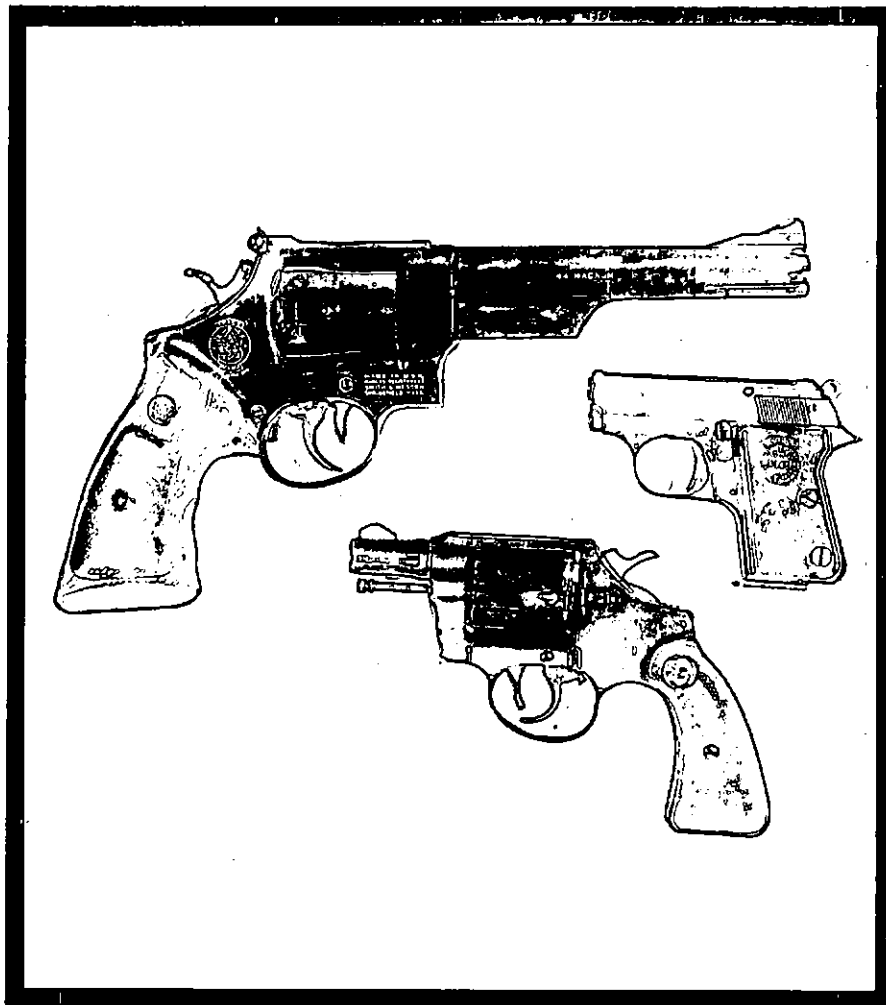


reporter



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(Publications continued inside back page)

COVER PHOTOGRAPH: Firearms control was discussed at a seminar 'Deterrence of Criminals, Civil Conflict and Gun Control' at the Institute in June. See feature article, Pages 8-14.

Commonwealth Government supports continuance of the Institute

There has been much speculation about the effect on the Institute of a decision made by the Committee of Review of Commonwealth Functions that the Institute's funding should henceforth be divided between the Commonwealth Government and the State Governments. State Governments had been approached and had declined to fund the Institute because of other commitments which they had as a result of recent changes in Federal/State financing. Nevertheless, the State Governments expressed appreciation of the work the Institute had done and hoped that the Commonwealth Government would see its way to keeping the Institute operating.

The matter was decided by the Cabinet on 10 September, and on the same day, a public announcement was made by the Attorney-General, Senator Peter Durack. The Attorney-General said that the Commonwealth Government had decided to continue the operations of the Australian Institute of Criminology. Senator Durack explained that the State Governments, while declining to contribute to the running costs of the Institute, had shown themselves anxious that the work should continue. The Commonwealth Government had finally decided that, although State Governments had the major responsibility in relation to crime and the treatment of offenders, the Commonwealth Government had real interests of its own in the work of the Institute, including drug offences, organised crime, terrorism, corporate crime and white collar crime.

Moreover, he pointed out that the Commonwealth Government had a vital interest in the costs of the criminal justice systems throughout Australia, which had been estimated to be in excess of \$1.8 billion each year.

Senator Durack added that the Institute had provided the focal point for criminological research in relation to the criminal justice systems of Australia and had developed a level of expertise which had now achieved a position of eminence in criminology in Australia and overseas. Therefore, the Government, having taken all these factors into account, had decided that the Institute would continue its operations and it would be funded by the Commonwealth Government. However, there would be a review of priorities which may have an effect upon the present staffing levels.

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DIRECTOR'S DIGEST

People tell us that the Institute's output over the past few years has been creditable but the momentum has been kept going under great pressure: and, as the introductions to our Annual Reports have indicated, we are constantly exercised by all the other work that we know we could be doing if the resources were available.

