is cost-benefit analysis, in which a monetary value is assigned to the effects of a program and this is related to its costs. Thus, if 1,000 hours of welding instruction for a prisoner costs $5,000 on the average, but it increases by $5,000 the average postrelease taxes that each ex-prisoner pays and decreases by an average of $5,000 what the state pays for welfare assistance to him and to his dependents, the state saves $10,000 by investing $5,000 (not counting the public's benefit and the state's savings if employment also reduces the recidivism rate of exprisoners). Of course, these and other estimates of benefits and costs must usually be made with very imperfect data, and they require some guesswork. Nevertheless, even such crude types of economic analysis of program effects are desirable because decision makers must also estimate costs and benefits. Despite the imperfections of the research estimates, the figures they they yield are likely to be more accurate than those of most officials, and research results can be progressively made more precise and valid.

Conclusions

Much more could be said about pitfalls in evaluation research. All the topics discussed could also be analysed in a more technical manner. It will suffice to conclude by observing that as the world becomes more formali ed in its administration, and more computeri ed in its recordkeeping, there will be a growing demand for more objective, precise and logical evidence to guide the policies and practices of criminal justice agencies. Therefore, evaluation research is bound to grow in extent and influence. The more it can avoid pitfalls, the more useful it will be.

EVALUATING LAW REFORM IN NEW SOUTH WALES.

JEFF SUTTON

It is often claimed that the methodology of evaluation studies is no different from the design of experimental tests of hypotheses. When practical difficulties arising from the political or social situation intrude they are seen as sources of error rather than part of a problem to be dealt with by the methodology. Many researchers would rather abandon the evaluation rather than meet constraints that are an inevitable part of working directly in currently developing political and social situations.

To meet these constraints the program to be evaluated should be clearly established, including implicit and explicit political, community and bureaucractic goals. Data relevant to the pursuit of such goals should then be collected through an ongoing monitoring procedure ('process evaluation'). For the evaluation of particular aspects of the program various sampling and control group techniques may be applicable.

The use of inferential statistics should always be related to the precision required for the political and public purposes of the programme. This is not to exclude theoretical considerations. Applied and theoretical goals often overlap in effective social science research.

These issues are examined in relation to specific evaluations undertaken by the Bureau of Crime Statistics and Research, especially those involving changes in the law on bail, public order and domestic violence.

PUTTING RESEARCH TO WORK

CHARLIE ROOK

Over the next four days, this seminar will hear of the results of more than 30 criminological research projects. They represent but a fraction of the amount of such research now being conducted annually around Australia in government departments, universities, Law Reform Commissions, Bureaux and Institutes.

My paper does <u>not</u> deal with a specific research project. Instead, it looks at what practical effect is resulting from the vast amount of information being generated through criminological research. My concern is that we should be attempting to put our research to work, so that research findings are applied in a practical way to achieve desired social and organisational change. This paper will look at some of the obstacles and difficulties encountered in attaining that objective.

Too often researchers see the production of a report as the end product of their endeavours, with no thought given to ways of implementing recommendations. Just as often, the reports are only read by other researchers, who are rarely in a position to bring about the changes which might be called for. The result is that the very considerable effort and talent which has gone into conducting the research has little, if any, impact on the problem it is addressing.

Criminological research, by its very nature, typically deals with real-life problems and issues. You only have to glance through this seminar program to conclude that. So the information produced is <u>potentially</u> very useful. It is up to us as researchers to see that it is <u>actually</u> useful and used.

Whilst the production of knowledge for its own sake may have some merit, the existence and concern about the real problems in the way in which our society deals with crime and criminals or social control procedures means that research which is not able to be applied may be considered somewhat extravagant and wasteful of resources. Similarly, research which simply follows a re-run of a standard formula - outlining a problem, its size, scope, dimensions etc. - <u>without</u> offering solutions or strategies for ameliorating the problem will undermine the credibility of, and ultimately the funding made available to, criminological research. Particularly during these tough economic times, those who control the purse-strings on behalf of the public expect that researchers will have some expertise and authority in recommending solutions or strategies to social problems, and that investment in their research efforts will have some public benefits.

This is not to argue that there is no place at all for non-applied research. Only that a suitable balance must be struck with a reasonable weighting in favour of research which can be applied if criminological research is to maintain its level of support and funding.

The four major problems which I see as limiting the applicability of research to real-life problems are:

- failure to address the problem;
- failure to consider possible solutions and their implications;
- lack of understanding of the process of government;
- inadequate 'marketing' of the research findings.

Failure to Address the Problem

In some cases the research focuses on the easy-to-manage peripheral components of the basic problem rather than addressing the 'hub' of the problem. This approach results in nice, crisp, clear, concise research reports, but it leads nowhere as the basic problem has been avoided. Added to this, these projects are often re-runs of someone else's work done in a different location or updated over time.

In other cases a valiant attempt is made to tackle the crux of the problem, but the wide-ranging implications of the work seem to frighten off the researcher, resulting once again in a withdrawal to the safe and sure ground of dealing with the innocuous peripherals.

In other instances clear parameters are specified at the outset, but the research seems to get sidetracked into other more manageable areas. The result is a report which does not cover what it originally intends to cover.

No doubt in each instance reasonable excuses can be offered to justify the line which has been taken. This does not detract from the fact, however, that because the research does not address itself fully to the problem under investigation, its capacity to be applied to solving the problem is severely diminished.

The research has fallen down because of a lack of commitment on the part of the researcher to tackling, and sticking to, the hard problems; possibly because of lack of creativity and skill in devising ways to address and enlighten the real issues.

Failure to Consider Possible Solutions and their Implications

Much research focuses almost exclusively on the nature and description of the problem without providing any guidance as to how it might be overcome. The size, shape and colour of the problem is indulgently outlined in painstaking detail, but for the decision-maker who is looking for policy options and recommendations, the research is of little use, as no effort is made to offer solutions to the problem.

Researchers must start to regard themselves as having this authority with which they are credited by the public. The detailed knowledge and expertise they are able to acquire in carrying out their work, places them in a peculiarly authoritative position from which to make sound suggestions for solving problems, rather than just describing the problem. This authoritative position for offering solutions could be much better utilised.

An example of failure to consider solutions and their implications is a research report which shows that parole breaching rates are around one-third, therefore concluding that parole does not work and should be abolished. No attempt is made to look at the implications of such action, such as effect on prison population size; costs; consequences for the two-thirds who do not breach parole; or ways to improve the parole system.

A good example as to how it should be done is the Australian Law Reform Commission and the Australian Institute of Criminology handling of the Aboriginal Criminology problem. In both cases the broader ramifications of the problems and solutions are addressed.

Lack of Understanding of the Process of Government

If researchers are to have any impact in bringing about social and organisational change through well-developed options and recommendations, a knowledge of the process of government - how decisions are made and implemented - is crucial. A lack of knowledge in this area is another common problem which limits the application of research to criminological matters.

The machinery of government, both bureaucratic and political, has numerous elaborate built-in checks and balances - some would call it a morass of obstacles and hindrances - through which would-be proposals must pass before they can be implemented. At least a basic understanding of the procedures and processes of government is required in order to successfully get many research projects off the ground, let alone safely steer it through the various phases of options, implications, recommendations, costings, draft proposals, pilot program and finally implementation.

A lack of knowledge of these processes - the levels of decision-making, the parameters of control, the policy objectives, the consultation and consensus-reaching mechanisms - puts any practical research output at the mercy of benign supporters, often within the bureaucracy. This brings me to my last point - inadequate marketing of research findings.

Inadequate Marketing of Research Findings

From time to time a research project may meet all the above requirements for practical application but simply collects dust because it is not actively marketed: the belief seems to be that the work is done. It is all written up and documented, therefore anyone who is interested can read it. But the usefulness of the work is lost because only those people who were originally involved in the task know anything about it.

The deficiency here is a lack of marketing of the output. By marketing I mean going out and actively selling the product through such means as news releases, interviews, addressing community groups, papers at specialist conferences and pushing the product to the decision-makers in the community - to Ministers of the Crown, Permanent Heads of Departments and the managers/ administrators of the criminal justice system/social control system.

Just as in marketing commercial products, the marketing should always be pitched to the consumer. It is not good enough to have a standard line of patter which is too technical for community groups or too simplistic for Ministers or Permanent Heads. The information should address the specific concerns of each special-interest group and the researcher must be aware of the consumer resistence and strive to allay their concerns.

Putting Research to Work in Victoria

In Victoria, the Department of Community Welfare Services has adopted a model designed to help overcome the problems I have outlined. The model involves the integration of policy, planning and research functions within the one office.

This facilitates the development of clear Departmental policy objectives which can be modified or ratified by the goverment in line with clear social goals. That is, the basic directions are set. These objectives, so set, are then operationalised through the planning process into programs which specifies the what, where, when and how.

The actual impact of the programs can then be assessed through the research process which assesses how well (or how poorly) the program operates in relation to the original objectives. This also provides an opportunity to ascertain what went wrong and how these problems can be overcome. Solutions and modifications then feed back through the policy process assessing the directions and objectives. In effect it is a feedback loop which ensures the integration of the policy, planning and research functions.

While the Department of Community Welfare Services approach may sound like an ideal, let me assure you that we have our problems too, particularly the linkages between operations and development functions; and also a problem of resources, with which I am sure we are all familiar - staff ceilings, cost cutting, etc.

However, one scarce resource which should be of concern to us all here today is the calibre and commitment of the researchers in our various organisations, for they can have a significant input on the quality of life in our society by putting research to work to help bring about some desired changes in our social control systems.

COUNTING PRISONERS

JOHN WALKER

Theologians used to argue passionately over how many angels could dance on the head of a pin. The debate went on for centuries without a definite consensus being reached. Such passionate interest was not so evident at the other end of the good-evil continuum (although much discussion has taken place in Melbourne over how many Demons it took to block out Kevin Bartlett) until 1980 when preparations began for the first National Prison Census, which was scheduled to take place on 30 June 1982.

The proposal for a national prison census first emerged at a correctional administrators meeting in Melbourne in September 1980 as an offshoot from a review of correctional statistics. Preliminary technical discussions were held in December 1980 and a formal proposal went to the Ministers Conference held in New Zealand in April/May 1981. There was agreement among administrators and Ministers that the results of such a census would be extremely valuable for management and planning purposes, for example in projecting future needs for facilities of various types, or for comparing the effects of differing parole policies. The results might also throw some light on sentencing practices in different jurisdictions, and would be invaluable to practitioners and researchers in a wide variety of areas including the judiciary, criminologists, and behavioural scientists.

A successful pilot run was carried out in February 1982 in each jurisdiction, and it was agreed, at the meeting of correctional administrators in Alice Springs on 23-24 February, that the first full census should go ahead on 30 June 1982, and that planning should proceed with the expectation that similar censuses should be taken in future on a regular basis.

The 1982 exercise proved to be a valuable opportunity for several state correctional departments to check the validity of data already on file, and in one case, to extensively overhaul and convert their entire system to a computerised data-base. In several instances also, the census provided an opportunity to adjust definitions and counting rules so as to ensure greater comparability of statistics across jurisdictions. To this extent, therefore, the census has already achieved some of its objectives.

The information collected in this census is of three basic types: first, general information on the demographic and social characteristics of the prisoners; second, information on the legal status of the prisoners, including the nature of the offence(s) or charge(s) for which the person is in prison; third, for prisoners actually serving a sentence, details of the sentence(s) being served.

The problems faced by the census team were numerous and complex. The most basic objective of the census was to produce some useful information - that is, useful from the points of view of the principal decision-makers and analysts in the Australian correctional systems and other persons with a direct interest in the systems. It is obvious that counting prisoners would be of little use unless the results could be presented in a comprehensible form, and equally obvious that some significant compromises would have to be made to reconcile the conflicting definitions and recording practices.

Even the most basic question of who is a prisoner is not as easily answered as might be thought. Angels are readily identified by their wings, which make them quite distinct from humanity. But prisoners are not so readily identifiable -particularly weekend detainees on a Wednesday, for example. 30 June 1982 - a date chosen for its significance in relation to other statistical collections such as the quinquennial censuses of population - turned out to be a Wednesday, so the project team had to find a formula which included weekend detainees who were in prison the previous weekend.

Similar compromises were forced upon the project almost daily. Even how to classify the sex of the prisoner took some considerable discussion, but the most enduring arguments were about classifying the prisoners according to the offences for which they were charged or convicted and according to the lengths of time they were to spend (or had already spent) in prison.

Prison sentences are generally reserved for offenders whose crimes have been serious, numerous or both. Persons who are charged with such crimes, but not yet convicted, and those who have been convicted but not yet sentenced, may also be held in prison. A large proportion of persons held in prison fall into more than one category as a result of their being charged or convicted for a number of offences. Information on the precise nature of charges laid, offences proven and sentences handed down for each individual prisoner is held on file in correctional establishments but is far too voluminous and complex to be used for administration policy purposes and totally defies tabulation. The problem is to simplify the information without seriously corrupting the content, and central to this was the determination of the 'most serious offence'. An example helps to explain the difficulties presented by this concept:

> The (hypothetical but not atypical) prisoner was received on remand 5.1.77 for Break, Enter and Stealing (3 counts) and Larceny of a Motor Vehicle. Sentenced on 28.1.77 to 2 years for B.E.S. and 1 year concurrent for L.M./V with non-parole period to expire 30.11.77. On 23.3.77 further sentenced to 4 years for Armed Robbery to commence from 23.3.77, new N.P.P. to expire 23.3.79. Released to parole on 23.3.79 he was revoked on 30.3.79 and returned to prison on 15.4.79. A further charge of Larceny M/V was heard on 25.4.79 and he was sentenced to 6 months from that date. He was re-paroled on 1.11.79. He was again revoked on 1.2.81 following arrest for attempted rape. A sentence of 3 years was passed on 20.3.81 to date from 1.2.81, N.P.P. to expire on 1.2.83.

This was considered to be all one episode with the most serious offence being Armed Robbery (4 years).

Because the census covered all jurisdictions, each with its own legislation and penalties, and each with its own corrections information system, it was only made possible by the earlier work of the Australian Bureau of Statistics' development of the (draft) Australian National Classification of Offences. Although this classification has a few problems it has generally speaking enabled the production of cross-tabulations, with a semblance of credibility. Some figures will stand out; for example, the number of 'homicide' offenders with sentences of only a few months, which is explained by the inclusion of 'manslaughter-by-driving' in the same category as wilful homicides. However, those who have participated in the census would generally assert that the results give the best and truest picture of its prison population that Australia has had since the well-documented days of transportation.

The Czechoslovak-born Aborigine, the 2-month-old Queenslander convicted of rape, and the traffic offender sentenced to forty years imprisonment all disappeared during the lengthy edit and error-checking processes, but there will still be much food for criminological thought when the final figures are released by the Ministers.

PROBLEM STREET DRINKING AND THE LAW

RON OKELY

The research was designed to investigate the effect of summary conviction and court imposed fines on problem street drinkers in the inner city of Perth. In a small number of documented cases through the Emergency Centre at Royal Perth Hospital, it was possible to monitor the proportion of Social Security payments surrendered as personal bail or fines for street drinking charges. If this was indicative of a larger population, then an assessment could be made of the amount of money involved, the effects on subsequent re-conviction and lifestyle. A structured interview was administered and court records searched for fifty respondents following their being committed in the East Perth Court of Petty Sessions on public drunk and drinking charges. It was found that the majority of respondents were on Social Security and had not worked for over two years.

It was found that only five of the respondents were female; single and separated people predominated. The majority of respondents were on Social Security. The largest percentage (28 per cent) was on Invalid Pension, suggesting that this number of respondents were incapacitated in some way and unable to work. A small number (20 per cent) were on Unemployment Benefit, suggesting that this number were (appropriately or otherwise) regarded as available for work. Some respondents, especially the older ones, were on Military Pension (12 per cent); those employed and on Sickness Benefit making the rest. The problems caused by receipt of money benefit are discussed.

Over half had attended Royal Perth Hospital Emergency Centre for alcohol and alcohol related conditions, but less than one third had had specialised treatment for alcoholism.

The magistrate sitting during the survey was almost entirely consistent regarding his disposal of each offence. It is of interest that 100 per cent of the drink charges were dismissed (Section 137 of the Police Act). The street and park drinking charges were disposed of by a fine (with costs) and no time to pay, the payment being by default, either whilst in custody prior to the court appearance or by the offender being told to wait in court until it rose at the end of the sitting.

The magistrate's sentencing policy was consistently lenient towards public drinkers at least since January 1982. A research of the respondents' court records showed that when this magistrate was sitting, i.e. every weekday, every one of the 74 drink charges was dismissed and all 34 street drinking charges were dealt with by a fine of $10.00 and costs of $7.40 to be paid by default.

In essence money usually only changed hands as personal bail offered to prevent a night in the lock-up, but rarely recovered by attendance at the following morning's court. The sums paid in bail represented significant losses in income. The deterrent effect was found to be negligible.

One third of the respondents expressed interest in an income maintenance program. A proposal to establish such a service which would enable the inner city problem drinkers to follow a more rational spending pattern is described.

The implications of implementing such a proposal are discussed with reference to health, welfare and legal services.

SOME PROBLEMS OF LONGITUDINAL RESEARCH ON DEVIANT BEHAVIOR

KENNETH POLK

While the panel design offers many advantages to social scientists, especially those studying deviant behavior, a major source of potential bias and error of this design is the loss of respondents over time. The present investigation draws upon a secondary analysis of data from seven panel studies which followed adolescent populations through time to examine the impact of such attrition on univariate, bivariate and multivariate estimates obtained from individuals who remain in panels. Those who remain over time in panels are found to provide relatively accurate estimates of bivariate and multivariate relationships. Univariate estimates, such as incidence or prevalence measures of deviance are found to be slightly but systematically biased, this tendency being more clear when the panel is constructed from a broadly representative population base.

SAFEGUARDING THE RIGHTS OF MENTALLY RETARDED OFFENDERS

SUSAN HAYES

Mentally retarded offenders are like other specially vulnerable groups, e.g. migrants, Aborigines and children, when it comes to apprehension and questioning by police officers. There are a number of problems faced by the mentally retarded person and the police officer when they encounter each other. The problems include recognition of the intellectual disabilities (memory, cognition, ability to foresee the results of one's actions) experienced by retarded people; the general public's and police officer's fear of the bizarre or unusual; the temptation of obtaining a 'confession' although the person being questioned does not comprehend warnings against self-incrimination, and is likely to submit to even mild pressure or duress; and the process of labelling the offence which can result in a retarded offender facing a much more serious charge, than another offender who is more intellectually able.

It is important to realise that the justice system does not begin with the courts - it begins when evidence is being gathered, witnesses are being interviewed and suspects are being questioned. It begins with the involvement of police, and ordinary citizens, who will suspect a person of a crime more readily if that person is in some way deviant, or belongs to a minority group. In the case of some minority groups, the difficulties experienced with police and the criminal justice system are well documented. There is little awareness, however, of the fact that mentally retarded people can also be victimed, and at least part of the reason may be the inability of this group to express itself verbally.

One of the major areas of concern are confessions obtained from retarded suspects. Their validity poses problems. Because of a retarded person's suggestibility he may be willing to confess to a crime, whether or not he committed it. The reasons for this include - the retarded person's desire to please persons in authority; the fact that a retarded person gives in to coercion more readily than typical people; and the literal interpretation of questions. The official caution seems to be ineffective in safeguarding retarded people during questioning. A study in the United Kingdom of retarded adults with I.Q's ranging from 73 to 80, indicated that 4 out of 5 did not understand the official caution. This finding has been supported by research in the United States of America where it has been found that any suspect with limited English speaking ability or limited educational background can have difficulty understanding the rights as read by or to him.

A number of solutions to the problem of safeguarding the rights of mentally retarded suspects can be proposed. These include the presence during questioning of a third party, who is familiar with the problems of mental retardation and who is not a police officer; the establishment of judicial guidelines governing admissability of confessions, similar to those for Aboriginal suspects, and the training and education of police court officials in identifying and handling mentally handicapped suspects and accused persons.

SEXUAL ASSAULT IN SOUTH AUSTRALIA

ADAM SUTTON

A. Outline and Aims of study

As Kelly (1982) and others have pointed out, there is now no shortage of research describing and categorising sexual assaults reported to police. Most of these studies concentrate on the circumstances of the offence, the characteristics of offender and victim, and their relationship. Less frequently, however, have there been attempts to analyse how the criminal justice system subsequently has dealt with these cases: what percentage resulted in an arrest, how many alleged offenders are convicted; what types of compensation are available to victims.

The primary objective of the Office of Crime Statistics' study of sexual offences in South Australia is to cast some light on these issues. Based on Police Department Apprehension (APs) and Crime Reports (CRs) relating to persons apprehended during 1980 and 1981, it will first classify the alleged sexual assaults into different types, then trace subsequent progress. In particular, we will be collecting data on such aspects as:

* why the Police Department decides not to pursue some charges before or during the committal stage;
* why the Crown Prosecutor's Office withdraws charges or enters 'nolle prosequis';
* the committal hearing and trial itself (pleas entered and outcome, types of evidence and cross-examination), and
* time taken on, and outcome of, criminal injuries compensation applications.

We hope the research will have at least three potential benefits, namely:

* it may help identify administrative or legal procedures which are unfair to victims;
* it may provide a basis for a comprehensive review of the effectiveness of South Australia's sexual assault legislation (we will be attempting to identify anomalous cases which resulted in acquittals or charges dropped in S.A., but could well have resulted in convictions elsewhere);

* if South Australia's laws are changed, it will provide a starting point for 'before and after' comparisons.

Since the study also accumulates fairly comprehensive data on sexual offenders convicted, it may also have the subsidiary benefit of assisting reviews of the adequacy of facilities for treatment.

B. Progress Made

With the help of the South Australian Police Department, data from all APs and CRs have been coded, and are being matched with details from Crown Prosecution, Higher and Lower Criminal Court files. We have run into the following difficulties:

* descriptions of offences, offenders and victims on APs and CRs - which are basically clerical, not research documents - are not always complete, and this makes it difficult to classify some offences and offenders;
* it is not possible to find out what happened to all cases - in particular, to find out why some cases were dropped before or during the committals; and
* matching of court and police data has been impeded by the fact that privacy requirements make it impossible for the Police Department to disclose names.

Despite these problems, we hope the study will provide some fairly clear insights on how South Australia handles sexual assault cases.

HOMICIDE IN NEW SOUTH WALES 1968 - 1981

ALISON WALLACE AND MARGARET BUCKLAND

This paper presents some preliminary findings of a research project on homicide in New South Wales between and including the years 1968 - 1981. The aim of the study was to examine the characteristics of homicide in the state during the fourteen year period. Information has been collected on the homicide incidents, and on the individuals involved in those incidents - with particular emphasis being placed on the relationship between victim and offender. One of the objectives of the research was to conduct a longitudinal study of some of the state's homicide patterns. The material we have researched will complete an historical profile on homicide in New South Wales spanning almost fifty years, following on from two earlier studies on the same topic, one by Robert McKenzie on the years 1933 - 1957, and one by Theresa Rod who studied the years 1958 - 1967. By updating and expanding on these earlier works, the current study proposed to document such issues as: changing tensions within society as revealed by an analysis of the victim-offender relationships; changing tensions within the family as reflected in changes in domestic homicide patterns; the identification of certain 'risk factors' which may increase the likelihood of a person resolving conflict in a violent manner. By examining such issues, it is envisaged that the appropriateness of various legislative, social and economic measures will be examined regarding possible prevention strategies.

As well as studying features of the sample as a whole, the study examined particular types of homicides in more detail. It is clear that homicide does not constitute a homogeneous class of crime. Homicide is a heterogeneous phenomenon, encompassing a variety of people, killing in very different circumstances, often under very different pressures. For example, the pressures, difficulties and general circumstances involved when a woman kills her child, are quite different from those incumbent when one man kills another in a pub fight. It is crucial to examine in more detail qualitatively different types of homicide, based primarily on the relationship between victim and offender.

The first half of the paper presents some preliminary findings based on a few of the above issues. Some of our study's findings on the age and sex of the offender, as well as on the pattern of relationships between victim and offender are discussed, and then compared with the material from the earlier works.

The second half of the paper concentrates on examining one particular type of homicide, the killing of young children. The relationship between these children and the suspect offenders is examined, and some of the circumstances of the deaths commented on.

FINDING OUT ABOUT FINES

DENNIS CHALLINGER

Fines are not only the most common sanction used by Australian courts they are also the only 'transferable' sanction in that the guilty party does not have to personally discharge the court's requirement. However relatively little is known about fines in practice. People pay them, police call for them to be increased, politicians decide them and Treasuries count them. But no-one has any firm basis for doing with fines as they do.

This research focussed on fines judicially imposed in Victorian Magistrates' Courts as distinct from 'administrative' fines imposed through on-the-spot tickets for parking and driving offences etc. despite the fact that there are about twice as many administrative fines than judicial fines imposed. The research aimed to do two seemingly simple things. It aimed to establish how many, and how quickly, offenders paid their fines. And it hoped to gauge citizens' views about the levels of fines and see if they supported the notion of more ordered fine setting. In practice these turned out to be less simple tasks than expected for a variety of reasons some of which are described in the following.

(A) Fine Payment

(i) Magistrates Courts Quarterly Statistical Returns were used as a basis for selecting 'average' courts, however examination of Court Registers on site revealed those returns to be an unreliable base for drawing a sample. In addition what might be called "trivial offences", comprising being drunk and disorderly, failing to vote, and offending against Railways By Laws or the Transport Regulation Board, were included in statistics of fines imposed by courts. But because the fines imposed for these offences showed them to have more in common with administrative fines they were not desired for this research.

(ii) Single charges resulting in a single fine occurred in a little over half of the cases finally extracted from Registers in nine different Victorian Court Houses. Multiple fines for multiple charges comprise a real problem especially where some fines are paid and others not. (e.g. How can an offender fined $50 for assault, $50 for resisting arrest and $10 for a minor traffic offence be classified if he pays $90 to the Court before 'disappearing'?)

(iii) The final sample comprised 8256 fines imposed upon 5577 separate individuals, and the courts received payment for 91 per cent of these fines within the 12 month follow up period. The bulk of offenders (70%) paid their fines without problem, 21 per cent paid only after the Court had issued a warrant, 7 per cent disappeared in that they could not be found to have a warrant served, 2 per cent spent some time in prison in lieu of payment and 0.5 per cent were still paying by instalments 12 months later.

(iv) Analysis of these different groups according to offence types, amounts, and times taken to pay is still proceeding. Most of the ninety offenders who went to prison were found to have been there before, indicating that imprisonment in default is neither frequent nor likely for a generally law-abiding citizen.

(B) Fine Setting

(i) This part of the research aimed to gauge public support for a fine tariff that always reflects different circumstances relating to the offence. To do this it was necessary to select an offence with which people would have some familiarity. Accordingly exceeding the speed limit in a motor car was selected.

(ii) A sample of 1260 Victorians, predominantly drivers, 30 per cent of whom had been fined for speeding (as it happens) completed a questionnaire. The representativeness of the sample is questionable, drawn as it was from a variety of sites including queues of traffic outside a city parking lot, shoppers at large shopping complexes and workers in their canteens at lunchtime.

(iii) The questionnaire pointed out that a speeding driver could (at that time) be fined $100. Respondents were told they should use that figure as a base from which they could move up or down and indicate fines they thought appropriate under different circumstances. The circumstances ranged from the 'good' (e.g. 'the speeding car is a new car in perfect mechanical condition') to the 'bad' (e.g. 'the speeding driver has a blood-alcohol level of over .05%'), through the environmental ('the speeding car is driving into the sunset').

(iv) An immediate result that arises from analysis of responses is that these 'ordinary' Victorians had some difficulty with the questionnaire. In overall terms the base-fine of $100 was not moved downwards. The lowest average fine was $109 for 'speeding on a sunny morning on a quiet street by a driver with no previous speeding offences'. Separately, speeding in a quiet sunny street was given an average fine of $112, and a driver with no prior speeding offences was fined an average of $156. (The accumulation effect of two circumstances appears somewhat irregular.)

(v) Further analysis of suggested fines by driving experience, speeding experience, sex, age and occupation of respondent indicates some areas of interest. But the support for consideration of both good and bad circumstances in setting a fine is not as plainly stated as it was hoped.

COMMUNITY SERVICE ORDERS IN NEW SOUTH WALES : AN EVALUATION

ANGELA GORTA

Background

Beginning in four Probation and Parole Offices in July 1980, the Community Service Order Scheme in New South Wales has gradually been extended to more than 30 areas of the state. By the beginning of February 1983, a total of 1926 offenders had been sentenced to community service work. 889 of these orders are still in progress. Of the completed orders, 945 (91 per cent) can be considered 'successful completions' while 92 (9 per cent) orders were either breached or revoked.

As described by the Coordinator of the Scheme:

> *... the three aims of the NSW scheme, are, in order of priority:*
> 1. *To act as an alternative to imprisonment*
> 2. *To provide benefits for the community (i.e., mainly in terms of work completed)*
> 3. *To provide benefits for the offender (i.e. in terms of whatever might flow from a successful placement)*
>
> (McAvoy, 1982, p.26).

The successful operation of the Community Service Scheme relies on the interplay of personnel from a number of different backgrounds. Following sentencing by a magistrate, a Community Service Organiser working as part of a Probation and Parole Office places the offender with a community agency. Sessional Supervisors, employed on a part-time basis by the Department of Corrective Services, maintain a link between the Community Service Organiser and the agency personnel. It is these agency personnel who provide the detailed supervision of the offender's work. In some instances, individuals such as pensioners are direct recipients of the offender's work.

Research Design

The proposed research strategy took the form of a three-pronged attack:

1. Analysis of record data

From the community service files of 270 offenders who had completed their orders, data were extracted in order to compare a profile of 'successful' workers with a profile of those who breached their order.

The information recorded from the files included: demographic data, court and sentencing data, past criminal history, detail of work placements during the order, and completion information.

2. Administrative study

A study of administrative aspects of the scheme was attempted through structured interviews with the different personnel involved in all stages of the scheme.

Attempts were made to interview the Community Service Organiser, a Sessional Supervisor, a member of staff for three community agencies, five offenders, a recipient and two other Probation and Parole staff (including the Officer-in-Charge) in each of the five city and five country areas sampled.

Some questions, such as those relating to the objectives of the Community Service Order Scheme, the perceptions of own role and the roles of other personnel, and the issue of confidentiality of offender's background, were asked of each of the different personnel.

Other questions were specific to each of the groups. Offenders were asked the penalty they had expected and the penalty their legal representative had suggested was likely before they were sentenced, their views of Community Service Orders and how the Order affects their life. Organisers were questioned about any problems they experienced with breach or court procedures. Agency personnel were asked their opinions of workers' motivation, skills and reliability, and for details of any workers who have continued with the agency after completing their orders.

3. Assessment of Community Service Orders as an alternative to imprisonment

The evaluation of the extent to which the Community Service Order is used as an alternative to imprisonment, rather than as an alternative to noncustodial sentences such as fines or probation has proven to be the most difficult phase of the project.

The initial proposal involved concentrating on the sentencers: the magistrates. A sample of 50 magistrates was to be given case summaries and asked to resentence offenders, previously given C.S.O.s, with C.S.O. excluded as a possible sentencing option. The case summaries were to be based on data available at the time of sentencing: Pre-Sentence Reports together with Police Depositions or Traffic Record.

This paper discusses the administrative difficulties associated with this proposal and reviews other possible methodologies.

Major discussion topics

1. The difficulty of evaluating the extent to which any sentencing option acts an an alternative to imprisonment.

2. The implication of the Community Service Order Scheme being used as an alternative to noncustodial sentences, both for the offender and for the Scheme, itself.

3. Possible actions to increase the likelihood of Community Service Orders being used as an alternative to imprisonment.

Reference

McAvoy, J. Community Service Orders: An alternative to prison. *Current Affairs Bulletin*, April 1982, 24-29.

EVALUATION OF THE REHABILITATIVE POTENTIAL OF COMMUNITY SERVICE ORDERS

PRUE OXLEY

The Issue

However cynical one is about the criminal justice system's potential for rehabilitating offenders, preventing reoffending remains one of the express reasons for having criminal sanctions. In New Zealand at least, rehabilitation, after a short lapse of faith in its credibility, seems to be enjoying a revival.

If rehabilitation is going to remain in the books, it seems to me that it is time policy-makers and administrators took it seriously. Researchers and evaluators have a role here in helping to understand how the 'potential' can and cannot be realised.

This project is an attempt at evaluating rehabilitation from a new angle. It is not a retrospective, descriptive survey of the incidence of reoffending following a Community Service Order, but a process-oriented exploration of how Community Service Orders actually work: what is the substance of a Community Service Order, how does this come about and what effect does it have for the individual offender. The research objective is to identify activities and processes conducive to rehabilitation.

Research Strategy

1. The Rehabilitation Model

The recently introduced community service scheme for adult offenders in South Australia lends itself well to this approach in that the Department of Correctional Services has identified in its statement of objectives the causal links which are assumed to exist between doing community service and being rehabilitated.

I have reconstructed their statement into a 'rehabilitation model' (Figure 1, appended).

2. The process-outcome model

In order to compare Community Service Orders as practised against the rehabilitation model, I have broken the model down into a series of process-outcome models.

Basically, this analytical model recognises that any resource (input) in a given endeavour are deployed, organised and acted upon (processed) thus producing an effect or product (outcomes).

This system may or may not have expressed objectives, may or may not be processing as the funders expect it to be, and may or may not be delivering the intended outcomes.

input → process → outcomes

Stage I of the rehabilitation model equates with the 'outcome' of the first input → process → outcome model (see Figure 2, appended). The evaluation will list the input, discover and describe the processes involved, describe the actual outcomes and see how they measure up against the stated outcome in the model. Very basically, the Community Service Order scheme is based upon an offender, a community and Department of Correctional Services resources. How are these translated into a scheme where individual offenders are ordered to do community service and what does this community service amount to?

The outcomes of Stage I, become the input in the second input → process → outcome model, with the Stage II, intermediate outcomes being the focus of this model. So if 'working alongside the community' is one of the Stage I outcomes, what processes at Stage II translate this into 'an improved standing in the community' of 'the development of new employment skills' etc? (See Figure 3, appended).

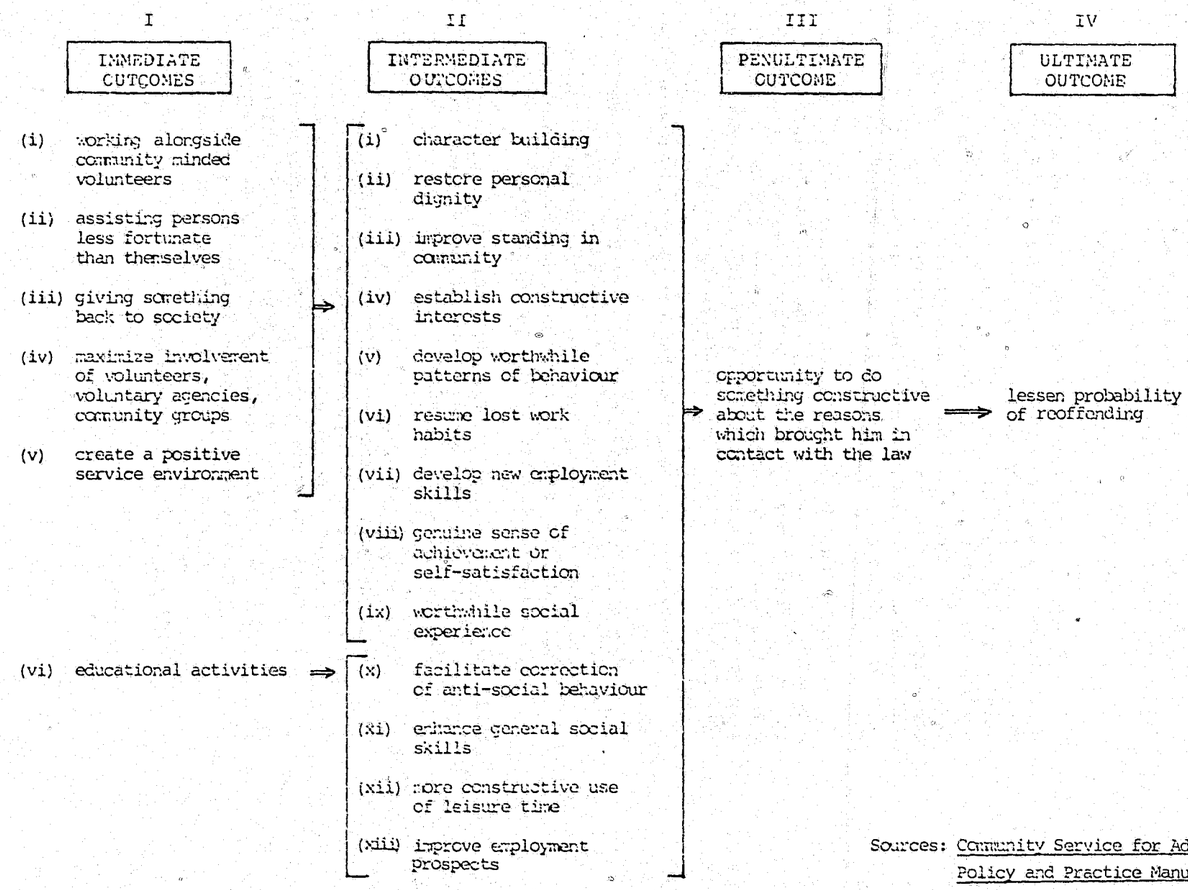
The process-outcome model has two stages of construction:

(i) the theoretical model will be developed from documentary materials : *Community Service for Adult Offenders, Policy and Practice Manual*, Community Service Order legislation, Hansard, circulars, instructions, duty statements; and interviews with head office administrators.

(ii) the empirical model. Techniques that will be used to describe the practice and thus compare against the theoretical model include:

(a) analysis of offenders' records;
(b) analysis of records about agency involvement;
(c) interviews (or questionnaires) of offenders, community agency supervisors, beneficiaries, Community Service Supervisors, Community Service Officers, and the judiciary: to elicit their expectation of community service generally with regard to rehabilitation in particular and their views on how to achieve this and on its success to date:
(d) (participant) observation.

FIGURE I : THE C.S.O. REHABILITATION MODEL



Sources: Community Service for Adults; Policy and Practice Manual.

FIGURE 2 : IMMEDIATE C.S.O. OUTCOMES (STAGE I)

input	→	process	→	outcomes
?		?		(i) work alongside community minded volunteers
				(ii) assist persons less fortunate than themselves
				(iii) give something back to society
				(iv) maximize involvement of volunteers, voluntary agencies, community groups
				(v) create a positive service environment
				(vi) educational activities
. what resources are available to the C.S.O. scheme?		. what happens to the resources once they are allocated?		. do these actually happen?
. how are they selected?				. what do they mean in practice?
				. how do they happen?
				. what other outcomes are there?

FIGURE 3 : INTERMEDIATE C.S.O. OUTCOMES (STAGE II)

input	→	process	→	outcomes
Outcomes as established in previous process e.g. work alongside community minded volunteers		? • what processes act upon this input?		(i) character building (ii) restore personal dignity (iii) improve standard in community (vi) resume lost work habits etc. • do these actually happen? • what do they mean in practice? • how do they happen? • what other outcomes are there?

COMMUNITY SERVICE ORDERS: ISSUES IN EVALUATION

SALLY LEIVESLEY

This paper aims to identify issues in evaluation research based on a current study of the Community Service Order Scheme in Queensland. The methodology in the project raises issues which reflect some of the central themes in evaluation research.

The paper commences with a brief review of the Queensland project, identifying the philosophy of the Community Service Order Scheme, and terms of reference for the project including aims and objectives. Data sources and the team work approach between a consultant and the Queensland Probation and Parole Service are described.

The evaluation model used in the project is briefly presented. The model involves the development of the following five key indicators: (1) measuring internal growth in Community Service Regions; (2) offender participation in excess of the Order, employment through the scheme, breaches and absconding; (3) community response by community leaders and volunteer supervisors, as a measure for growth potential within the Region; (4) internal evaluation from within Corrections, including the responses of the Judiciary, Probation and Parole Staff, and Community Service Supervisors; (5) cost effectiveness of the scheme in terms of administration costs and outcome of the scheme.

The next section of the paper focuses on six evaluation issues:

(1) Evaluation bias from the subjective influences of the team on data collection and interpretion. Internal departmental pressures, political considerations and the more subtle influences of knowledge background are described.

(2) The use of internal and external evaluation in the team approach is discussed as a means of balancing the evaluation.

(3) Replication of findings is introduced as an issue for consideration in projects where subjective data are included. The current project includes subjective responses by participants. In particular, the validity of 'captive audience' responses is discussed in relation to offenders.

(4) Data collection and analysis is described as a particular problem in evaluating Community Service Order Schemes where there are small numbers of offenders to be considered in the first few years. Departmental methods of data collection also need assessment and the analysis of raw data to avoid inaccuracies is discussed.

(5) Projections from data can be used as a basis for future planning of the Community Service Order Scheme. However, problems are raised by the interacting variables in this scheme.

(6) Evaluation of the needs of special groups raises the issue of generalisation from the findings. An example is given of Aboriginal schemes.

The paper concludes with a brief summary of the potential outcome of evaluation research. These include: operational feedback during the research; staff involvement in role analysis, data analysis, and in the critical focus on procedures; publicity which assists community involvement. The findings from the research also provide recommendations covering new areas for data collection and analysis, planning information for growth in the service and for the administration of the service.

A final comment is directed at the success in evaluation which can be measured not only in terms of the quality of the research but in the execution of the recommendations by the client department.

COMMUNITY SERVICE ORDERS IN WESTERN AUSTRALIA - AN EVALUATION

PAUL M.A. BIRCHALL, R.A. LINCOLN AND G.E. FLATT

Since 1978 the Children's Court in Western Australia has used the option of Community Service Orders (C.S.Os) in dealing with juvenile offenders. This paper presents an evaluation of the first two years of the scheme by reference to departmental court records of offenders completing C.S.Os. While acknowledging the value of reactions to the scheme by members of the public, official bodies and juvenile offenders, these were not the subject of the current research.

Of those juvenile offenders who completed orders in the years 1978-79 and 1979-80, 427 were selected on the basis that all the information required was available from their records (children receiving orders in both years were treated as one subject).

Each child was matched with a control chosen from our court records at least two years prior to the onset of the C.S.O. Scheme. Each group was followed up for two years, the experimental group up until 1980-81 or 1981-82 and the control group for the two years prior to the onset of the scheme (i.e. before 1978-79).

Thus children who were involved in the scheme were compared with matched controls who offended,and were followed up, before the scheme was implemented and were therefore dealt with by traditional sanctions (fines, probation etc.).

The groups were matched on age, sex, race and number of previous court appearances. Also noted were the previous number of offences, the type of offence resulting in the court appearance at which community service was ordered, and the sanction imposed. This latter information was used to check the similarity of the groups when they had been selected.

Over the follow up period the number of court appearances and offences were recorded.

Results are presented separately for Country and Metropolitan courts and for children below the age of 16 as opposed to 16 and 17 year olds.

The main findings related to the reappearance rates for the experimental group as opposed to the control group. The number of offenders who do not return to court or return only once, is compared to the number returning more than once during the two year follow up period. This comparison was carried out for four levels of offenders:

first offenders (zero previous appearances), minor offenders (one previous appearance), experienced offenders (2-4 previous appearances) and chronic offenders (5 or more previous offences).

Not unexpectedly the rate of reappearance is related to the previous appearance record of all groups. The reappearance rate is lower in the 16-17 year old groups because a proportion of the experimental group (and their matched controls) are not followed for a full two years since departmental records do not extend beyond 17 years.

For the children under 16 years in both Country and Metropolitan courts the reappearance rates are not significantly different for experimental and control groups; this is the case for all levels of offender. Thus there is no difference in the effectiveness of C.S.Os as compared with alternative court disposals as measured by the number of reappearances in court over a two year period.

For 16 and 17 year olds a similar picture emerges with the exception that the chronic offenders reappear significantly more often if they receive C.S.Os.

Further analyses indicate that the above findings are not affected by sex or race and that the experimental and control groups did not differ on variables which were not used to match subjects.

The results are interpreted as showing that C.S.Os are not more effective than alternative treatments of similar children with similar offence histories. Conversely they are no less effective. The intriguing question of how C.S.Os or the alternatives compare with no sanction remains unanswered.

The main results are presented in Tables 1 and 2.

TABLE 1 - METROPOLITAN COURTS

NO OF CHILDREN REAPPEARING IN COURT

(0 = zero or one reappearance
1+ = more than one reappearance)

AGE	GROUP	PREVIOUS COURT APPEARANCES							
		0		1		2 - 4		5+	
		0	1+	0	1+	0	1+	0	1+
LESS THAN 16 YEARS	EXPERIMENTAL	22	6	25	17	26	41	2	20
	CONTROL	23	5	23	19	29	38	4	18
16 - 17 YEARS	EXPERIMENTAL	46	8	29	10	23	11	5	14
	CONTROL	43	11	28	11	29	5	12	7

TABLE 2 - COUNTRY COURTS

NO OF CHILDREN REAPPEARING IN COURT

(0 = zero or one reappearance
1+ = more than one reappearance)

AGE	GROUP	PREVIOUS COURT APPEARANCES							
		0		1		2 - 4		5+	
		* 0	1+	0	1+	0	1+	0	1+
LESS THAN 16 YEARS	EXPERIMENTAL	8	6	14	7	9	9	2	7
	CONTROL	11	3	13	8	12	6	6	3
16 - 17 YEARS	EXPERIMENTAL	4	6	10	4	19	2	4	11
	CONTROL	9	1	13	1	17	4	10	5

* 0 = None or one reappearance in court
1+ = More than one reappearance in court

SCHOOLS, TRUANCY AND DELINQUENCY

GARRY COVENTRY

With the introduction of compulsory schooling, truancy has become a problem for schools and the community. However, no clear cut answers can be given to questions about the nature, extent, distribution, causes and consequences of truancy. Without further information to address the dearth of knowledge about such questions it is difficult to clearly judge whether institutional responses to truant behaviour and truants are appropriate and useful. The success of specific interventions or policies designed to minimise the problems associated with truancy for schools, society and students will largely depend, therefore, upon the soundness of understanding the phenomenon.

In late 1982, the Victorian Institute of Secondary Education received a grant from the Criminology Research Council to undertake an exploratory study of truancy. Major initiatives for the proposal to be developed stemmed from the Victorian Police, Community Welfare Services and Education Departments. This research, to be primarily conducted during 1983, utilises a longitudinal cohort study surveyed by yearly questionnaires and case study techniques.

The central concern of the proposed research is to examine the nature, extent, 'causes' and consequences of truancy in Victorian secondary schools. Major study objectives are:

(1) to examine what behaviour students engage in when truant;
(2) to provide a description of the incidence, distribution and pattern of truant behaviour across the secondary school years;
(3) to identify school and student variables which account for observed changes in levels and patterns of involvement in truant behaviour across time;
(4) to explore the relationship between characteristics of truants and official school responses to truancy;
(5) to specify the relationship between truant behaviour and involvement in delinquent and criminal behaviour; and
(6) to specify the relationship between truant behaviour and post-compulsory schooling experiences.

These objectives are to be addressed by combining analysis of existing data, drawn from a longitudinal cohort study (N=2300), augmented by collection of new data for the group (especially school, truancy and criminal justice system records). The cohort was

initially drawn from 1980 Year 9 students attending 26 Victorian schools stratified according to location, affiliation, sex-type and orientation. In addition, the research design includes a case study methodological component to investigate the complexity of truancy in 8-10 secondary schools. It is anticipated that students labelled as truants will act as young researchers in their schools.

The research will be completed in November 1983 and a final report will be available for distribution in February 1984. In the interim, a series of working papers are planned.

CRIME STATISTICS AND THEIR INTERPRETATION IN WESTERN AUSTRALIA 1829-1902

ANDREW GILL

This paper reports progress on research which has been carried on at the University of Western Australia since February 1980. The research is conceived in two parts:

1. The construction of a data base of information about prosecutors, victims, defendants and magistrates involved in cases committed for trial by jury at the Quarter Sessions and, from July 1861, before a Judge and jury in the W.A. Supreme court. It differs from the work of D. Phillips (1977) and M. Sturma (1983) in that it aims to cover a wider range of judicial decisions within the process of committal hearings and the trial itself: bail, election of summary or jury trial, the presence of legal counsel, challenges to juries, and any reduction of sentence after conviction; it aims to incorporate details of all J.P.s who sat at committal hearings, and who appeared on the Bench of Magistates at Quarter Sessions.

2. The second section of the research, with which this paper is primarily concerned, is to collate and locate as many series of statistics of offences and offenders from the foundation of the colony in 1829 to the Criminal Code Act of 1902. The availability of these statistics is summarised in Table A, attached to this abstract. The remainder of this abstract will concentrate on annotating this table with attention to the difficulties of interpretation of the statistics specified therein. The oral part of the paper will be a brief interpretation of trends in offences and offenders in Western Australia from 1829 to 1902.

Prior to 1852, no attempt was made to keep statistics of summarily triable offences. The settlers of the Swan River regarded the major index of crimes as the number of persons and cases tried at the Quarter Sessions held each year in January, April, July and October. On the three occasions when some attempt was made to analyse Quarter Sessions cases (1836, 1838 and 1842), the analyses were part of an attempt to promote the image of W.A. as a desirable place to which to emigrate, in competition with New South Wales and South Australia. The analysis stressed that W.A. suffered from very little crime, that many of the offences were committed by lascars, chinese, ex-convicts from Sydney, deserting soldiers or sailors, and Aborigines - all of whom were no part of the 'permanent' or 'bona fide' population of the colony.

A preliminary analysis of Quarter Sessions cases prior to 1855 has been made by Judith Fall (1978).

After 1849, summary jurisdiction was substantially extended to cover juveniles (12 Vict. No.21 adopting 10 and 11 Vict. C.82), Aborigines (12 Vict. No.8) and Ticket of Leave Men (14 Vict. No.6). In 1856, 20 Vict. No.5 allowed magistrates to give defendants (except for ticket of leave men) accused of simple larceny the choice of summary or jury trial in cases where the magistrates considered the value of the items allegedly stolen was less than £5. From October 1863 onwards, all convicts arriving in W.A. were to be subject to summary jurisdiction for the entire length of their sentences. Previously, convicts who had been granted a conditional pardon (after a term of ticket of leave) were entitled to trial by jury. The 2497 convicts who arrived after October 1863 amounted to 25 per cent of total number of convicts sent to W.A. between 1850 and 1868.

From 1851 to 1858, the W.A. Comptroller General of Convicts made half yearly reports in June and December. These reports, from June 1852 to June 1858, included returns showing the 'acquittals' and 'convictions' of ticket of leave men and 'free' persons 'brought before the police'. From 1856 to 1858, an additional category of 'conditional pardon men' was added to the return. This series has several flaws: There is no definition of 'free'. Presumably 'free' included all women convicted or acquitted (no women convicts were sent to W.A.) and all Aborigines. To judge from the fall in the number of 'free' persons acquitted or convicted in 1856 and 1857, 'free' had previously included some conditional pardon men. The figures for 1852 and 1853 are for only nine months; those for 1858 are for only six months. Only some of the 11 magisterial districts sent in returns and a large number of offences were 'not particularized' or merely described as 'felony' or 'misdemenour'.

From December 1858, the W.A. Comptroller General made only annual reports and the statistics he provided were mainly relating to offences by prisoners within the convict establishment rather than those by ticket of leave men or ex-convicts. This change was the result of a fresh series of statistical forms issued by the Colonial Office for use in 'Convict Prisons' (Bermuda, Gibraltar and W.A.).

A fresh series of offender statistics appeared in the W.A. Blue Books from 1860 to 1869 inclusive. These figures referred only to persons summarily convicted and to persons convicted in 'Superior Courts' (Quarter Sessions and W.A. Supreme Court). Once again the returns distinguished 'free' (undefined), ticket of leave men, conditional pardon men and expirees. A limited range of offences were specified on the returns and there was no regional breakdown of the offences or the persons convicted.

In 1871, the Colonial Office issued a circular despatch on the subject of the discipline and management of prisons in British colonies. Included in this circular were a series of forms headed 'Criminal Statistics' which Western Australia adopted, and which appeared in the W.A. Blue Book from 1871 to 1902. Figures in this series overlap with figures appearing in the W.A. Year Books for 1887, 1888 and 1889, the W.A. Statistical Register from 1896, and the Annual Reports of the Commissioner of Police from 1896-1897, giving the longest sequence of figures on offences for W.A. in the 19th Century.

The main sequences appearing in the Blue Book series are titled 'Offences reported to Police or Magistrates' and 'Charges heard by Magistrates'. Until 1878, the totals of these two sets of figures were identical; from 1879, they diverge and show quite distinct patterns. Unfortunately these sequences are not broken down into specific offences; rather they were arranged in four sub-categories: 'Offences against the Person', 'Offences against Property', 'Praedial Larceny' and 'Other offences'. These sub-categories were also applied to summary convictions. The Colonial Office circular did not include any detailed instructions on how to complete the forms nor did they specify the contents of each of the sub-categories mentioned above. A detailed breakdown of the offences in each category was given for the first time in 1895 - appearing in the annual reports of the Commissioner of Police.

If we make the assumption that the contents of each of the sub-categories remained constant from 1895 back to 1871, and assume that the 'offences against the person' consisted of violent offences such as assault, murder, manslaughter, unlawful wounding etc.; and that 'offences against property' will include varieties of larceny, burglary, housebreaking, arson and malicious damage, then we can attempt some interpretation of long term trends in offences committed in W.A. between 1871 and 1902. If these assumptions are rejected, then we can only fall back on the figures appearing in the annual reports of the Superintendent of Police from 1878 to 1884. In these reports, specific offences charged are distinguished and the ages, occupations, literacy and 'condition' ('free', 'ticket of leave' etc.) of the persons charged or summarily convicted were given.

Interpretation

To gain any clues about long term offence trends in Western Australia from 1850 onwards, it is essential to find or reconstruct some statistics of summary offences. Figures for indictable offences are too small a fraction on which to base any firm conclusions about offence trends.

Until 1871, the available figures relate primarily to persons charged or convicted rather than to specific offences. After 1871, the range of statistics is more varied, and, used with caution, these

figures provide the best chance of an interpretation of long term trends in offences and offenders.

There are two influences on statistics of offences and offenders in Western Australia during the 19th Century; conflict with the Aborigines during the 1840s, 1880s and 1890s; and from 1850 to at least 1890, the presence of large numbers of convicts and ex-convicts in the colony's population.

References:

D. Phillips, *Crime and Authority in Victorian England: The Black Country, 1835-1860*, Croom Helm, London, 1977.

M. Sturma, *Vice in a Vicious Society: Crime and Community in Mid-Nineteenth Century New South Wales*, University of Queensland Press, St. Lucia, 1983.

J. Fall, *Crime and Criminal Records in Western Australia, 1830-1855*, *Studies in Western Australian History*, No.3, November 1978, pp.18-29.

TABLE A: ABSTRACT OF AVAILIBILITY OF CRIME STATISTICS FOR W.A. 1829-1932.

Title of Series	Type of Statistic	sub-categories, if any.	Date range	Source of Series.
1. Offences reported to Police or Magistrates.	Offences reported	Total offences reported	1878-1902	W.A.Blue Books, 1878-1887; W.A.Statistical Registers, 1896 and 1903 (Decennial Returns); Annual Reports of the Commissioner of Police 1896-1897 to 1902-1903.
		Offences vs. Person	1878-1902	
		Offences vs. Property	1878-1902	
		Praedial Larceny	1878-1902	
		Other offences	1878-1902	
		Offences vs. Currency	1889-1902	
2. Bona Fide Offences Reported to Police or Magistrates	Offences Reported.	None	1878-1884	Annual reports of the Superintendent of Police. 1878-1884.
		Offences vs. Person etc. (as above)	1898-1902	Annual Reports of the Superintendent of Police. 1898-99 to 1902-1903.
3. Total Arrests	Persons arrested	None	1878-1884, 1890, 1895-1902	1878-1884 = Annual reports of the Superintendent of Police; 1890, 1895-1902 = Annual Reports of the Commissioner of Police, 1896-1897 to 1902-03.
Aborigines Arrested	Persons arrested	None	1878-1884	
4. Total Persons Charged	Persons charged (Acquittals + Convictions)	Ticket of Leave Men Conditional Pardon Men 'Free' (Men+ Women?)	1852-1858	½ Yr. reports of the U.K. Comptroller General of Convicts - sent with Governor's despatches and reprinted in British Parliamentary Papers.
	Persons charged	Ticket of Leave Men Conditional Pardon Men Expirees 'Free Men' Women Aborigines Occupations, Ages & Literacy/education.	1878-1884	Annual Reports of the Superintendent of Police.
		Occupations, Ages, literacy/education	1890, 1894-1930	Annual Reports of the Commissioner of Police.

TABLE A: ABSTRACT OF AVAILABILITY OF CRIME STATISTICS FOR W.A. 1829-1902. (contd.)

Title of Series	Type of Statistic	Sub-categories, if any.	Data range	Source of Series.
4. Total Persons Charged (contd)	Persons charged	Total Persons charged	1875-1876, 1878-1884, 1888-1902	1875-1876, 1878-1884 = Annual Reports of the Superintendent of Police.
		Males charged	1878-1884, 1891-1903	
		Females charged	1878-1884, 1891-1903	
	Persons charged	Total Aborigines charged	1878-1884, 1891-1903	1888-1903 = W.A. Statistical Registers 1900 and 1903 & 1896 (Decennial Returns).
		Male Aborigines charged	1891-1903	
		Female Aborigines charged	1891-1903	
5. Total Charges heard by Magistates (=Arrests + Summons)	Total charges heard by Magistrates	Total charges heard	1871-1902	W.A. Blue Books 1871-1887; W.A. Statistical Registers 1896, 1903 (Decennial Returns)
		Charges vs. Males	1888-1902	
		Charges vs. Females	1888-1902	
		Charges vs. Aboriginal Males	1888-1902	
		Charges vs. Aboriginal Females	1888-1902	
	Total charges heard by Magistrates	Offences vs. Persons	1888-1902	
		Offences vs. Property	1888-1902	
		Praedial Larceny	1888-1902	
		Other Offences	1888-1902	
		offences vs. Currency	1889-1902	
6. Convictions	Summary Convictions	Offences vs. Person	1871-1902	W.A. Blue Books 1871-1887; W.A. Statistical Registers, 1896,1903 (Decennial Returns)
		Offences vs. Property	1871-1902	
		Offences vs. Currency	1889-1902	
		Praedial Larceny	1871-1902	
		Other offences	1871-1902	
	Convictions in Superior Courts	as above	1871-1902	W.A. Blue Books 1871-1887; W.A. YEARBOOK 1897-1898 & W.A. YEARBOOK 1898-1899 (Decennial Returns).

TABLE A: ABSTRACT OF AVAILIBILITY OF CRIME STATISTICS F.R W.A. 1829-1932 (contd.)

Title of Series	Type of Statistic	Sub-categories, if any	Date range	Source of Series.
7. Persons Convicted	Persons Summarily convicted	Ticket of Leave Men	1852-1859	½ Yr. Reports of the W.A. Comptroller General of Convicts - sent with Governor's Despatches and reprinted in British Parliamentary Papers.
		'Free'	1852-1858	
		Conditional Pardon Men	1856-1858	
	Persons summarily convicted and Persons convicted in Superior Courts (Quarter Sessions & Supreme court)	Ticket of Leave Men Conditional Pardon Men Expirees Free Men	1860-1869	W.A.Blue Books 1860-1869.
	Persons Summarily convicted	Ticket of Leave Men Conditional Pardon Men Expirees Free Men Women Aborigines (Total only)	1877-1884	Annual Reports of the Superintendent of Police.
	Persons summarily convicted.	Total Males	1894-1932	W.A. Statistical Registers
		Total Females	1894-1932	
		Aborigines(Total only)	1894-1932	

THE ROLE OF IDEOLOGY IN PUBLIC ORDER POLICING

GRANT WARDLAW

There are three basic ideological responses to situations of public disorder: conservative, liberal, and radical (Vick, 1982). Suggestions concerning how best to police major public disorder (e.g., riots and violent demonstrations) are based on these ideological responses, each of which emphasizes different causes. Further, each set of explanations for the events are partial and reflect particular values and interests.

This paper will briefly set out the basic ideological frameworks for the different approaches to understanding public disorder and outline the police response which flows from each. It will be argued that if the concept of policing by consent is to have any meaning, there are three issues concerning which the police have to exercise their judgment by striking a balance between the three ideological responses. These issues concern the use of force, the conflict between the principle of peace-keeping and law enforcement, and the making of public statements which could be interpreted as being "political" in nature.

THE ORIGINS AND DEVELOPMENT OF THE VICTORIA POLICE FORCE

BOB HALDANE

None of the police forces in Australia can lay claim to a comprehensive published history of its origins and development. Instead readers, students and researchers are beset by antiquarian chronicles of Who's Who in the police world or works bedevilled by the 'famous crimes and criminals' syndrome. Consequently many people working in the criminal justice and criminology fields must contend with a void in the literature when it comes to a study of Australian policing. In many respects we are seeking future directions for our police with little or no sense of our past.

In order to at least partially redress this situation in Victoria, the Victoria Police Force is sponsoring a post-graduate research project which is being undertaken at La Trobe University. This research is aimed at tracing the history of policing in Victoria from 1836 to the present day. The emphasis is on studying the development of policing as a vocation and the various influences which have served to shape the nature of police organisations in Victoria.

Some of the specific factors which are being studied include, the use of Irish and London police models by Victorian authorities and their respective influences upon the Force, police militarism, recruiting, training, salary and work conditions, extraneous duties performed by police and the changing nature of the police role.

Particular events incorporated into the research span include the Eureka Rebellion, the Kelly saga, the Police Strike, and the various public inquiries into the Victoria Police Force. In each case these events are being viewed in terms of their effect on the organisational development of the Force.

One hypothesis that is being applied and tested throughout this study is that the community, in all its various mutations, is the key factor in shaping the police. Such a hypothesis is really an adaptation of the adage that, 'society gets the police it deserves'.

Because of the lack of any foundation work in Victoria it is intended that the current research be broad-based in order that it might have a seminal influence and spawn specific studies by other researchers. With this in mind the research completed to date has covered such issues as the effect (if any) of public inquiries upon the police, the moiety system of distributing fines, police deployment of men and firearms as repressive agents, the role of the Irish Constabulary in shaping the Victoria police, the first police industrial disputes and class conflicts in a police environment.

One example of the type of data being collated concerns the ethnic composition of the Force in the nineteenth century. By collating police personnel data relevant to the mid-1870s it is now known that 82 per cent of the men then in the Force of 1060 were born in Ireland and of those almost half were former members of the Royal Irish Constabulary. In light of the fact that Irish-born males comprised only seven per cent (approximately) of the total Victorian population, their domination of the police force is most significant. By contrast, native born Australian males numbered almost 200,000 or a quarter of Victoria's population and yet only thirty of them were police.

Although essentially a historical research project this work does embrace broader criminal justice issues which are relevant in the criminological context. The research approach is a combination of history and social science methodology, which includes qualitative and quantitative analysis, together with traditional archival searching and oral history interviews. An extensive police archives collection has facilitated cross-checking of official sources with contemporary accounts.

CRIME SCREENING - THE PROPERTY OFFENCE SOLVABILITY SERIOUSNESS ASSIGNMENT MODEL (P.O.S.S.A.M.)

BOB BAYLEY

Introduction

The Criminal Investigation Branch has found it increasingly difficult to meet the investigative demands being made on it. A number of other police forces which have experienced similar difficulties have reduced the C.I.B. investigative workload by assigning only the more 'solvable' or 'serious' crimes to the C.I.B. These forces employ a number of 'crime screening' methods, with varying degrees of success, to discriminate between cases that should be assigned to the C.I.B. and those that can be dealt with by other means - either by 'filing' the matter or by assigning it to uniformed members for investigation.

Criteria for Crime Screening

None of the crime screening methods/devices used elsewhere were found suitable for use by the Victoria Police, as they did not meet the following criteria :-

(a) it should assign only the more 'solvable' and more 'serious' crimes to the C.I.B.;

(b) for any case not assigned to the C.I.B. the member responsible for the compilation of the initial crime report should make further appropriate inquiries;

(c) the C.I.B. will always have an overriding discretion to make a case subject to C.I.B. investigation regardless of the results of the crime screening process;

(d) crime screening should only apply to offences against property;

(e) the method adopted must be able to be quickly and simply employed by the uniformed member at the time he takes the initial report of the crime.

Development of POSSAM (Property Offence Solvability Seriousness Assignment Model)

A representative sample of about nine per cent of all burglaries, thefts, thefts of car and thefts from car cases reported in 1979 were extensivelv computer analysed, not only to identify the most efficient combination of solvability factors but also to predict the outcome in operational terms of screening crime in the context proposed. The analysis identified the most efficient solvability factors as :-

(a) whether the name of a suspect had been obtained in the preliminary investigation;

(b) whether there was an identifiable suspect;

(c) whether the full registration number of a suspect's vehicle had been obtained.

The value of property stolen was chosen as the most simple, accurate and useful guide to seriousness.

Applying these criteria to the sample of cases it was predicted that at the $500 property value level the number of such property offences which would be assigned to the C.I.B. would be reduced by about 75%.

Pilot

To test the accuracy of the predictive model and the efficiency of the method devised, crime screening was introduced into a metropolitan district for a six month trial period. Of particular interest was the reaction of the community to investigations which involved uniformed members only. To assess this mood a comprehensive questionnaire survey was made of property crime victims who had experienced such an investigation. These data were compared with equivalent data collected from a neighbouring district where crime screening was not operating.

Result of Pilot

The results revealed that crime screening increased the workload of uniformed members to an insignificant degree: over the entire district the uniformed investigative workload was increased by only about 24 minutes per day.

The percentage of cases assigned to the C.I.B. substantially agreed with the predicted value. However, the actual reduction in the C.I.B. workload did not agree with the model's predictions because of the unexpectedly high number of cases which the C.I.B. (in exercising its discretion) elected to follow-up.

Victims of property crimes in both the experimental and control districts expressed a high level of satisfaction with the way in which the police - be they uniformed members alone or in combination with the C.I.B. - handled the investigations. There was no significant difference in the levels of satisfaction between the two groups of victims.

DEVELOPMENT OF CASE SCREENING MODELS BY THE SOUTH AUSTRALIA POLICE DEPARTMENT

KELLY WEEKLEY

Introduction

In the past, fewer restraints have been placed on funding for police forces. Apparent increases in crime have resulted in corresponding manpower increases. However, in tighter economic conditions as are currently prevailing sufficient funds are harder to acquire and consequently police managers have been required to evaluate various methods and procedures for maximising productivity without any costly increases in manpower. One aspect of improving productivity is the concept of case screening models for certain offences. These screening models are designed to eliminate from further investigation those cases which have a low probability of being solved. This screening allows more time for productive investigations. It isn't necessary to resort to measures such as these when sufficient manpower is available, however, when the situation is such that manpower is limited or crime is increasing at a faster rate than manpower increases it is better to utilise the available manpower on cases which are more likely to be solved.

It must be emphasised that all crimes will be investigated initially. The screening model process is based on a thorough preliminary investigation at the crime scene after which the model selects for further additional investigation those cases which have a high probability of being solved. Certain crimes, however, will always be further investigated no matter what chance they may appear to have of being solved. It is generally agreed among researchers and investigators that major crimes such as murder or rape are in that category.

Stanford Research Institute Models

The major research which has been conducted in this area has been carried out in America by the Stanford Research Institute. Their research has concluded that if further investigation is done on all cases valuable resources will be stretched to the limit. Consequently there is the possibility of insufficient time being spent on the productive cases whilst more than enough time is spent on the cases which are not likely to be solved. The Stanford Research Institute were able to successfully construct screening models for both burglary and robbery offences. The models were designed to reduce the effort put into those burglary and robbery cases which had a low probability of being cleared, allowing these investigative resources to be used in more productive areas. The use of these screening models was tested in a number of Police Departments around the United States of America and they were confirmed as reliable tools for predicting the outcome of burglary and robbery cases.

These screening models were based on 'solvability factors' which are those items of information which, when present in a crime, will lead to that crime being cleared. The Stanford Research Institute derived their solvability factors from a multivariate analysis of the various information elements which were present in the samples of cases which had been successfully solved. The analysis attempted to correlate each of the many variables present in each case, e.g. time of day, place, victim, witness availability, suspect information etc. to each other, and, further, compare these statistically to the overall outcome of the case. Since it was recognised that the same kind of information would appear in both the cleared and uncleared cases, the statistical technique used was to cluster the various data elements contained in both types of cases and to weight them in accordance with their degree of association with the cleared cases.

The burglary screening model and the robbery screening model developed by the Stanford Research Institute are in Figures 1 and 2.

S.R.I. Burglary Investigation Screening Model	
Information Element	Weighting Factor
Estimated Time Lapse	
less than 1 hour	5
1-12 hours	1
12-24 hours	0.3
more than 24 hours	0
Witness' Report Of Offence	7
On-View Report Of Offence	1
Usable Finger Prints	7
Suspect Information Developed	
Vehicle Description	0
Other	0

Figure 1: Stanford Research Institute Burglary Investigation Screening Model

S.R.I. Robbery Investigation Screening Model	
Information Element	Weighting Factor
Suspect Named	10
Suspect Known	10
Suspect Previously Seen	10
Evidence Technician	10
Places Suspect Frequented Named	10
Offender Movement Description	
on foot	0
vehicle (not auto.)	.8
auto	1.5
auto colour given	1.5
auto description given	2.3
auto licence given	3.8
Physical Evidence	
each item	1.3
Weapon used	1.8
Vehicle Registration	
query information available	1.1
vehicle stolen	2.3
vehicle information returned	3.4
vehicle registered to suspect	4.6

Figure 2: Stanford Research Institute Robbery Investigation Screening Model

Each solvability factor in the model is relevant to the solution of the offence and its weighted value shows the relevant contribution of that piece of information to case clearance as compared to all other pieces of information. Whenever an offence occurs and a preliminary investigation is conducted, the investigating officer determines which of the solvability factors are present and then totals the assigned weights for those factors. If the total of the weights is equal to or greater than the pre-determined cut-off value (ten points for these models) then the investigation must continue. Otherwise the investigation ceases.

S.A. Police Models

Offence Selection

At present within the South Australia Police Department fairly informal screening devices are utilised for allocating offences to be further investigated. There are a number of discrepancies associated with this procedure and consequently it was considered an obvious benefit to the Department to introduce more formal screening models. Owing to their seriousness crimes such as murder, rape or incest were immediately rejected as potential offences for which screening models could be developed. However, there are a number of less serious offences quite suitable for the adoption of screening models. In terms of increased productivity the obvious choice of less serious offences for screening are those offences which are the predominant workload generators for investigators, rather than the more serious but less common offences such as robbery.

The Department had conducted an analysis of C.I.B. workload which found the five offence categories of Breaks, Larceny, Wilful Damage, Illegal Use and Assault as the predominant workload generators. In the light of this it was decided to develop screening models initially for the three offence categories of Breaks, Larceny and Illegal Use.

Methodology

In contrast to the S.R.I. models it was found that there was not enough reliable information available to develop these screening models in an empirical way by statistical analysis of the available crime data. Consequently the models were developed on a purely subjective basis. Discussion groups were held with experienced detectives from each of the Department's Criminal Investigation Branch (C.I.B.) geographic areas of responsibility in order to select the characteristics for each of the three offences which the detectives considered should be present in a crime to provide the greatest likelihood of solving that crime. Once a list of characteristics were obtained for the three offences a sample of 30 experienced detectives completed a survey to develop the models.

Each offence was considered separately. The solvability factors for the offence were presented on cards with one solvability factor per card. In an attempt to eliminate any bias in the initial presentation of the offences the cards were placed in random order in front of each participant. Participants were required to reject those factors which

they felt were not relevant to the solution of the particular crime. It was intended then that the remaining factors be ranked in order of importance in the solution of the crime. However, one of the problems inherent in ranking characteristics is that it becomes difficult for participants to rank long lists of factors without some errors. In order to overcome this participants were required to place the remaining cards into groups of approximately equal effect on the solution of the crime. Within these groups they were then required to place the factors into order of importance in the solution of the offence. Having done this they were required to rank each of the groups into order of importance.

Having effectively ranked the factors, participants were required to attribute numerical values to the solvability factors. The participants were instructed to compare each of the factors with a highly rated factor (suspect known) which had been given a value of 100. The participants were instructed that they were not limited by this value and could assign values of greater than 100 to any of the factors if they felt that any factor was a better indicator of solvability than 'suspect known'. This method has been used by the Department in other research, however, it is usual to assign a score to one of the middle range scores. In this case it was difficult to select a middle of the range factor consequently the highly rated factor was chosen. The value of 100 was chosen to allow for as much variation as possible in the values of the factors ranked. One important aspect which was necessarily stressed to participants was that the factors must relate to the solution of the crime and not such issues as likelihood of a successful court proceeding or whether or not they felt a crime should be investigated for basically moral reasons such as value.

A statistical analysis of the raw data was met by a few initial problems such as individuals possessing differing views of scaling procedures and most factors being assigned a wide range of values. These minor problems were overcome by further analysis involving rescaling the values, standardising them and cluster analysis. The data was rescaled between 0 and 10 and then standardised over the answers for each individual which removed the variability in the values between different persons. The standardised data was then examined and median value of each factor selected. All factors with values less than one were discarded from the screening models due to their negligible effect on the solvability of the offence. The values of those factors which were retained appeared to be clustered in several groups. Cluster analysis was therefore carried out on these values to determine the clusters. Each factor in a specific cluster was assigned a common value by calculating the average score of the factors within the cluster and assigning that average as the value.

Models Developed

The screening models obtained are given in Figures 3, 4 and 5. Definitions of the solvability factors are contained in Appendix A.

Breaking Screening Model	
Solvability Factor	Weighted Value
Suspect known	10
Fingerprints match suspect	10
Suspect name only known	8
Vehicle registered to suspect	8
Registration of suspect vehicle known	8
Property belonging to suspect found at scene	5
Suspect's associates known	5
Fingerprints available	5
Make and year of suspect vehicle known	5
Suspect description available	5
Witnesses available	3
Traceable stolen property	3
Significant M.O.	3
Part of a pattern crime	3
Type of suspect vehicle known	3
Colour of suspect vehicle known	3
Any violence involved	1
Tool marks available	1

Figure 3: S.A. Police Department Breaks Screening Model

Larceny Screening Model	
Solvability Factor	Weighted Value
Suspect known	10
Fingerprints match suspect	10
Vehicle registered to suspect	10
Registered number of suspect vehicle known	10
Suspect name only known	7
Property belonging to suspect found at scene	5
Suspect's associates known	5
Fingerprints available	5
Suspect description available	5
Witnesses available	5
Traceable stolen property	2
Make and year of suspect vehicle known	2
Significant M.O.	2
Type of suspect vehicle known	2
Credibility of victim	2
Value of property involved	2

Figure 4: S.A. Police Department Larceny Screening Model

Illegal Use Screening Model	
Solvability Factor	Weighted Value
Suspect known	10
Fingerprints match suspect	10
Suspect name only known	8
Suspect's associates known	8
Property belonging to suspect found at scene	6
Fingerprints available	6
Suspect description	6
Witnesses available	2.5
Traceable stolen property removed from car	2.5
Vehicle used in the commission of another offence	2.5
Significant M.O.	2.5
Part of a pattern crime	2.5
Tool marks found	2.5

Figure 5: S.A. Police Department Illegal Use Screening Model

On completion of the preliminary investigation, the investigator indicates which of these solvability factors, if any, are present in that particular case and totals the weights assigned for those factors. The cut-off point for proceeding with the investigation was set at ten points. That is, after completing the preliminary investigation the investigating officer would determine whether the total of the solvability factors, present in that particular case, was greater than or equal to ten. If so, it is mandatory for further investigation to take place. If the score was less than ten points that particular case is not further investigated by field personnel. Whether or not the case is to be further investigated is decided by a crime assessor who bases his decision on other relevant information. There are some factors which are not known by field personnel which can only be known by the crime assessor e.g. if the case is part of a number of pattern crimes or the result of finding finger prints at the crime scene.

Validation

The ability of the three screening models to be utilised as an effective screening process was tested in one C.I.B. geographic area of responsibility. The testing of the models was carried out without the direct involvement of all personnel who would be expected to make decisions on the basis of the models. This was done for comparison of the current allocation and assessment methods with those of the screening models even though the complexity of the test was increased.

Because the screening models were not actually in use and merely superimposed on the old system as a comparison the total clear-up rate can never be greater than the one obtained for the old system. However, if the model was unsuccessful there is the possibility that cases could be screened under the models which were successfully solved by further investigation. Figure 6 shows some of the results obtained.

Table 1: Comparison Of Current Allocation System For Breaks With Breaks Screening Model

	% Of Total		Total	% Of Cases Cleared
	Cases Allocated	Case Not Further Investigated		
Current System	39.9	60.1	100	26.3
Screening Models	9.9	90.1	100	26.3

Comment: Some cases which have been allocated for further investigation were cleared by personnel other than the assigned investigating officer, e.g. the offender admits to that offence when he has been apprehended for some other crime. These cases are just as likely to have been solved even if they had not been further investigated.

Table 2: Comparison Of Current Allocations System For Larcenies With The Larceny Screening Model

	% Of Total		Total	% Of Cases Cleared
	Cases Further Investigated	Cases Not Further Investigated		
Current System	15	85	100	6.9
Screening Model	15	85	100	6.9

Comment: There were an additional 8.1% of cases which when screened would have been further investigated but were not further investigated. On examination it appeared that these could have been successfully cleared up increasing the total clear-up rate.

Table 3: Comparison Of Current Allocation System For Illegal Use Offences With The Illegal Use Screening Model

	% Of Total		Total	% Of Allocated Cases Cleared
	Cases Further Investigated	Cases Not Further Investigated		
Current System	9	91	100	2.9
Screening Model	3	97	100	2.9

Figure 6: Tables Of Results Obtained From Trial Of Screening Models

During the testing it was found that the screening models would successfully screen from further investigation 90% of all breaking offences, 97% of illegal use offences and 85% of all larcenies. It becomes obvious that screening such as this would considerably reduce the workload of investigators without any detrimental effects and provide them with more time to devote to the more serious crimes and the more productive breaks, larcenies and illegal use offences. In addition it allows more time for better preparation of cases for court and the possibility of a more successful case conviction rate.

Current Status

From the limited field trial it has been shown that there is a potential for releasing investigators from further investigating unproductive cases. However, the trial didn't test for ease of application especially in a complex allocation process as is the case in most police departments.

The three screening models are currently undergoing a full trial for use in the field in another C.I.B. district in conjunction with proposed changes to the current criminal investigation process. The success of the trial is currently being evaluated.

On an analysis of the preliminary data to date the trial has been successful and it appears that the screening models will be introduced throughout the metropolitan area in the S.A. Police Force. There is also a thorough review underway to ensure all factors are correct and their definitions are satisfactory for use by field personnel.

DESCRIPTION OF SOLVABILITY FACTORS

Suspect Known

Person suspected of committing the crime is known and his whereabouts are known. Once located he is capable of being apprehended for the offence.

Fingerprints Match Suspect

Fingerprints were located at the scene of the crime and have been identified as belonging to the person suspected of committing the offence.

Suspect Name Only Known

The only thing known about the suspect is his name.

Vehicle Registered To Suspect

The vehicle seen at the crime and now the suspect vehicle is registered to the person suspected of having committed the offence.

Registration Of Suspect Vehicle Known

A vehicle was sighted at the scene of the crime and the registration number of that vehicle is known.

Property Belonging To Suspect Found At The Scene

Property was found left at the scene which can be identified as belonging to the person suspected of having committed the offence. The property can help identify the offender.

Fingerprints Available

Fingerprints were found at the scene of the crime.

Make And Year Of Suspect Vehicle Known

A vehicle was seen at the scene of the crime and the model and year of the model of vehicle was identified by the witness.

Suspect Description Available

The only available evidence about the suspect is a description of him. The description is, however, detailed enough to identify an offender. Distinguishing features such as tatoos are known.

Witnesses Available

There were witnesses to the crime, willing to testify.

Traceable Stolen Property

The property stolen can be identified and traced e.g. a serial number is known for a colour t.v. not just the make and model number.

Significant M.O.

The M.O. of the criminal is identifiable and can lead to a particular offender.

Part Of A Pattern Crime

The crime can be associated with other crimes of a similar nature occurring in the area.

Type Of Suspect Vehicle Known

The type only of the vehicle is known. That is whether the vehicle is a sedan, truck or bike, etc..

Colour Of Suspect Vehicle Known

Only the colour of the vehicle seen at the scene is known.

Any Violence Involved

The offence included some form of violence against the victim.

Tool Marks Available

Tool marks were located at the crime scene and can be identified as the marks of a particular tool.

Suspects Associates Known

The names and localities of the persons the offender usually associates with are known.

Credibility Of Victim

The victims story is believable as completely true.

Value Of Property Involved

The property involved in the offence is valued at a high value.

Vehicle Used In The Commission Of Another Offence

The illegally used vehicle was used by the offender to commit another offence.

C.I.B. WORK ANALYSIS

PETER MACIEVIC

The purpose of this system was to develop a more meaningful measure of Criminal Investigation Branch workload. Previously to assess the workload of a C.I.B. division reliance was placed on its 'caseload', i.e. the total number of offences reported divided by the number of authorised personnel. This of course never gave an accurate picture of workload because of the emphasis being placed on quantity and little or no consideration being given to quality.

To develop the work analysis system, the totality of C.I.B. work was divided into two categories: investigative work, which includes both cleared and non-cleared investigations, and non-investigative work which takes into account such things as court time, sick leave, etc.

Investigative Work.

This part of the C.I.B. Work Analysis contains thirty-one of the most common or frequent types of investigations undertaken by detectives. Each investigation whether cleared or uncleared is allocated a standard time weighting in workload units (i.e. one workload unit is equal to ten minutes of time) depending of course upon the category of the investigation and whether it is cleared or not. To devise the standard time weightings used in this system briefly three methods were used. Firstly a survey was conducted of thirty diaries belonging to different members at C.I.B. divisions. Secondly, consideration was given to an earlier questionnaire whereby Officers in Charge of C.I.B. divisions were asked to comment on the times taken to investigate different categories of cleared and uncleared crimes. Finally, by actual discussion with members of the C.I.B.

Non-Investigative Work.

This area of the system examines the non-investigative side of the detectives work as well as recording a great deal of valuable information. There are twenty-seven categories of work within this area some of which will also be converted to workload units, e.g. Magistrates' Courts Attended Man Hours is 12. 12 x 6 = 72 units. Nine of these categories are used to calculate the effective staff of a C.I.B. Division as opposed to the authorised staff. All factors relative to manpower availability such as sick leave, temporary duty, etc. are taken into account here to produce this calculation.

Benefits Achieved

With the implementation of this system it will now be possible with the use of a computer to :-

(a) Measure the total workload of each C.I.B. division in workload units for comparison purposes.

(b) To ascertain the effective staff at each C.I.B. division. This is most important when considering workload as workload should be considered in the light of the effective rather than the authorised staff at a division.

(c) Obtain the average workload in workload units per effective staff member at each division.

(d) Following on from the above points, it will become possible to mathematically calculate manpower requirements according to divisional needs. A formula to determine the manpower needs of a division would be as follows :

$$\frac{\text{Total workload at division}}{\text{Optimum average workload per member}}$$

The achievement of an optimum average workload for a division will be reliant on empirical experience over a period of time. The incoming data of the C.I.B. Work Analysis will have to be studied in conjunction with the class or type of C.I.B. division.

(e) Obtain totals of all workload items which will include a wide range such as Total Offences Reported, Total Offences Cleared, Offences Investigated by C.I.B., Offences Cleared by C.I.B., and as previously mentioned, there will be some twenty-seven non-investigative workload items which will provide much valuable information. An example of the type of information that will now be available could be total sick leave days for all divisional detectives within Victoria during a particular quarter.

WORK FACE DISCRETION : THE CASE OF POLICE AND DOMESTIC CRISIS

GERRY MCGRATH

Patrolman: *You go to the family court - get an order from the family court - you understand. You get another order.*

Citizen: *You say family court - I say bah.*

New York, July, 82.

One of the areas of police - civilian contact traditionally regarded as one in which attending police de facto though not often de jure, have been permitted a wide degree of discretion, is family dispute or 'domestics'. In a significant number of 'domestic' incidents police action would suggest that officers see assaults between intimates as generically different to assaults between strangers. Over the past years, mainly through the lobbying of pressure groups in the community, together with the wide spread publicity given to a number of tragic domestic homicide incidents, there has been considerable pressure upon the legislatures, the judiciary and the executive, to effect changes in the operational protocol of general duty police answering 'domestic calls'.

This paper reports a first hand examination of police attending a spectrum of 'domestics' or '418s' in the United States in jurisdictions which have adopted legislative and other initiatives aimed at ameliorating an assessed deficiency in police intervention in intimate disputes. Although not seeking to generalise from the limited number of '418s' attended to the general police practice of the respective police districts, the paper argues that on the basis of interventions witnessed, legislative initiatives are insufficient to effect any major change in an area of police activity long regarded as being the most difficult of police service.

On the basis of observation and documentation from selected United States districts the paper identifies a number of conditions to effect an amelioration of police service in this regard and proposes that cooperation between civilian and police agencies, the latter being represented by specialists - generalist teams modelled on the defunct Bard et al. Family Crisis Intervention Units may constitute a foundation on which effective response may be constructed.

SEX DIFFERENCES IN THE DISTRIBUTION OF TRAFFIC LAW ENFORCEMENT

RICHARD KIRKHAM AND ALI LANDAUER

Death, injury and property damage caused by accidents in traffic are regarded as a serious problem in most motorised countries. About a quarter of a million people are killed and about ten million injured in the world each year. Australia's contribution is about 3000 deaths and about 32,000 injuries.

Many measures have been proposed to reduce accident frequency and severity, although none have proved overwhelmingly successful. Traffic law enforcement, based on the idea that people can be deterred from making errors which may lead to accidents, has been by far the most popular counter-measure. The approach of traffic law enforcement has a number of inherent problems: accidents hardly ever have a single cause, they are rare in a statistical sense, and the relationship between traffic law violations and accidents is poorly documented and hardly understood.

Very little detailed data exists on the activities and distribution of traffic law enforcement. This paper attempts to capitalise on such a data set, in order to show how traffic law enforcement statistics may be related to accident statistics. The argument is made that people should be represented in the enforcement statistics roughly in proportion to their representation in the accident statistics. Since age and sex differences have been of interest at previous meetings we have restricted our discussion to those topics. Similar analyses could be presented for a number of other variables, including time of day, day of week, feature of the roadway, and so on.

The data we have used was collected during a two week period during July 1976 in Western Australia, and reported to, but never released by the then Road Traffic Authority. Data from official enforcement statistics over the past five years suggest that enforcement policy has not changed significantly since then.

Men have about 62 per cent of all casualty accidents, drive about 75 per cent of the total mileage and hold about 60 per cent of all driving licences, yet they incur 91 per cent of all charges, 87 per cent of all infringement notices and 81 per cent of all cautions. The ratio of men charged to women charged is 9.8 to 1, compared with a ratio of 1.7 to 1 for casualty accidents. Women are grossly under-represented in the enforcement statistics for the more serious offences. Less than 2 per cent of all alcohol and drug charges were laid against women, and less than 9 per cent of all the charges of dangerous, reckless or careless driving went to women.

Young men bear the brunt of traffic law enforcement. Men under the age of 25 years hold about 14 per cent of the licences and drive about 23 per cent of the total mileage, yet receive about 47 per cent of all charges, about 36 per cent of all infringements and about 34 per cent of all cautions.

If the main purpose of traffic law enforcement is to reduce the accident rate, then one might expect the amount of law enforcement given to any particular group to be roughly in proportion to their accident involvement, or at least to the mileage they drive. When a group, such as young men, are over-represented in the enforcement statistics to such an extent there must be some cause for disquiet as to whether traffic law enforcement is being applied efficiently. At the very least, data on law enforcement of the type we have discussed should be collected and monitored continuously in order to preserve a reasonable perspective about the use of traffic law enforcement as an accident counter-measure.

THE IDENTIFICATION OF SMALL GLASS FRAGMENTS FOR FORENSIC PURPOSES

BERNIE LYNCH, K.W. TERRY AND A. VAN RIESSEN

The major aim of the project has been to implement a rapid and sensitive method based on a scanning electron microscope - energy dispersive X-Ray analysis system for the identification of glass microsamples for forensic purposes. Concurrent with this aim was the necessity to study the composition of glasses likely to be encountered in casework. Consequently, a number of activities were undertaken including :

(i) A review of the glasses used within Australia and their sources used.

(ii) Liaison with glass manufacturers to obtain compositional information and samples.

(iii) Acquisition of a glass museum to include window, container, optical, windscreen, headlight, lampbulb, tableware and labware glasses. This collection now stands at 174 samples and is held at the Government Chemical Laboratories, Perth.

(iv) Optimising the S.E.M. + E.D.S. system for accuracy and sensitivity and analysis of museum samples.

(v) Measurement of refractive indices.

(vi) Measurement by atomic absorption analysis of various elements in the samples to enable comparisons with results obtained with the S.E.M. + E.D.S. system.

(vii) Statistical and data analysis to determine from the analysis the relationship between glass composition and use category of the glass and the effectiveness of the analysis in discriminating between samples of different origin.

(viii) Case studies.

These activities were largely carried out in the first year of the project and the quantitative analyses obtained were in respect of the major and minor elements (i.e. those occurring at a level greater than 0.1 per cent).

The second year of the project commenced with the statistical and data analysis of the quantitative results. Using the S.P.S.S. procedure DISCRIMINANT it has been shown that such analyses can be used to determine glass types with a high probability of correctness. Additionally, other data analysis has shown that the major-minor element concentration can be used to effectively discriminate between 92 per cent of all pairs randomly chosen from the museum, rising to 98 per cent when refractive index is included. The approach using major-minor element concentrations is in contrast to many workers who favour using trace components.

The second year of the project also saw the development of an efficient thin foil device which has enabled the detection of trace elements in glass down to approximately 30 parts per million and spectra have been recorded for all samples. Using this device some 16 elements not detected by conventional electron excited technique have been detected, giving discrimination not previously attainable.

The results obtained during the project have already been used to good effect in a number of criminal cases in Western Australia. These cases have involved comparative analyses between samples from a suspect and crime scene samples where the discriminating power of the technique has been used to prove or disprove links between the suspect and crime scene. Additionally the classification capability has been used to identify glass fragments involved in contamination of food and in a murder case.

The project although nearly completed insofar as the Criminology Research Council grant is concerned will be an ongoing one where the museum will be continually expanded and techniques further refined. The information obtained will be available to all forensic scientists in Australia and samples will be available for collaborative studies. The museum itself will also provide a source of glass samples for development of other techniques.

In summary the technique is now available for rapid and comprehensive analysis of small glass fragments enabling discrimination and classification with known probabilities.

TYPES OF POLICE EMPLOYEE GRIEVANCES

BRUCE SWANTON

The origins and consequences of police employee grievances have only been seriously addressed by researchers in recent years and, even then, only to a limited extent. Research conducted by Richard Ayres in Albuquerque and Oklahoma City [1] and, in San Francisco by William Bopp et al, [2] for example, identified grievances conducing to police strikes in those cities. Other research, in Australia, has identified grievances associated with less extreme forms of police employee behavior, such as reduced arrests, stop work meetings and votes of no confidence in chief officers.[3] A preponderance of identified grievances clearly resulted from employee dissatisfaction with management decisions and actions (and perceptions thereof).

In addition to the study of police employee job actions, research has been conducted in loosely related areas of both police and non-police employee satisfactions by Frederick Herzberg,[4] JS Slovak[5] and, David Lester and John Genz,[6] among others. Other marginally relevant research has been performed by Norman Dufty[7] in identifying inter alia topics of union concern vis a vis management and the recording by Barry Muller[8] of job delegates' grievances. These latter research undertakings are of particular interest because among other things they emphasise satisfaction/grievances/concern as foci of study in their own right rather than as outcomes or precursors to other phenomena.

In an attempt to increase the available knowledge of police employee grievances per se this study attempted to identify substantial police employee grievances across a number of police agencies, classify them and discuss their characteristics. A broadly management oriented perspective was adopted as it was considered management had the most to gain from such a study.

Method

A comprehensive search of state police associations/unions conference and executive minutes for the period of one calendar year was undertaken. Territory police forces were considered unsuitable for inclusion as they departed considerably from gross organisational norms such as size, employee distribution and special problems.

A total of 301 discrete types of grievance was identified. These grievance types were sorted according to a variety of common management oriented dimensions. The resulting combination of categories constituted an optimal balance of competing requirements, such as: (1) familiarity to police managements, (2) spread, (3) discreteness, and (4) utility. The categories eventually selected were: (1) administration, (2) logistics, (3) finance, (4) operations, (5) public affairs, and (6) legal. The actual classification, exclusive of individual grievances is shown in the accompanying table.

Discussion

Administrative and logistical grievances appear to constitute the major domains of police employee discontent. Secondary sources of significant grievance lie in associated finance and operations categories. Public affairs and legal considerations contribute little to the volume of police employee grievances. The short-term intensity with which these latter grievances are sometimes experienced, though, emphasise the need for followup research in order to establish intensity.

Police employee grievance types as evidenced in the accompanying table suggest substantial employee concern with personal wellbeing and convenience, although it is not clear just how such emphases bear on considerations of organisational and occupational commitment.

Data such as these serve a useful purpose as part of MIS necessary for organisational monitoring. Areas showing great employee concern are obvious candidates for review and possible remedial action. Indeed, the concept possesses potential for a standardised management tool. In another vein, grievance types may be classified according to other perspectives to suit particular needs. The method as employed here suffers the disadvantage of identifying types only and not indicating the intensity with which they are experienced by police employees. However, followup selective surveying of employees would have the capacity to overcome that particular limitation.

TABLE 1

CLASSIFICATION OF POLICE EMPLOYEE GRIEVANCES

serial	sub categories		categories
1. (107 types)	health & safety (001-006) discipline (007-011) rights (012-029) dress (030-034) relationships (035-039) welfare (040-041)	members (001-041	personnel (001-057)
	exams (042-047) selection (048-057)	careers (042-057)	administration (001-107)
		establishment (058-075)	organisation (058-096)
	postings & relieving (076-089) shifts & rosters (090-096)	deployment (076-096	procedures (097-107)
2. (86 types)	personal accom (108-111) work accom (112-124) vehicle accom (125)	real property (108-125)	
		clothing & personal (126-155) issues office & general (156-160) supplies	logistics (108-193)
	land transport (161-177) air transport (178)	transport (161-178)	
		tech supplies (179-187) armaments (188-191) removals (192-193)	
3. (54 types)	retirement (194-201) insurance (202-206) arbitration (207-208) costs (209-211) leave (212-217) pay (215-217) OT, allowances (218-242) taxes (243-245) police vote (246-247)		finance (194-247)
4. (36 types)	crewing (254-257) non police (258)	coord & coop (248-253) patrol (254-258)	operations (248-283)
		technical (259-260) resources (261-267) training & ed (268-279) control (280) opposition (281) security (282-283)	
5. (10 types)		media criticism (284-289) publicity (288-293)	public affairs (284-293)
6. (8 types)			legal (294-301)

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POLICE SHORTAGES IN AUSTRALIA

GLENN WITHERS

This study examines major manpower trends in the Australian police forces for the 1960s and 1970s. While the picture varied from force to force, the study sought to provide an overview for Australia as a whole since the mid 1960s. Major institutions involved in the police labour market were first defined and characterised and it was concluded that the police manpower system is an unusual one, with a limited number of employers and restricted union activity operating within an arbitral environment and subject to close political scrutiny and that this has had consequences for the level of public security, as will be seen. Police themselves were reviewed using census data and it was seen that the police represent a young, male but relatively less educated workforce, with particular per capita concentrations in the Territories and also in South Australia and Tasmania. There is also a disproportionate (and increasing) trades skills representation, and higher incomes than average for Australia.

The range of indicators that were developed demonstrated that there has been an increasing divergence between police requirements and available labour for policing over the period since the mid 1960s. Requirements were established in relation to numbers required for prevailing populations, crime and traffic levels in the mid 1960s and by what has happened to these three factors since that time. Per capita crime levels, in particular, grew significantly over the period,[1] as did traffic. Available labour referred to both existing police strengths and the pool of potential recruits.

Given the background of requirements trends and supply conditions just outlined, the actual size and composition of the police forces represent accommodation to those pressures. A range of possible adjustments could be and were pursued. Obvious examples to consider are wage levels, wage structure, promotion rates and other conditions of service. But these were all examined and found not to have been used as major vehicles for attracting or retaining increased numbers of police beyond the pattern of the mid 1960s. The same applied to minimum entry standards, recruitment advertising and cadet training.

Similarly internal allocation of police across traffic and crime duties, and internal expenditures on capital vs labour have not altered much, nor has there been much evidence of increased relative reliance by the public upon private security employees despite growing police shortages - though use of private security equipment was unexplored due to data difficulties.

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1 It is felt that this rise in crime rates is not merely a recording problem that is due to increasing police recording more crimes previously unrecorded. An associated analysis of crime determinants, discussed further below, found no significant direct relation between police numbers and recorded crime in Australia.

Rather, the major avenue adopted has been to turn to relative increases in civilian departmental support staff and to increasing the number of women police. Ratios of these staff have both grown dramatically from 10 to almost 20 per cent in relation to police numbers for civilians and from 1 to 6 per cent of police strength for women police, for Australia as a whole over the period 1964-1979.

What was the outcome of these adjustments? The answer is that the adjustments adopted have been too few and too ineffective to permit police forces to keep up with growing crime and traffic levels. This is less true of traffic where at least fatality levels have shown some sign of reducing on a per capita basis, but it is probably true of traffic flow and congestion problems which appear to have deteriorated. More importantly it is clearly true in the crime area, where there has been a steady deterioration in clearance rates since the mid 1960s i.e. the ability of police to obtain committals and convictions in relation to recorded crimes has worsened notably. The committal rate fell steadily from 42.4 per cent of recorded crime in 1964 to 16.9 per cent in 1978. The imprisonment rate fell from 16.8 per cent in 1964 to 8.3 per cent in 1976. The community is obliged to accept a declining ability of the police to apprehend and successfully prosecute offenders.

How should this outcome be interpreted? My initial inclination was to say this indicates that governments have chosen not to find the further resources necessary to maintain earlier standards of policing. But in fact the 1980 force level is in total 80 per cent higher than in 1964. Governments <u>have</u> responded by funding more police.

Accordingly the rise in recorded crime rates of over 300 per cent accompanied by a halving of committal and conviction rates means that, even with the increased resources provided, police have not been able to cope. Providing even further police manpower resources may not help much.[2] Rather, it may be that it is community attitudes and methods of policing which may have to change. In particular, law reformers who often ignore the broader burdens they impose on society in the pursuit of piecemeal gains, and police managers and union officials who obstruct meaningful police adminstrative reform, may share a significant part of the responsibility for deteriorating standards of law and order in Australia. Certainly, other research conducted by this writer finds little evidence that social and economic conditions can be blamed. Based on data for the period 1964 to 1976 factors such as changes in poverty and unemployment do not significantly explain changes in crime rates between states and territories or over time.[3] Rather it is declining committal and imprisonment rates that seem most related.

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2 This is also affirmed by the analysis of crime determinants which show that increased policing reduces crime only insofar as it increases committal and conviction rates. These latter in turn do not seem to be explained statistically by police numbers either.

3 Whether this pattern persists past 1976, with unemployment continuing to be well above previous post-war levels, has yet to be established. See Glenn Withers, *Crime, Punishment and Deterrence in Australia: An Empirical Investigation*, Centre for Economic Policy Research Discussion Paper No.57, ANU, Canberra, November 1982.

PROBATION: AN EXAMINATION OF SENTENCING DISPARITY IN TASMANIA

PHILIP DONNELLY AND J.G. MACKAY

Tasmania has traditionally had a large probation population as Australian Institute of Criminology figures demonstrate, and it came with some surprise to the Probation and Parole Service that over a twelve month period these numbers fell some 13 per cent.

When this decline was carefully examined it was found that the decrease in absolute terms of the number of individuals subject to supervised probation orders was not uniform across the state. Rather a large proportion of the total decline was in fact restricted to southern Tasmania.

This research project was conceived, in the first instance, as a means of accounting for this decline and secondly to examine magistrate's sentencing disparity in a broader sense.

At a theoretical level the literature indicated that implicit in the sentencing process were the often irreconcilable notions of punishment and rehabilitation. From our study, which in part involved focused interviews with Tasmanian magistrates as well as data analysis, it became apparent that an emphasis on either one of these aims influenced the decision to impose a probation order.

The project initially concentrates upon empirical data to account for a drop in probation orders. From an examination of census material it was found that in the southern region of Tasmania, (where the major decline occurred), there was an absolute decrease in the group we identified as the 'at risk' group, that is, the 15-25 year olds who constitute 80 per cent of all probationers.

Conversely, in the north of the state there had been an increase in the 'at risk' age cohort which was mirrored by an increase in probation numbers. The data indicated that perhaps 50 per cent of the change in the use of probation could be related to demographic shifts. Crime statistics, in certain instances, based upon individuals charged also showed a similar decrease in southern Tasmania prior to and during the same period.

Most of the serving magistrates were subject to focused interviews and after some detailed study there emerged a distinctive, regionally based, sentencing policy, which in brief, involved a greater emphasis on the welfare/rehabilitative functions of the orders in the north of the state. Magistrates in the south while similarly commenting upon this function emphasised to a greater extent its function as a punishment.

Empirical data supported these observations.

1. In the north of the state the probability of a 'pre-sentence report' request is equal across all offence categories whereas in the southern region there is a predisposition to request pre-sentence reports in certain offence categories, notably, offences against person and property.

2. Again in the north of the state, probation orders are more likely to be associated with other penalties such as fines and imprisonment, whereas in the south a substantial number of probation orders are imposed without any additional penalty.

In sum, northern magistrates when sentencing appear to apply penal sanctions first and then across all offence categories consider the usefulness of the rehabilitative options available in a supervised probation order. In the south of the state probation orders appear to be considered within the range of other sanctions available to the court and are certainly used significantly more frequently in lieu of other penalties.

This particular emphasis on a rehabilitative function of probation orders, had direct consequences in the length of the probation order imposed by the court, and the study found that it increased it. Further, as a consequence of a propensity to impose longer probation orders, the overall size of the probation population would vary.

The final part of the project was to develop a causal model or linear flow graph of aspects of the sentencing process in relation to the use of and length of probation orders. This was done in order to study the incidence and extent of sentencing disparity in more detail. The major findings are as follows :-

1. A differing frequency in the requests for pre-sentencing reports, and following from this, differences in sentencing as a further consequence.

2. A much greater use of probation orders in the under 19 age group in the north and north-west regions of Tasmania. In the south a much wider age distribution was found.

3. Certain age specific offence categories resulted in longer probation orders in the north than in the south - regional bias being held constant.

Conclusions

The project demonstrated that sentencing patterns can be studied so as to isolate the various contributing factors which result in apparent sentencing disparities. It was possible to examine demographic changes and assess the extent to which they contribute to the incidence of probation order imposition. In conjunction with focused interviews and empirical data it was possible to account for the sudden drop in the probationer population in southern Tasmania. Finally, the relationship between sentencing philosophy and the resulting actual decisions was examined where it was found that notions concerning the welfare/rehabilitative functions of probation orders as opposed to its punishment component, resulted in differing use of the order, a tendency which was found to have marked regional bias in Tasmania.

SENTENCING THE FEDERAL DRUG OFFENDER

IVAN POTAS

The Law Reform Commission in its interim Report No.15 *Sentencing of Federal Offenders* concluded that sentencing disparities at the federal level abound. In particular it referred to the sentencing of drug offenders and claimed that, despite the paucity of statistics and empirical research, there was other persuasive, albeit impressionistic, evidence to the effect that there was a serious disparity problem. Our study (conducted by John Walker and myself) and entitled *Sentencing the Federal Drug Offender: An Experiment in Computer Aided Sentencing* was an attempt to find a methodology for measuring what we have termed 'unjustified sentencing disparity'.

Our first task was to define what we meant by the term 'unjustified disparity' for we were well aware of the problem that circumstances of offence and of offender vary considerably, and it is pointless to simply compare the kind of charges brought against the accused and the sentence imposed in respect of these. Thus in order to identify and measure the extent of unjustified disparities in sentencing we took into account those differences in the actual sentence (the sentences imposed in practice) that could be explained by reference to variations in the facts.

For this purpose we obtained some 300 drug sentencing cases from the Attorney-General's Department and proceeded to analyse these by extracting all facts that we believed might influence sentence. In all we obtained some 91 factors which we coded and inserted into the computer for analysis. These factors are listed in Appendix B of our study, and they include such details as the type of drug, quantity of drug, whether the offence was premeditated, whether it was an organised large scale crime, whether the offender had a prior criminal history, or was a drug addict and so on. Thus for each case those factors that appeared to have a consistent impact or effect on sentencing decisions (aggravating or mitigating factors) were identified and the extent and direction of their influence were measured.

Then the results of this analysis were applied to the circumstances of each case in order to derive a notional or predicted sentence. In other words we took the facts of the case and asked the computer what sentence it would impose. Finally the difference between the actual sentence (that is the sentence imposed in the particular case) and the notional sentence (that is the sentence the computer indicated as being appropriate) was taken to reveal the extent of disparity that was unjustified or otherwise unexplained by the factors extracted from the cases.

Our methodology is detailed in our study. Here I will merely quickly refer to our results. Our analysis focused on the sentencing of heroin cases because these were the most voluminous and also because these were the sentences which appeared to attract the widest range of imprisonment terms. After experimenting with various 'models' we found that we could predict sentences with an astonishing degree of accuracy (correlations of 0.82 for head sentence, and 0.78 for non-parole periods), with only a handful of variables. These were whether the accused :

(1) was in breach of Court Order
(2) was a Principal or Organiser
(3) was involved with a co-offender
(4) was previously of good character
(5) was subject to court days and had spent some time in gaol awaiting trial/sentence
(6) was an addict or had drugs for personal use only.

In addition a judgment has to be made as to whether the offence should be treated severely, normally or leniently, and this judgment could be made by reference to the quantity of drug involved, the prior criminal record of the prisoner and the rehabilitation prospects of the prisoner.

Although we concluded that there was little evidence of unjustified disparities, we also pointed out that our study looked only at imprisonment. Further, there were insufficient data from some states, with the result that it was not possible to adequately compare sentences between jurisdictions in the depth that we would have liked. Even so we found a degree of conformity when all pertinent factors were taken into account which was surprisingly high having regard to the complexity of the sentencing decision-making process. Although our study was experimental in design, we do believe that our methodology is basically sound and that it could and indeed should be extended to other offences.

THE TRAINING OF PROBATIONARY PRISON OFFICERS AND INMATES - OFFICER RELATIONSHIPS

DON PORRITT

Background

The focus of some aspects of the training for probationary prison officers includes the type of relationship which develops between officers and prisoners. It is assumed here that the nature of high security prisons, and a variety of historical factors, has produced a climate which is distant, tense, often hostile, and based on coercion by officers and resistance by prisoners.

Two commonly offered solutions to the very real problems of officer-inmate relationships are selection of 'better' officers, and more effective training. The first solution, selection, assumes that either prisons are as described because the wrong type of person is on the staff, or that a different type of person could change the nature of the institutions. We believe that such ideas are at the least naive, and find the evidence and arguments of Emery (1970) and Lovibond (Lovibond, Mithiran and Adams, 1979) persuasive. They suggest that wherever security is paramount and is sought by a formalised system of distance, coercion and punishment, relations between officers and prisoners will necessarily be tense, hostile and riddled with conflict.

There is considerable literature on the conflict for staff of custodial institutions between security (maintaining good order and custody) and rehabilitation. It is difficult to be both custodian and counsellor. Where different staff specialise in these functions, the conflict becomes a struggle between these groups.

The aim of training prison officers in relationship skills is to assist them to manage prisoners in a less distant, coercive and punitive way. Changing the prisoner for his or society's good is not the aim. Skills in communication, problem solving and the use of incentives are necessary to make prisons safer and less destructive for both prisoners and officers.

Even such limited aims involve radical change. Discussion with staff involved in training would support the following further propositions:

1. Training recruits to use communication, problem solving and incentives to manage prisoners will place the recruits in conflict with more experienced and powerful officers.

2. Officers spend much time under conditions which minimise their chances to get to know, become interested in or develop respect for, prisoners. Gate duty, tower duty, and being rostered to different wings and floors each shift would all prevent the development of cooperative relationships with and management of prisoners.

3. Given these structural problem, it is unlikely that any training course can impart skills which would be used. To be effective, good training must be component of a total program of deliberate organisational change in which the rostering system and the behaviour of the supervisory (First Class and Senior P.O.) and 'middle management' level of custodial officers are essential components.

The Research Objectives

It is hypothesised that the major block to the transfer of training skills in human relations to the work environment is the influence of more experienced and powerful officers who do not see any value in the new approach to officer and prisoner interactions nor in the new directions in the prison system.

The objectives of the research therefore are :-

(i) to establish whether all aspects of probationer training are seen by officers to be relevant to the actual work experienced by them, and

(ii) to determine the nature and extent of the influence more experienced and powerful officers have on probationers in terms of attitudes to training, to other officers, to prisoners and to their role as prison officers.

Research Design and Methodology

The nature of the research necessitates the use of both qualitative research methods and quantitative methods. The rationale of this approach is that the qualitative research method will enable ideas and attitudes to be freely explored and will assist in the understanding of the psychology of the issues raised. The quantitative method will enable a definition of the size and extent of the issues to be made.

The design of the study involves conducting a series of in-depth interviews with prison officers from which a questionnaire will be designed to measure the profile of issues raised in stage one of the research. In both the qualitative and quantitative studies the officers will be selected from all grades of institutions (secured, variable and open establishments).

The topics to be raised in the initial exploratory stage of research will include :

- attitudes of prison officers to training, its usefulness to them in terms of helping them cope with handling prisoners, the prison system and their own expectations of the job
- their views on the help that other officers can/will give them in performing their duties
- the bonds that develop between work colleagues
- the contrast between job expectations at different times during the initial year of training and duty
- officers' understanding of their roles in terms of dealing with prisoners, security, the purpose of function of the prison system in society and the causation of crime
- personal attitudes of officers towards prison reform and government responsibility.

Some Key Issues

In arriving at the proposal outlined above, a number of key issues emerged. Some of these have already been identified in describing the background and objectives of the project. Others which could be interesting to discuss are summarised below:

1. In deciding on the project objectives it was important to consider who form the audience for the results of the study, what their objectives are, and what type of study would be credible to them.

2. The setting in which data collection is carried out and the methods used both present difficulties. Questionnaires are rarely well completed, if returned at all. Interviews and group discussions improve cooperation, but are expensive and officers are unlikely to donate their own time. Taking officers from posts which must be staffed generates overtime costs. Collecting data from officers while they attend training courses might produce different replies to those given while 'on the job'.

3. Another issue is who to collect data from. Ideally, a cohort should be followed from recruitment to the end of the first year and followed for some time thereafter. A substitute design would involve data collection from groups at different stages, preferably still collecting data from each group more than once. To test the hypothesis of general resistance to training, data should also be obtained from more senior officers. Here, including only those in training courses could bias the sample towards those who have obtained promotion. Data collection from prisoners (e.g. what are officers like when they start? How do they change as they get more experienced? How does a 'good officer' treat prisoners?) could be interesting.

4. The project touches points where many officers are passionately committed to particular points of view. Care will have to be exercised to obtain and maintain individual cooperation and industrial acceptance of the study.

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PERSONALITY CHARACTERISTICS OF PROPERTY OFFENDERS

JOE PASMORE

A review of the current criminological, psychological and sociological literature highlights the paucity of research in the area of personality as related to specific types of offenders. Neither has research into recidivism, in general, dealt with specific offender types but has tended to compare offenders with non-offenders. A study of the research literature also indicates that most rehabilitation training may be too general to deal with specific types of offenders. It also appears that little attempt has yet been made to design rehabilitation training programs to meet the needs of specific offender groups on the basis of experimental analysis of personality. Eysenck (1964) proposed a two factor theory involving Neuroticism and Extraversion to account for criminal behaviour but later proposed a third factor Psychocoticism as also being important (Eysenck: 1970). A number of other researchers have tried to explain criminality by comparing offenders with non-offenders on multi-factor measures of general personality such as the HSPQ and the 16PF or on clinically oriented personality measures such as the MMPI. In considering firstly, studies of non-specific delinquency, where delinquents have been compared on HSPQ personality characteristics with non-delinquents of similar age, studies by McQuaid (1970) and Pasmore (1977) were discussed. Both studies suggest that delinquents tend to: lack internalised standards of conduct (G-), be anxious excitable and restless (Q4+), overly dependent on peers and easily lead (Q2-) and immature and emotionally over-dependent (1+). Trends on relative intelligence, lower for the delinquent group (B-), were in the same direction in both studies but failed to reach significance in the Pasmore study. Factors appearing in one study but failing to reach the .01 level of significance in the other are: obstructive individualism (J+), cool aloofness (A-), guilt-proneness (O+), timidity (H-), depression (P-), low self-assertiveness (E-), and excitable over-activity (D+). In considering the use of personality tests to help in the understanding of specific types of delinquent behaviour work by Tyler and Kelly (1962) and preliminary results from the present study were considered. Tyler and Kelly (1962) used the Cattell (1969) High School Personality Questionnaire (HSPQ) as a predictor of institutionalised delinquents. This study was done to develop a classification of juvenile delinquents and to lead eventually to the selection of children suitable for different kinds of treatment. In the study the HSPQ was administered to boys at a Diagnostic Centre and correlated their obtained scores on the fourteen dimensions of the HSPQ with ratings on various behavioural measures in different receiving institutions. These correlation coefficients were then used as weights in setting up specification equations which were used to predict or cross-validate with a fresh sample of boys.

The following approximate prediction equation in terms of HSPQ personality variables was derived:-

Lying and Untrustworthy Behaviour = -.2A + .30 -.2Q2

This equation suggests that those who are likely to be judged to be untrustworthy tend to be cool and aloof, guilt-prone and overly group dependent. Some questions were raised as to the validity of this equation on the basis of its similarity to another produced using the same raters of behaviour in the study with "likeability" as the criterion variable. Perhaps those boys with personality characteristics as suggested by the equation above were judged dishonest because raters were unable to separate, in their minds, dishonesty from unlikeability.

Other work of considerable interest is that by Megargee and Bohn (1979) who have developed a computer program which classifies into 10 subtypes, the MMPI profiles of criminal offenders. While these do not seem to be closely related to specific types of offending, the classification and placement of prisoners using this model has been responsible for marked reduction of in prison violence where it has been used.

Terris and Jones (1982) recent work on predicting honesty in employees is also noteworthy, and appears to make a contribution to the understanding of dishonest behaviour.

Current Study

The current study, 'The Feasibility of the Use of Personality Research in the Design of Programs for the Rehabilitation of Offenders', which has been funded by a research grant from the Criminology Research Council, proposed the design and evaluation of special courses based on the findings of a study of personality of a specific class of offender, property offenders.

The first part of the study largely follows in design previous research by Tyler and Kelly (1962). This part has used data from a volunteer sample of Queensland prisoners and the discriminant analysis technique to compare personality profiles of prisoners known to have offended against property with those of other prisoners in the sample. The resultant discriminant weights are being used to construct an equation of 16PF factors to differentiate between property-offending and other classes of inmate (Cattell: 1970).

Prisoner volunteers in the sample, convicted of robbery, extortion, fraud, misappropriation, theft or break and entering, were grouped together as 'Dishonest Property Offenders' and compared with other prisoner volunteers.

The resultant equation is as follows:-

Dishonest Property Offenders = .3B +.3F -.3G +.51 + .3L + .5Q2 - .4Q3 -.4Q4

These results suggest that compared with other inmates, those who have dishonesty as part of their convicted offence are on average brighter, less depressed, less conscientious, more emotionally dependent, more suspicious, have poorer self-sentiment formation, and are less tense than other types of prisoners. It is stressed that the above equation is a preliminary one only based on part of the sample (n=291) and that data

used in this analysis included unchecked prisoner reports of all crimes of which they were ever convicted.

Following the repetition of this analysis with the full sample of checked data, in the next part of data gathering phase of the study, it is planned that the utility of the discriminant weights be tested using a cross-validation procedure to determine their ability to discriminate between property offender and non-property offenders in another inmate volunteer sample.

In addition to the information on personality, data on a number of other variables have been collected. These data, which have not yet been analysed, include information on vocational preference, reading age and other demographic and sociological variables. All of the information will need to be carefully considered before embarking on the design of the treatment programs.

Design of Treatment Programs

Following the completion of the analysis of the data, a Treatment Program will be designed which will concentrate on fostering those attitudes and personality characteristics which the prediction equation indicates produce a predisposition to honest behaviour.

To do this, the key differences between the personality profiles of property offenders, other inmates and non-prisoners, will be explored in detail, and the psychological, sociological and training implications analysed. The resulting information will then be utilised in designing the course curriculum and determining the mode of its implementation.

A Psuedo-Treatment Program will be devised to provide a similar amount of time in the group setting as that received by the Treatment group. This program, designed to balance out 'Hawthorne effect', will not specifically concentrate on fostering those attitudes and personality characteristics found during data analysis stage of the project to be related to honest behaviour.

Both Treatment and Psuedo-Treatment Programs are to be administered to the two experimental groups of property offenders. These two groups together with a control group of property offenders which will receive no treatment, will form the basis by which the Treatment Program will be evaluated.

As it is desirable, as far as each inmate is concerned, and also for methodological reasons, to terminate the training program at the time the inmate is due for release from prison, the overall numbers in the groups will need to be made up from a series of smaller groups of inmates participating in the Treatment and Pseudo-Treatment Programs. It is expected that it will be necessary to build up sample numbers over a twelve month period to ensure an adequate sample size is achieved.

Upon completion of the administration of Treatment and Psuedo-Treatment Programs, the programs will be evaluated in relation to measured attitude and personality change. In order to evaluate the program's relation to behaviour change, all three groups will also be followed up for six months subsequent to release from prison and any reoffending involving dishonest behaviour, recorded.

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REMAND IN VICTORIA : SIZE AND TYPE OF FACILITIES NEEDED

DAVID BILES

A report on this subject was prepared by the writer for the Victorian Government in the latter half of 1982. The essential task was to advise on the appropriate size of a new remand centre, and the preparation of this advice raised some interesting research questions. Three types of empirical research were undertaken.

First, a detailed review of all available statistics on remandees in Victoria and elsewhere was undertaken. This revealed considerable differences between different data sources, but the best estimates suggested that the Victorian remand rate (remandees per 100,000 population) was considerably lower than the national average. For example, in July 1982 the Victorian remand rate was 4.3 compared with 11.5 in New South Wales and 9.5 in South Australia.

Second, a profile of Victorian remandees as at 30 June 1982 was constructed using the relevant part of the results of the national prison census together with a supplementary questionnaire. In summary, this presented a dismal picture of mainly young men charged with offences involving violence or drugs who had significant problems of physical or mental health together with economic and social problems. Approximately 20 per cent had been on remand for six months or more.

Third, a questionnaire survey of all Victorian stipendiary magistrates was conducted. This yielded a response rate of approximately 60 per cent and provided some important clues as to why the Victorian remand rate is low and the probable change in numbers that would occur after a new remand centre was constructed. The magistrates also made a number of proposals for amendments to the bail legislation in Victoria and were generally in favour of bail hostels being established.

The research also involved consultation with interested community groups and an examination of options for a new facility. The report of the project was released by the Victorian Government in December 1982 after a decision had been taken to accept the recommendations made. Tenders are now being called for the construction of a new remand centre in Melbourne.

A SCIENTIST'S VIEW OF RELATIONSHIP BETWEEN CRIMINOLOGY AND FORENSIC SCIENCE

MALCOLM HALL

Introduction

Because of differences in comprehension of the meanings of the words 'criminology', 'criminalistics', 'forensic science' and 'forensic sciences', confusion can arise as to functional relationships both within and between these areas.

One purpose of this paper is to indicate the differences which do exist between some of these functional areas and to provide an understanding of the different roles within societal, bureaucratic and operational contexts.

As was indicated by Clifford[1] in his thoughtful paper there has been little written about the relationships which exist between criminology and the forensic sciences in general. This situation is also reflected by the fact that few papers of a criminological nature appear in forensic science journals and it would be very rare indeed for a paper relating to the physical sciences to appear in a criminology journal.

There appear to be a number of reasons for this overall situation, a primary one being the differences in function and the evolutionary development of these disciplines.

The relationship between criminology and the forensic sciences is further clouded by problems of definition and the fact that the 'forensic' activities associated with many disciplines in the scientific area (including medicine) are often seen as a side issue, or adjunct, to the main stream of professional activity within the discipline. As an illustration, the forensic psychiatrist, forensic biologist and forensic pathologist are all distinguished from their professional colleagues because, as "forensic" experts a prime function of their professional responsibilities occur within the court room.

Criminology and the Forensic Sciences - Contrasted

In simplistic terms, it appears to me as a non-criminologist, that criminology is concerned with the study of crime, an overview of crime patterns and of society's attempts to deal with criminal behaviour. These attempts are primarily directed through law enforcement mechanisms, and the court system which imposes penalties and prison sentences. My understanding is that the criminologist appears to be less concerned with individual criminal cases unless he is to draw some conclusion from his overall experience or knowledge of a particular subject area which can then be applied to the specific case in question. He would therefore appear to be in a position to provide advice to the authorities on the effectiveness of a particular crime control strategy.

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[1] Clifford W. (1981) "The Relationships Between Criminology and the Forensic Sciences" paper delivered to the *Seventh International Symposium on the Forensic Science*, Sydney, 13 March.

On the other hand, a practitioner in a forensic science discipline is most frequently called upon to provide an expert opinion in a specific case, or at the most, a limited series of related cases in which an individual or common group of offenders are involved.

Furthermore, the criminologist is rarely seen as part of the court room *dramatis personnae*. On the contrary, the forensic "scientist", be his speciality directed to forensic aspects of medicine, engineering or some area of science, *per se*, is a regular participant in court, as this activity is a necessary part of his professional responsibility as a forensic scientist.

I have placed the word 'scientist' in parenthesis in the previous paragraph in order to distinguish the class of person involved in the physical sciences as a group, from the individual who is trained in science *per se* and identifies himself as a forensic scientist (as distinct from a forensic pathologist, forensic odontologist, etc.)

The professional activities of the forensic scientist are perhaps more readily distinguished from criminology than some of the other "science" areas such as forensic medicine, including forensic psychiatry.

Criminology is concerned with the study of crime as a phenomenon and how to deal with it. Clifford argues, I believe quite correctly, that criminal behaviour is a normal activity in human society. The criminologist is therefore an applied social scientist as he is concerned with the study of large-scale patterns of human behaviour. Associated with this situation are the limitations arising from variation which is inherent in the measurement of biological systems. For this reason, accuracy of predictions in specific cases is reduced correspondingly.

The forensic scientist on the other hand (i.e. a person who is trained and practises as a scientist and who regularly gives evidence in court in that capacity as an expert witness) is primarily concerned with answering the following questions, in relation to the physical evidence:-

(i) What is it?

(ii) Having identified the nature of the material in question - how does this evidence relate to something else (e.g. two pieces of paint, from a hit and run motor accident, one from the scene and one from a suspect car)?

(iii) What is the probability that this relationship arises by chance?

The whole object of this exercise is to be as specific as possible i.e. to individualise the physical evidence in such way as to link material from different sources and also to explain after the event, what actually happened in a particular set of circumstances (e.g. a murder, an arson, a rape, etc.)

I suggest that this type of activity is in clear contrast to the functions performed by the criminologist.

The boundaries can appear to be less distinct when activities of a medical nature are involved, e.g. in the case of the forensic psychiatrist - in many instances this specialist is concerned with putting forward his conclusions as to the mental state of the accused person, at some prior time, in a court room context. Because the requirements of forensic psychiatry place its practitioners apart from their 'non-forensic' colleagues, it has been said of these specialists that they 'may be regarded as scientists who are not physicians, physicians who are not scientists, or from one viewpoint, sociological reformers who are neither'.[2]

From the foregoing it can be seen that criminology and forensic science are demonstrably separate disciplines and that even in areas where there might appear to be a blurring of boundaries, the differences in scale of issues under consideration and the methods employed mean that the two functions are still distinguishable.

In this context, the primary issue raised by Clifford must now be considered, viz: because of the blurring of boundaries between criminology and the forensic sciences, should there be composite organisations which embrace both areas, or should institutions practising these disciplines be established as discrete units?

Before I address this issue, it would be valuable to examine Australian experience in the conduct of forensic science as a discipline as this subject might provide an additional, relevant perspective on Clifford's question.

Criminology in Australia is practised in a small number of discrete, identifiable institutions.

Practitioners of the forensic sciences are generally distributed among agencies which carry out "forensic" activities almost as a side issue - certainly, with one exception there is no fully integrated forensic science laboratory in Australia. Forensic medical practitioners are usually attached to hospitals, State Government health facilities or are in private practice. The lack of integration of the forensic science resources within Australian States is seriously detracting from the efficiency of these disciplines in Australia, particularly in the physical sciences area.

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2 Matte P.J. (1970) "Forensic Science: Profession or Trade?" J. Forensic Science 15 (3) 324-345 at p.330.

Another relevant issue before attempting to answer the question raised, is concerned with the respective roles of criminologists and forensic scientists within the court system. I suggest that the former are more likely to be involved as advisors on policy issues for the courts, in contrast with forensic science specialists who are almost exclusively concerned with giving evidence as experts in a narrow aspect of a particular case.

With this additional information, we are now in a position to examine the question raised by Clifford.

I suggest that the roles of the criminologist and the forensic scientist are sufficiently dissimilar to mean that separate organisations are required.

Whilst it is true that both criminology and the forensic sciences in general can utilise some common resources, e.g. libraries, computer facilities and non-laboratory training resources and there are some techniques which can be common to each discipline, e.g. statistics, the difference in roles within the overall criminal justice system and required backgrounds are very marked in most cases.

Criminology in this country has benefitted from practitioners being concentrated in discrete areas of operations whi h are recognised for what they are - centres of excellence for the conduct of criminological studies. Forensic science on the other hand has suffered as a discipline in this country through administrators failing to recognise it as a legitimate, discrete discipline. The advancement of forensic science would not be further assisted by its confusion with criminology. This could certainly occur if the functions were placed within a common structure.

DELINQUENCY, A FAILURE IN LANGUAGE COPING?

PATRICIA BROWN

The growing U.S. literature which attempts to link minimal brain dysfunction, linguistic learning difficulties and delinquency in an implied causal fashion may be based in the feelings of inadequacy of many clinicians to deal appropriately with delinquency in treatment situations. To say that delinquency may have a minimal organic base (the definition of which is often unclear) is to say that there is no treatment.

However, if one views the language learning deficits of this population as motivational, intervention possibilities are, logically, less limited. But of course, the importance of language to the delinquency process needs to be established. The research, *Delinquency, a Failure in Language Coping?* is based in the positive view that delinquency is learned and therefore treatable and that language learning and its use may be important keys to understanding the delinquent process.

The research is an investigation of the language and planning skills of delinquent youth, to establish whether delinquent youths dislike the use of language, especially when in stressful (interpersonal) situations and whether in such situations they have a tendency to adopt a 'no think' strategy and act precipitately, without sufficient planning, in light of their attitude to language. To what extent class membership influences the language functioning of delinquents is also a focus.

If it can be established that, irrespective of social class, and in contrast with non-delinquents, delinquent youths have a tendency to cut off from verbal material when under stress, this has importance for therapeutic strategies used with delinquents. It would follow from such a finding that verbally loaded interventions such as those normally used by probation officers and therapists would be contra-indicated and that techniques which are more action-oriented, like assertion training, would need more consideration.

Secondly, if it can be established that delinquents are deficient in planning ability in interpersonal situations, skills training in this area would be indicated as a treatment strategy.

Research Questions

1. Does the language comprehension and expressiveness of delinquent youths and their planning ability differ in impersonal and interpersonal situations?

2. Do delinquent youths respond to language more often motorically than semantically than do non-delinquent youths?

3. Do delinquent youths express less liking for language activities and consider them to be less important than do non-delinquents?

4. What differences does membership in middle class and working class makes with respect to questions 1, 2 and 3?

5. Do delinquent groups that are institutionalized, that are on probation and that have been warned differ
   a) in language comprehension and expressiveness and in planfulness in impersonal and interpersonal situations;
   b) in motoric vs. semantic responding; and
   c) in expression of liking for and their consideration of the importance of language activities, and in contrast with controls?

Design

Research comparison groups are delinquent (institutional/probation/cautioned) and non-delinquent groups, subdivided into middle class and working class, 25 subjects to a sub-group.

The testing design has three components and comprises twelve tests in all, which are being administered over two individually conducted sessions of two hours each.

SEVERE LIFE CONSEQUENCES FOR ALIENATED YOUTH

ROBYN LINCOLN

Many research projects and surveys have been carried out in this country and overseas, to identify and find solutions for the problems that confront youth in our modern society. There have been peaks and troughs in the amount and type of research conducted, dependent on current economic situations and prevailing philisophical perspectives.

However as the Senate Standing Committee on Homeless Youth (1982) pointed out, most surveys are limited because of their amorphous samples, their rigid questionnaire techniques and their varying natures. So despite the myriad of surveys, there is a wide gap in our knowledge.

Today in Australia, as elsewhere, the increase in youth unemployment has created an emphasis on young people and their problems. The United Nations in fact, has declared 1985 to be International Youth Year which aims to recognise the importance of direct participation by youth in shaping the future of mankind. It will also serve to mobilise efforts at local, national and international levels in order to ensure active participation by young people in the preparation of policies and program.

This all sounds worthy - but where do we begin? How far has research in the social sciences taken us in our understanding of youth? How do we involve the youth of this country in decision-making processes? How do we find out what they want and need? How indeed can young people who are homeless, incarcerated, unemployed, locked in a world of crime, drugs or prostitution, avail themselves of the few avenues open to them to take part in their future? How can these kids help plan for the future when they don't feel that there is even a tomorrow?

In intensive interviewing of runaway young people in Perth, Brisbane and on the Gold Coast in 1981 and 1982 (Wilson, 1982), the interviewer was overwhelmed by the feelings of hopelessness expressed by these youth. That hopelessness cannot be shown in descriptive nor analytical statistics - on their family backgrounds, their episodes of running away, their personality dimensions, nor their experience with the authorities.

The study was nonetheless profitable in terms of the information gained. Briefly, we were able to obtain a general picture of runaway and homeless youth; four distinct types of runaways were identified (Adventure-Seekers, Escapees, Refugees and Problem-Solvers); intervention strategies by criminal justice and welfare authorities were found lacking; and most importantly the severe consequences of such running away behaviour became apparent.

Indeed a significant proportion of the 120 people interviewed had engaged in serious criminogenic or anti-social activities. Fifty-two per cent had experienced juvenile court proceedings and twenty-eight per cent had been institutionalised. Sixty-three per cent admitted to having used drugs and at least half of these were using hard drugs (heroin, cocaine) regularly, while most of those interviewed drank alcohol frequently. About one quarter were involved in prostitution either as a career, or in more covert ways, where they gave themselves for board and lodgings. Furthermore, our interviews revealed signs of severe depression amongst the runaways. Attempts at suicide by themselves or others were frequently mentioned, and for those who did not talk directly of suicidal acts, it was evident that their lifestyles were clearly 'suicidal'.

There is an increasing group of young people who are destructive, withdrawn from society, self-obsessed and living for the present. The indicators are clear. If we don't involve youth in the future decisions made for them; if we don't offer them security and opportunity; then we are as much without hope as they presently are.

The current study is concentrating on the alienated group of youths described above. Not all young people feel or behave in such an alienated way, but the problems to be studied are universal and common even among many youths who appear to be leading full and productive lives.

The unique features of this research are that it does involve young in the planning and outcomes; and it is bilateral in benefits derived - specific financial and physical assistance will be given to the young people who volunteer as subjects.

The present research examines the severe life consequences that befall alienated youth in our community. These consequences have been previously identified (Wilson, 1982) and include heavy drug taking, alcohol dependence, career prostitution by males, career prostitution by females, severe and violent criminal activities and attempted suicide. These constitute the six sets of behavioural consequences for which five subjects will comprise each set. Allocation to a set will be through self- and agency-identification. It is anticipated that there will be much overlap between sets, but nevertheless it will be possible to allocate them.

The research is in three phases. The first involves the collection of detailed life histories from all thirty subjects. Significant life events are to be nominated by consensus of interviewer and subject. The behavioural and emotional changes resulting from these life events will be documented and then codified to allow comparisons within and between subjects.

The second phase involves the formation of a discussion group. The group is to be presented with six case studies, which exemplify the categories to which they belong. Group discussions should focus on the significant life events; the behavioural and emotional changes that have taken place; suggestions regarding causal links; analyses of the methods of intervention used and evaluation of the strategies adopted by welfare and criminal justice personnel. A prognosis for each case will also be constructed.

At the final meeting of this discussion group, a summary of all the findings on all six cases is to be presented. Modifications may be made and the life histories will be compared and rated by the individual group members according to a predetermined set of criteria. The presentation of the qualitative results of such a method are to follow the procedures of Toch (1972).

The final phase of the project involves the recruitment of a second discussion group. This is to consist of six participants representative of each set of severe consequential patterns. These discussions should be informal but centre on selected topics from the foregoing research. The data from these discussions will be subjected to theme analysis whereby specific themes are extracted from the body of the conversation.

The resultant data from this project should be rich in qualitative material. The thirty case studies stand on their own as invaluable sources of information following the backgrounds and histories of individuals who have become alienated from mainstream society, and who have engaged in what is described as severe consequential behaviour. The additional analyses from the discussion groups should generate information from the users of criminal justice and welfare systems as to the operating and "therapeutic" processes they were subjected to. Such information should be invaluable in planning more realistic and effective intervention and welfare strategies.

DIET AND DELINQUENCY

CAROL ROE

Adverse biological and situational stresses associated with delinquency such as school failure, unemployment, broken homes and drug taking may be potentiated by nutritional factors which further stress the body. These factors include vitamin and mineral deficiences, food allergies and excessive consumption of total calories, fats, sugar and salt. The body's ability to cope with stresses is enhanced by resistance factors - diverse wholefoods from the five-food-groups on a rotational basis, exercise, positive outlook of mind and is reduced by susceptibility factors - an absolute or relative inadequacy of essential nutrients due to eating naked calorie foods (partitioned, processed, refined with chemicals added), smoking, excessive alcohol consumption and drug use.

A key concept is 'biochemical individuality' which means that individual nutritional requirements and reactions to certain foods or their components vary due to inherited and acquired states. Examples are:

1. P.K.U. babies are deficient in an enzyme which converts phenylalamine to tyrosine and untreated develop mental retardation. A restricted phenylalamine and supplemented tyrosine diet prevents the development of retardation.

2. A sub-group of hyperactive children have improved when foods and additives containing salicylates have been eliminated from their diets.

3. Acute schizophrenia (but not chronic) has been treated with good results by dietary means including megadoses of B-complex vitamins particularly niacin and the elimination of cereals and milk from the diet.

4. Symptoms of anxiety neurosis: recurrent bad dreams, fatigue, depression, memory lapses, eczema, headaches, gut and muscle pain, etc. associated with low blood sugar and specific reactions to common allergenic foods (corn, wheat, milk, eggs) have been relieved by dietary means.

Stresses are conceptualised as in Hans Selye's work and can affect perceptions, thoughts and feelings which may be instrumental in the commission of delinquent acts. The causes of delinquency are multifactorial and each factor requires attention at various levels but perhaps for individuals, one or a few factors may be predominant.

Concentrating on nutritional stressors, intervention to have the food industry improve the nutritional quality of foods by eliminating processing and chemicals where possible, in addition to educating individuals to avoid 'junk foods' and to avoid any foods to which they are adversely sensitive could be entertained. (Food allergies are often 'masked' but can be detected by techniques used by allergists.)

From reading of biochemical, nutritional, psychological and sociological literature, evidence exists to support the proposition that nutrition through biochemically-mediated processes can affect perceptions, thoughts and feelings which precede criminal acts. It must be emphasised that it is in combination with other stressors, that nutrition plays a role. Some attempts to modify the diets of probationers and prisoners have been reported using different outcome variables including recidivism and feelings of well-being. Methodological flaws point to measurement, experimental design and statistical analysis problems in research attempts. A total standard treatment applied to all experimental subjects is inappropriate, because 'biochemical individuality' dictates :

1. testing current status (dietary intake, glucose tolerance tests, blood, urine and hair analyses for body nutrient levels and other health status indicators)

2. selective intervention at the levels of biochemical need

3. integration of a positive behaviour modification program involving choices

4. measurement of progress and reinforcement

Single case study designs will be examined in addition to group designs when deciding how to proceed.

Explanations at the biochemistry level for behaviour, as at a psychological or sociological level, are judged according to accuracy of description of the phenomena and parsimony of explanation in the light of current knowledge. A further consideration is the implications for intervention which follow from the explanation. The term 'state-dependent-biochemistry' suggests that the organism under stress is different from one which is not.

The psychological component of how young persons react to stressors is an important consideration. Stated expectations of a short life by unemployed youth in televised interviews may be accompanied by poor lifestyle and food habits (alcohol and drug taking, criminal acts) in the manner of self fulfilling prophecy. If the expectation of early death can be changed to that of a healthy, useful life, spanning 70 years, such an outlook could produce behaviours to make it so. The measurement of biological age (based on physiological indicators) and comparison with chronological age shows how well a person is, relatively speaking.

The introduction of computerised assessments (five computer bureaux are doing such assessments in the eastern states of Australia), based on an individual's questionnaire input and biological tests, and which output dietary and risk-factor analyses and specific recommendations for reducing the risk of disease, has made practical interventions to reverse disease and promote good health.

Two books which could serve as introductions to the literature are :

Your Health Under Seige - Using Nutrition to Fight Back.
Bland, Jeffery (Director of the Bellview-Redmond Medical Laboratory and Associate Professor of Clinical Chemistry at the University of Puget Sound, Tacoma, Washington, USA). 1982.

Diet, Crime and Delinquency.
Schauss, Alexander, 1980. (Has worked as a probation officer and runs courses for probation officers in the USA on the effect of nutrition, lighting and colour on behaviour).

Goethe's Axiom:

We see only what we look for,
We look for only what we know.

Peele, S. Reductionism in Psychology,
American Psychologist 1982.

ABORIGINES AND RAPE - A PRELIMINARY STUDY IN WESTERN AUSTRALIA

SUSAN LEWIS

It is a well-documented fact that Aborigines are over represented in the prison population, not only in this state but throughout Australia. The impetus for this preliminary study arose from the suggestion of a psychologist working in one of the northern prisons that there was a disproportionately large number of Aborigines among the imprisoned rapists. A preliminary perusal of the figures seemed to confirm that this was indeed the case, and an examination of a sub-set of the rapist population was undertaken to try and generate some hypothesis to explain why this should be so.

There are a number of popular stereotypes of Aboriginal criminals. It is popularly believed that Aborigines only commit trivial crimes, such as being drunk and disorderly, street brawling etc. Another view expressed often enough to almost assume the status of a stereotype is that Aborigines mainly rape white women and therefore they are relentlessly pursued by the white criminal justice system with far more vigor than if a white had raped an Aborigine. Neither of these stereotypes can stand close scrutiny; although a considerable proportion of Aborigines are imprisoned for relatively minor offences, there is a number, comparative with the non-Aboriginal population, that has been convicted of a major offence. The number of Aborigines convicted of raping a white female, in the preliminary survey at least, appeared to be very small.

The sample used contained all who had been convicted of rape or attempted rape prisoners in prison on June 30, 1981, or who were received with the same conviction in the following twelve months. The total number of cases was 129, of which 68 or 52.7 per cent were Aborigines. During the year ending June 30, 1982, of the total receivals Aborigines constituted 40.0 per cent; this seems to support the hypothesis that Aborigines are indeed overrepresented in the rapist population.

An examination of the two sub-populations, Aboriginal and non-Aboriginal showed that they were different in two respects; age and length of sentence. The mean age of the Aboriginal rapist was 24.0 years, which is significantly younger (at the one per cent level) than the other group, which had a mean age of 27.6 years. The mean length of sentence for Aborigines was 5.4 years, compared with the longer sentence for non-Aborigines of 7.5 years. This again is significantly longer at the one per cent level. Of course, the two factors, age and length of sentence are not independent, and the judges' comments revealed that the youthfulness of the defendant was frequently cited as a reason for handing down a 'lenient' sentence. These data are significant in that they provide fairly compelling evidence to dispel the myth of the racist judge who views Aboriginal crime as being far more serious than non-Aboriginal crime and sentences accordingly.

As the next step in the study, the files of the 129 rapists were examined to try and detect some patterns which would explain the apparent disparity in the two groups. The factors to which particular attention were paid were:

- the role of alcohol in the crime
- whether the rapist was alone or in a group of two or more
- details of the victim, i.e. age, race and whether she was a friend, acquaintance or stranger to the attacker.

Of these data, the last proved to be the hardest to obtain. For the most laudable motive of protecting the sensibilities of the victim, details of her name, age, etc. frequently were not available from the files of the accused. This lack of data made it difficult to draw any generalised conclusions about the victims. In passing it was noted the white victims of Aboriginal rapists were worse off in this respect, as the judge drew particular attention to the race, and other identifying details about the victim in the few cases which occurred. The possibility that more inter-racial rapes occurred without this being mentioned was considered but the examination of the details of each case, and the manner in which they were described by the court makes this unlikely.

Several features of the cases involving Aboriginal rapists become apparent from the sample examined. While it is not asserted that the sample is representative, it is considered that it was large enough to generate hypotheses worthy of further study, with some degree of confidence.

The common characteristics of the Aboriginal rapist cases were as follows:

- large quantities of alcohol had been consumed by the rapist (and often the victim as well) in a large majority of cases
- most of the rapes occurred in groups, typically three youths who had been on a drinking spree. The rape often occurred in a public place
- the victim was frequently a stranger, or a mere acquaintance of the attacker (or attackers)
- robbery, revenge or similar motives often evident in the cases of non-Aboriginal rape were absent from these incidents.

Possible relevant factors will now be examined in somewhat more detail, to determine whether any directions for future work can be determined.

1. Alcohol

The role of alcohol in Aboriginal crime has been noted by many researchers. It has also been noted that the behaviour of individuals when under the influence of alcohol is, to a large extent influenced by cultural expectations. Thus, even though certain ethnic groups, such as Italian, consume large quantities per head of alcohol, this is not associated with criminal activity. It can be speculated that the Aborigines were introduced to alcohol by the early pioneering settlers of this country, the hard riders and hard drinkers, who prided themselves as being above the law. Indeed, it was frequently the case that there was no law to flaunt. The attitude of these early pioneer towards women would probably not be considered very enlightened today. From these men, the Aborigines learnt the 'correct' way to behave when drunk, and this unfortunately frequently entailed fighting or other criminal activities as part of the total 'spree'. The case studies examined confirm the pattern that many of the rapes occurred as part of an escapade, with the actual rape being only a culmination of an evening of drinking, arguments with friends or acquaintances and perhaps reckless driving around in a motor car.

The fact that alcohol is associated with Aborigines and crime in general does not explain why rapists contain such a high proportion of Aborigines. When considering the total range of crimes, it is obvious that alcohol can only be a causal factor in certain crimes. A drunk could hardly be a successful forger, for example, or any other crime requiring a measure of skill and concentration. The statistics in fact show that Aborigines are over-represented in crimes against the person (homicide, assaults, sexual crimes) and against property, and alcohol could well be a factor, indeed a causal factor in these cases.

2. The victim

Returning to a consideration of the rapists alone, it may be the case that there is a differential rate of reporting between the victims of the two groups. Perhaps victims of Aboriginal rapists, who are themselves generally Aborigines, are more reluctant to report the crime. As was noted earlier, the preliminary data seemed to indicate that the victims were nearly always not well acquainted with the attacker, which could mean that the victims who are close friends or relatives of the rapist do not go to the police. With the difficulty in obtaining reliable victim data, particularly for unreported crimes, this possibility would be extremely difficult to test.

3. Tribal factors

Although most of the Aborigines in the sample were not tribal Aborigines in the sense that they lived a lifestyle in which their activities were governed to a large extent by tribal considerations, the attitudes and values of tribal life could still be influential.

Studies of aboriginal culture have shown that the Aboriginal and non-Aboriginal attitude towards crime is sometimes at variance. In the case of rape, however, the available evidence suggests that this crime is not condoned in Aboriginal society and was traditionally considered to be a serious offence subject to severe penalties.

Another aspect of Aboriginal culture may be relevant here; Aborigines are known to have a readiness to agree with their accusers, which differentiates them from their non-Aboriginal counterparts. The tendency to plead guilty in group rape cases, probably because the defence that the female was a willing partner is more difficult to sustain, has already been noted by other researchers.

4. Group rape

The differences between the two groups disappears if the evidence is examined from another angle. Counting the number of victims of the two groups reduces the number of Aboriginal cases considerably, but this line of attack still begs the question of why so many Aborigines commit group rape. It does, however, illustrate the fact that there are degrees of severity in judging rape cases, and it may be misleading to lump all cases together as though they were strictly comparable.

CONCLUSION

At this stage the preliminary study, which started with the question why are there so many Aboriginal rapists, has generated a number of avenues of attack. Perhaps the most promising direction in which this research could go would be to consider the influence of alcohol in all sexual offences cases, or perhaps all offences against the person. To restrict the study to rape would be to see only part of a broader picture in which alcohol could be a major causal factor in a certain class of crimes. It is considered that this could be an area for useful investigation.

A DECADE OF RADICAL CRIMINOLOGICAL THEORY - SOME REFLECTIONS*

ROMAN TOMASIC**

A decade has now passed since the publication in 1973 of Taylor, Walton and Young's influential work, *The New Criminology*. In that study an account was given of the 'insulation of criminology from sociology in general' and an effort was made to show that a more sociologically informed criminology would, with 'a sense of history', seek to confront 'structures of power, domination and authority' in capitalist society (1973: 268-269). This structuralist approach to explaining social action is seen as leading to a social theory of deviance which would also amount to a political economy of crime. It is seen as also avoiding the dangers of falling into 'correctionalism', which identifies deviance with pathology rather than the social structures existing at any particular historical period.

It is neither the purpose of this paper to restate the basic tenets of the 'new criminology' in any detail nor to subject these to critical scrutiny, as this has been done sufficiently elsewhere.[1] The program set out in *The New Criminology* may however be seen as an important phase in the movement in the 1970's to create a radical criminology. It is therefore useful to seek to determine what theoretical impact this movement has had and what legacy it may leave us. One way of seeking to do this is by resort to a series of recent anthologies which have been influenced by, or are a reaction to, this radical critique of traditional criminology. If we accept the Kuhnian logic it could be argued that texts of this kind illustrate the state of development which has taken place within a particular paradigm. I have therefore selected six anthologies published between 1979 and 1981, three of which mainly compromise the work of British writers and three comprising the work of American criminologists.

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* This paper is part of a larger attempt to evaluate the theoretical accomplishments of the sociology of law of which the sociology of crime forms an important part. This larger study is being prepared as a "trend report" for the International Sociological Association's journal *Current Sociology*. Other parts of this study will survey literature on dispute processing, the legal profession, judicial process, policing, legislation and business regulation (See further: Tomasic 1979; 1980; 1981a; 1981b; 1982a; 1982b and 1983).

** This paper was not presented at the seminar as, at the last moment, Dr Tomasic was unable to attend.

The three American anthologies are respectively: James A. Inciardi's *Radical Criminology: The Coming Crises* (1980); Tony Platt and Paul Takagi's *Crime and Social Justice* (1981) and David Greenberg's *Crime and Capitalism* (1981). The three British anthologies are David Downes and Paul Rock's *Deviant Interpretations* (1979); Pat Carlen and Mike Collison's *Radical Issues in Criminology* (1980) and the National Deviancy Conference's *Permissiveness and Control: The Fate of the Sixties Legislation* (1980).

These six anthologies provide a good picture of the current state of radical theorising about the sociology of crime and social control in Britain and the United States. They are, of course, the products of the 1970's and so reflect the general mood of disenchantment and sense of theoretical sterility which has afflicted so much of the social sciences. They also reflect a quest for something less rigid and polemical than was evident in the work of radical criminologists at the beginning of the 1970's. Yet, just as there are virtually no British authors in the three American volumes, and vice versa, there is a sense of rigid intellectual divisions to be found in much of the so-called radical approach to criminology. This is captured in Steven Spitzer's questioning whether 'left-wing' criminology is merely 'an infantile disorder'. The rhetoric of much of these radical critiques is so exclusivist, or in a sense, elitist, that a coherent and well-based body of radical criminological theory has failed to emerge. This is partly attributable to the failure of many critics to realise that many of the problems and conceptualisations of liberal criminology are to be found in its radical version. This is also a point that has been made in regard to the sociology of law itself[2] and therefore raises serious problems deserving of attention by all criminological researchers.

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1 See for example: Beirne, 1979; Brown, 1978; Cotterrell, 1981; Coulter, 1974; Hawkins, 1978; Tittle *et. al.* 1978 and Wheeler, 1976. See also Hunt, 1980 and Thompson, 1978.

2 See A. Hunt 'Dichotomy and Contradiction in the Sociology of Law' *British Journal of Law and Society*, 8:47-77 (1981).

VICTORIAN PRISON OFFICERS

SOME OPINIONS AND ATTITUDES

JOHN VAN GRONINGEN*

The research on which this discussion paper is based examines some of the data gathered in a survey of 853 uniformed prison officers in Victoria. The data was obtained from a questionnaire administered to all of the uniformed officers employed by the Correctional Services Division of the Victorian Community Welfare Services Department in late 1979 and early 1980.

Demographic information covering age, educational qualifications, experience and cultural background was obtained from each officer.

(see Appendix 1)

Data relating to officers' opinions and attitudes to 'punishment', 'protection','deterrence' and 'rehabilitation' was gathered and tabulated for analysis, as well as the reasons given by officers as to why crime is committed.

(see Appendix 2)

The opinions held by the officers as well as their attitudes towards the employing agency including the issue of the philosophical stance of the agency toward prisoners and their custody was also addressed.

(see Appendix 3)

Discussion

The median age of the officers working for the Correctional Services Division is 41 and approximately 17 per cent of the officers are under the age of 30, while 30 per cent are over 45 years of age. More than 60 per cent of the officers are Australian-born while 25 per cent are born in the United Kingdom.

The average time prison officers have been on the job is slightly more than five years. However, it should be noted that 30 per cent of the officers have less than three years experience.

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* This paper was not presented at the seminar as, at the last moment, Mr van Groningen was unable to attend.

Almost 83 per cent of the officers surveyed indicated that becoming a prison officer was not their first 'occupational choice'. Previous occupations held indicate that a wide range of work experience is represented. Thirty per cent were skilled tradesmen, 12 per cent had clerical experience and more than 20 per cent indicated that they had worked in an 'other uniformed service' (five per cent as prison officers.)

Approximately 40 per cent of the officers come from large metropolitan areas with the remainder having been raised in rural towns and farms.

Fifty per cent of the officers surveyed have 10 years or less (Form IV) formal education, whilst slightly more than 22 per cent have achieved a Higher School Certificate (or equivalent).

In the area of attitudes and opinions, several interesting and potentially controversial findings have come to the fore. In the response to the question 'Why do you think persons commit crimes?' almost 60 per cent indicated, 'Because they chose to commit crimes' while a further 3.6 per cent stated, 'Because they are born criminals'. Prison officers are therefore strongly of the opinion that crime is individually based, rather than the more common view attributing crime to sociopolitical causes.

Prison officers were asked to respond to a question relating to the main reasons they felt persons are sent to prison. 15.5 per cent indicated that it was for 'punishment' and a further 58.7 per cent saw it as being for 'protection', (protection for society) while only 5.7 per cent indicated the main reason as being for 'rehabilitation'. (When the last choices are examined, 46.6 per cent indicated rehabilitation.) The data also confirm that prison officers do not see prison as being a strong deterrent to criminal behaviour.

The area of the research that has to date been the most interesting and potentially controversial relates to prison officers' attitudes toward and opinions of correctional management and the general administration of corrections in Victoria. While almost 90 per cent of the officers indicated that the policies of the Correctional Services Division were 'very important' or 'important' to them, 55 per cent indicated that there was not much they could do to influence these policies. More than 43 per cent indicates they were 'never' (13.2 per cent) or 'rarely' (30.1 per cent) involved in decisions that affected their jobs, 90 per cent indicating that they 'seldom' (14 per cent) or 'never' (75.7 per cent) 'had a say' in management decisions affecting the Correctional Services Division.

When questions pertaining to the prisons as opposed to the overall Division were asked there were still almost 70 per cent who indicated that they 'seldom' (25.8 per cent) or 'never' (43.9 per cent) 'had a say'. Officers were then asked to evaluate the present management of the Correctional Services Division. Almost one third

(31.6 per cent) indicated that it was either 'poor' (23.2 per cent) or 'very poor' (8.4 per cent) while a further one-fourth (25 per cent) indicated it as being 'neither good nor poor'. Interestingly more than 13 per cent indicated that they 'did not know enough about it', to evaluate it.

Another area of the questionnaire sought to determine the attitude of uniformed prison staff to the perceived goals of the Correctional Services Division (perceived as many have never learned from the Department the goals it has). Almost 40 per cent indicated that the most important goal of the Department was 'protection of society' while some 19 per cent indicated that 'rehabilitation' was the main goal.

When asked to indicate whether they felt the Department's 'official goals' were realistic or not, some 35 per cent indicated they felt they were not. Interestingly, some 24 per cent implied they did not know what the goals of the Department were.

Implications

The data analysed to date indicate that there are serious discrepancies between what the Community Welfare Services Department (Correctional Services Division) and the uniformed prison staff perceive as being the goals of imprisonment. There are a large number of officers who indicate that if goals exist, they are not aware of them, while a larger number disagree with what they feel are the goals of the Department.

A clear departmental philosophy of corrections, complete with goals that are defensible, achievable and measurable are required, and these are to be communicated to all levels of staff. The process of identifying and developing these goals should include input from uniformed prison officers.

The research also reveals that a degree of alienation exists between the various levels of management and prison officer staff. The fact that from 70 to 90 per cent of the uniformed staff feel they have no impact on the decision-making process should be addressed and remedial action to overcome it taken.

Appendix 1

Sex:

94.7% a. Male
5.3 b. Female

Place of birth:

63.2% a. Australia
25.1 b. United Kingdom
c. Other - please specify _____

Age:

.5% a. Under 21
4.5 b. 22 - 25
11.8 c. 26 - 29
12.0 d. 30 - 33
5.6 e. 34 - 37
20.1 f. 38 - 41
12.3 g. 42 - 45
13.4 h. 46 - 49
9.6 i. 50 - 53
5.1 j. 54 - 57
1.9 k. 58 - 61
l. 62 - 65
m. 66+

Education (select one). Highest completed:

3.2% a. Primary School
2.4 b. Form I or equivalent
7.2 c. Form II or equivalent
16.2 d. Form III or equivalent
21.5 e. Form IV or equivalent
14.9 f. Form V or equivalent
12.8 g. Form VI, H.S.C., or equivalent
9.0 h. Some tertiary
1.6 i. Completed tertiary
j. Other - please explain, i.e. trade qualification, etc.

Previous employment (most recent):

4.3% a. Other prison service
17.5 b. Other uniformed service
30.4 c. Skilled tradesman
6.5 d. Labourer
12.4 e. Clerical
3.8 f. Farmer
1.3 g. Not employed
10.2 h. Self employed (not stated above)
i. Other (please specify)

_____

Appendix 1

Length of Service:

%		
16.4	a.	Less than 1 year
15.1	b.	1 to 2 years
32.1	c.	3 to 5 years
10.1	d.	6 to 8 years
6.4	e.	9 to 11 years
7.4	f.	12 to 15 years
5.0	g.	16 to 20 years
4.8	h.	21 to 25 years
1.6	i.	26 to 30 years
.5	j.	30+ years

Which of the following best describes the size of community in which you were raised?

40.1%	a.	A large metropolitan city (or suburb of a city).
.3	b.	A medium size urban area - (e.g. Geelong, Ballarat, etc.)
21.6	c.	A small rural township.
8.7	d.	A rural non-built-up area (farm, etc.)
	e.	A combination of one or more of the above - please state the combination, e.g. A and B, etc.

Appendix 2

What, in your opinion, are the main reasons for placing a person/s in prison? (Rank 1-5; 1-high; 5-low) in order of importance).

	1st	2nd	3rd	4th	5th
a. To rehabilitate.	5.7%	11.5%	14.4%	20%	46.6%
b. To protect society.	58.7	20.7	11.4	5.9	8.6
c. To punish.	15.5	26	15.8	19.2	21.7
d. To deter him/her from committing crimes in the future.	14.7	31.2	35.8	15.5	2.1
e. To deter others from committing crimes.	3.3	8.8	22.5	38.0	25.2
f. Other (please specify).					

N = 368

Why do you think persons commit crimes? (Rank 1-7; 1-high, 7-low) in order of importance).

	1st	2nd	3rd	4th	5th	6th	7th
a. Because they are poor.	4.2%	14.4%	17.7%	21.5%	17.5%	11.7%	13.6
b. Because they come from broken homes.	14.1	20.9	21.4	15.1	11.5	12.0	2.3
c. Because they are poorly educated.	11.6	24.0	22.9	15.7	11.5	6.8	4.5
d. Because they chose to commit crimes.	56.8	9.9	9.9	11.0	6.3	4.9	1.3
e. Because they are physically sick.	.3	5.6	4.6	11.3	16.3	31.4	24.0
f. Because they are born criminals.	3.6	9.8	7.0	8.7	11.8	14.2	40
g. Because they are mentally sick.	5.5	13.3	14.8	15.7	22.7	16.6	10.4
h. Other (please specify)							

N = 361

How important for you is each of the following?

4	3	2	1
Very Important	Important	Unimportant	Very Unimportant
51.4%	38.4%	7.4%	2.7%

a. Policies of the Correctional Services Division.

b. The opportunity to help other people.

c. That society accepts my job is an important one.

d. Receiving recognition for the work I do.

e. Being accepted by Social Workers and Welfare Officers.

f. Being able to relate to Head Office staff.

g. That my contribution is understood by the community.

I have a say in management decisions that affect the Correctional Services Division:

.8% a. Always
9.0 b. Sometimes
14.0 c. Seldom
75.7 d. Never

There is not much that I can do about the important things that effect the Correctional Services Division.

18.3% a. Strongly agree.
40.3 b. Agree.
16.2 c. Neither agree nor disagree.
22.2 d. Disagree.
6.3 e. Strongly disagree.

How do you evaluate the present management of the Correctional Services Division? I feel it is:

2.9% a. Very good.
25.8 b. Good.
25.3 c. Neither good nor poor.
23.2 d. Poor.
8.4 e. Very poor.
13.9 f. I do not know enough about it to evaluate it.

I am involved in decisions that affect my job:

20.8% a. Often.
34.8 b. Sometimes.
30.1 c. Rarely.
13.2 d. Never.

Much has been said about the goals of imprisonment. From the list below, rank 1 to 6 (1-high, 6-low) in order of importance which are the official goals of imprisonment (Departmental goals).

	1st	2nd	3rd	4th	5th	6th
a. Deterrence (others) - to prevent others from committing crimes.	4.9%	17.9%	22.8%	27.5%	16.1%	10.0%
b. Retribution - to pay society back for crimes committed.	5.7	10.7	13.1	16.8	30.8	23.7
c. Deterrence (offender) to prevent the criminal from committing further crime.	17.4	22.3	29.5	18.2	10.7	2.0
d. Punishment.	13.1	17.9	8.6	15.7	13.6	30.9
e. Rehabilitation - to reform the offender so he/she will not commit further crimes.	19.1	11.0	8.9	13.7	18.4	28.8
f. Protection of society.	39.8	19.8	17.0	8.1	10.5	4.6

N = 367

Appendix 3

The official goals of the Correctional Services Division are realistic.

a.	I strongly agree.	6.9%
b.	I agree.	34.8
c.	I disagree.	26.7
d.	I strongly disagree.	7.9
e.	I do not know what the official goals are.	24.1

N = 378

CONCLUSIONS

The final session of the seminar was primarily devoted to an open discussion of any of the issues that had been raised in the previous three and a half days. The first issue raised concerned difficulties experienced by some researchers in gaining access to relevant criminal justice data. This problem seemed to be most acutely experienced by non-government researchers, but was not entirely restricted to them. It was pointed out that there were significant differences between jurisdictions in the extent to which researchers were able to obtain access to data. Some police and correctional agencies had drawn up detailed guidelines for access while others had not.

The group recognised that making the necessary arrangements for meeting the requests of researchers frequently placed considerable strain on the resources of the organisations holding the information. This was particularly the case with organisations still using manual record systems, where names and identifying numbers had to be removed from files before access could be granted. In this regard it was suggested that experienced researchers had learned to structure their projects in such a way as to be seen to be providing a service to the cooperating agencies, rather than simply asking for their help. Some researchers employed by government departments reported that they were always happy to encourage and cooperate with academics and graduate students but, because they were less likely to produce useful findings, discouraged requests for cooperation from under-graduate students.

The relevance of the Federal Freedom of Information Act, and proposed privacy legislation, were recognised by the group, and the possibility of raising problems with relevant Ministers' councils was mentioned. It was recognised, however, that ultimately it was the responsibility of criminologists themselves to conduct their research and other activities in such a way that the value of their work was increas-ingly recognised by criminal justice policy-makers.

Some discussion then took place on the quality of the data, particularly statistical data, that was available to criminologists in Australia. It was reported that three of the major corrections departments in the country had converted, or were in the process of converting, their record systems to computer bases, yet this had not happened in a coordinated manner. It seemed that each jurisdiction was 're-inventing the wheel'. The Australian Bureau of Statistics had an overall responsibility for collecting and publishing data on all aspects of criminal justice and it seemed highly desirable that there should be more standardisation and coordination between jurisdictions. It was pointed out that the national prison census had achieved a reasonably high level of comparability and that some jurisdictions had decided to use the

census data collection form as the basis for their own departmental files. It was also suggested that annual reports of corrections departments in the future were likely to reflect the census format as the collection data on 30 June meant that the data collection could be used for both purposes.

As far as the national prison census was concerned, it was suggested that in the future the collection could be extended to provide flow data as well as a snapshot of prisoners on a particular date. It was argued that this suggestion had merit, but that it might be premature until the census was more firmly established.

The fact that the Australian Bureau of Statistics was now conducting a second national crime victims survey was warmly commended by the group, and it was seen as particularly valuable for longitudinal comparisons of victimisation data to be made. The group was less impressed with the data currently available for reported crime on an inter-jurisdictional basis. It was pointed out that the most recent data available for the seven categories of selected crime applied to the year 1979-80, and that more timely data were urgently needed.

Professor Glaser suggested that it might be useful to establish committees of correspondence whose task it would be to prepare model statements for a policy on access to data and also to develop model uniform annual reporting or statistics procedures. He also made some practical suggestions for reducing the difficulties of agencies supplying the data, such as where possible employing former staff members as research assistants.

The final topic of general discussion was the current status of experimental methodologies in criminological research. It was suggested that very few of the projects discussed during the seminar had incorporated experimental designs, and it was observed that social science research seemed to be moving towards greater use of parametric methods as a result of large data sets becoming available. It was recognised that experimental designs are more powerful in their ability to establish causal connections, but there always remained the problem of ensuring that experimental and control groups were not influenced by extraneous variables. The idea of overcoming this problem by the use of random assignment to groups was recognised as virtually impossible in real criminal justice operations.

Finally, it was suggested that Australia with its unique structure of eight separate jurisdictions and a relatively homogeneous population provided an ideal location for the conduct of comparative research which would generate hypotheses to be tested in other countries. It was agreed that there should be more effort to promote comparative criminological research.

To close the seminar Professor Glaser was asked to give his general impressions and to compare the current state of criminological research in Australia and the United States. He opened his remarks by saying that he had come to the seminar with the hypothesis that there were more active criminal justice researchers per million population in Australia than in the United States and that he now believed that hypothesis had been

confirmed. He said that he had been most impressed by the methodological sophistication of the projects that had been discussed and by the level of analysis and clarity of communication.

Professor Glaser went on to say that projects reviewed in the seminar had more practical orientation than would be found in comparable meetings in the United States, but he assumed that this was a reflection of Australian selection and funding policies. He agreed with earlier suggestions that there was a trend towards using computers to 'do your thinking for you' by using large data sets to look for serendipity in a seemingly non-theoretical manner. He pointed out, however, that this approach was never totally atheoretical as the choice of items to enter into the computer always implied some theory, hunches or expectations. The essence of science, he said, was to make one's selection of items explicit and to derive abstract principles from the particular information at hand.

Professor Glaser concluded his remarks by congratulating the Institute on organising such a stimulating and worthwhile seminar. He expressed the view that such seminars were a good investment and were undoubtedly beneficial to the participants as well as to visitors like himself. From his point of view, participation in the seminar had been the highlight of his visit to Australia.

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APPENDIX B

EVALUATION OF THE SEMINAR

In the week following the seminar a short questionnaire was forwarded to all participants seeking their reactions to the organisation and content of the seminar and also inviting suggestions for the improvement of future seminars of this type. In the few days before the questionnaire was despatched a number of letters expressing appreciation were received from participants, and the overall pattern of responses to the completed questionnaires was also clearly positive and encouraging.

A total of 43 questionnaires were sent out and within a period of a little over two weeks 40, or 93 per cent, were completed and returned to the Institute. The responses are analysed in detail below in order to guide the planning of future research seminars at the Institute. Responses to the 11 questions are reported in order with occasional comments by the editor.

QUESTION 1. *How many days or half days were you at the seminar?*

These responses varied from one-half day to four full days with 24 of the 40 respondents, or 60 per cent, having attended for at least three days. One respondent suggested that those participants who had received assistance with their travel costs should be specifically required to be present for the full seminar, or a major part of it, and this suggestion will be considered in the future.

QUESTION 2. *Did you present a paper?*

Thirty-four of the 40 respondents who completed the questionnaire had presented papers at the seminar.

QUESTION 3. *Were you satisfied with the arrangements for circulating abstracts of papers?*

Thirty-four of the respondents indicated satisfaction while five suggested that it would have been better if the abstracts had been circulated by mail a week before the seminar and one respondent suggested that some of the abstracts could have been more informative. It is appreciated that a prior circulation of abstracts would be highly desirable, but this creates practical problems when some participants do not submit them until just before the seminar starts. However, efforts will be made to improve this situation in the future. Problems also would arise from the fact that the list of participants for seminars such as this are rarely finalised until the seminar is underway.

QUESTION 4. *Do you think a four-day seminar is too long, too short or what?*

Answers to this question were more varied, with 17 respondents expressing satisfaction, 15 saying that four days was too long and six saying that it was too short. Two respondents expressed no opinion on this question.

QUESTION 5. *Do you think the seminar program was too crowded? If so, what suggestions for change would you make?*

Twenty-one of the respondents said that the program was not too crowded or they expressed satisfaction with the program. A further 15 expressed the view that there was too much in the program, four of those qualifying their opinion with the word 'slightly'.

Small numbers of respondents made particular suggestions including:

- not less than half an hour for each paper;
- use small group discussions for some sessions;
- continue after 5 p.m. each day;
- have some presentations during the lunch break; and
- make more use of round table discussions.

QUESTION 6. *In general, was the seminar useful for you?*

All of the respondents answered this question in the affirmative, with two qualifying their answer with the word 'partially' while others added the words 'extremely' or 'very'. Many of the respondents referred to the seminar's usefulness in terms of the contacts that had been made with other researchers and others suggested that the seminar had given them new ideas for further research.

QUESTION 7. *What particular paper or papers did you personally find most valuable?*

Responses to this question were remarkable in that an extraordinarily wide range of speakers were mentioned as presenting papers that were most valuable. The 40 respondents to the questionnaire named no less than 35 of the participants' papers as most useful. The name mentioned most often was that of Professor Daniel Glaser and the particular session of the seminar that was mentioned most often was that dealing with the evaluation of community service orders in different jurisdictions. Without reproducing the full list, those researchers mentioned most often in order were Susan Hayes, Charlie Rook, Pat Brown, Garry Coventry, Kelly Weekley, Philip Donnelly, Bob Bayley, Don Porritt and John Walker. This diversity of interest tends to suggest that wide-ranging seminars such as this one meet a need, especially in view of the fact that a considerable proportion of responses to this question seemed to cut across boundaries of academic or professional interests.

QUESTION 8. *At present the Institute is tentatively committed to conducting research seminars once every two years. Do you think that this is satisfactory?*

Twenty-nine of the 40 respondents answered this question in the affirmative while 11 expressed the view that an annual research seminar would be preferable.

QUESTION 9. *Would you like to be invited to a similar seminar in the future?*

All of the respondents answered this question in the affirmative, in many cases adding expressions of enthusiasm.

QUESTION 10. *Do you think some time should be provided for concurrent discussion groups?*

Responses to this question clearly favoured a change in program format with 23 of the respondents answering in the affirmative and only nine expressing opposition to concurrent discussion groups. Many of those supporting such a change added qualifications which recognised difficulties that concurrent groups would create, especially that of finding suitable space. Nevertheless, the majority view will be seriously considered in planning future research seminars.

QUESTION 11. *What suggestions, if any, would you make for improving future seminars of this type?*

A wide range of suggestions were made in answer to this question, but there was little evidence of consensus with regard to the actual changes that should be made. Interesting suggestions included an insistence that only 'new' research should be considered and that participants should not be allowed to raise for discussion projects that had been completed some years earlier. It was also proposed that where appropriate expert discussion leaders should be assigned for particular sessions or papers, and that clearer guidelines on the type of presentations that are required should be given. It was further proposed that the range of papers should include economic, political and sociological issues.

One proposal that was supported by three respondents was for the arrangement of the room to be less formal in order to encourage more open discussion. This will certainly be done in the future. Another suggestion was that the seminar should be conducted in a residential college and thus encourage a greater collegiate feeling and a further suggestion proposed that there should be an informal evening meeting at the end of the first day with drinks. If funds allow this proposal will be seriously considered for the next research seminar. Finally, one long and carefully argued statement suggested that the time had passed when general research seminars of this type were most useful and that future research seminars should focus on narrower issues such as police or prison research. While this suggestion obviously has merit it would inevitably reduce the extent of inter-disciplinary communication which has been a feature of the three Institute research seminars conducted to date.

As stated above the overall pattern of responses indicated in the questionnaire will be taken into account in the planning of future seminars of this type and particular attention will be given to those proposals which can be readily implemented without incurring additional costs.

END