The present meeting in Melbourne of Commonwealth Heads of Government and a reported dispute about whether security trained police or the regular government drivers should take the wheels of those cars considered the greatest risk, reminds us that a vital area for criminological research and training is that of security — private and public.

This Institute has cooperated with both official and private security from time to time over the past six years. I have lectured to ASIO on our views on terrorism. One of our criminologists is a regular lecturer to military and police training courses on the same subject and he is writing a training manual. We have had seminars for private security and an exhibition of some of the latest equipment. We have lectured to retailers, bankers and to planners on future security: and recommended to the Criminology Research Council a number of projects for investigating the relationship between architectural design and crime.

It is still not enough — and we know it. Security, public and private, is one of our fastest growing industries and it continues to grow through periods of depression and inflation. It has become an integral part of modern living — at the airports, in the banks and in the libraries and supermarkets. The average citizen now submits to 'friskings' and bag searches far more readily than he would have done a generation ago. There is one security company in Australia that already employs more operators than all our police forces combined.

Not all are full-time operators,



Mr William Clifford, Director,
Australian Institute of Criminology.

of course, but the impact is there. Moreover, there are now security firms with their own extensive hardware branches producing and marketing a wide range of alarms, electronic devices, safety locks and automatic warning systems. Ex-military and police personnel have found new careers as security consultants and many may be hired as bodyguards. Some carry firearms, raising questions of appropriate licensing procedures, registers of security personnel or legislation for governing the standards within the business. Needless to say, the amount of security available to people is beginning to depend upon the amount they can afford. The affluent can purchase more security than the poor, although victimisation surveys suggest that it is the poor who are more victimised.

Questions like these, as well as the enormous official and private investments in security, demand more research than has been possible so far. The population has not yet been able to obtain a comprehensive picture of the extent and ramifications of security.

It is customary for defence authorities to calculate the cost exchange ratio involved in the protection of a population, for example the cost exchange ratio for the protection of 95 per cent of the population is obviously very high. Generally in the calculations that have to be made, a decision as to the proportion which the country can afford to protect is taken into account. Maybe such calculations could be applied to the protection of the population against crime and estimates made of the amount involved in extending different degrees of protection to different groups in the population.

This kind of modelling would be new to criminology but appropriate to a situation in which disproportions are beginning to arise and to a situation in which technology is gradually going to become as important as manpower.

The economics of security are no less important since the burgeoning of this service industry could eventually have consequences for the efficiency of related types of business activity.

Regional Correctional Conference

The exchange of prisoners was one of the major topics of discussion at the Second Asian and Pacific Conference of Correctional Administrators held in Bangkok from 6-10 July 1981.

This conference, the only established regional institution of its type, dealt with a range of subjects of importance for correctional administrators, but in view of the fact that it was hosted this time by the Government of Thailand, its consideration of prisoner-exchange arrangements was particularly important.

In principle it accepted that the practice of prisoner-exchange was desirable, and that it ought to be based on an agreement in each individual case between the sending and receiving Governments and the offender.

As with the first conference held in Hong Kong in February 1980, Mr William Clifford, Director of the Australian Institute of Criminology acted as Executive Director and Rapporteur.

Co-Directors were Mr Thomas Garner, the Hong Kong Commissioner of Prisons and Mr Dhavee Choosup, the Director-General of Correctional Services in Thailand.

The Thai Government hosted the conference which was chaired by Mr Dhavee Choosup who was elected unanimously by participants.

In his report, Mr Clifford said that Thailand had been approached by Canada and the United States with a view to negotiating prisoner-exchange treaties.

He said that New Zealand had initiated a draft treaty with Canada which already had a transfer of prisoner agreement with the United States, Mexico and Peru, and was currently engaged in discussions on the subject with Thailand and India.

Mr Clifford said that some of the problems that arose during treaty negotiations were: the offence had to be recognised by both countries; eligibility for parole and periods of remission to which the prisoner may be entitled,



Pictured observing female prisoners at work at Kanchanaburi Provincial Prison, Thailand. Standing from left to right: Mr Thomas Garner, Commissioner of Prisons, Hong Kong; Mr John Braithwaite, Criminologist, A.I.C.; Mr J. Wong, Superintendent of Prisons, Hong Kong; Seated: Mr Dhavee Choosup, Director-General, Department of Corrections, Thailand; Mr Toshio Suzuki, Public Prosecutor, Supreme Public Prosecutors' Office, Japan.

had to be calculated; and the prisoner had to be made fully aware of the consequences.

'In Canada, for example, a magistrate is provided to interview each prisoner to make sure he fully understood and agreed to an exchange before being asked to sign a consent form.'

Mr Clifford reported that while Japan was sympathetic toward the concept of prisoner-exchange it had not yet entered into any such agreement, but had relied instead on a flexible procedure which often resulted in the deportation of an alleged offender before conviction and sentence.

'Some other countries had no extradition provisions in its law at all, and some participants held the view that a person who committed a crime in another country should serve his sentence there, and that their own prison services were adequately equipped to deal with any resultant cultural problems.'

It was reported to the conference by the representative from Victoria, Australia, that Australia

had signed no treaties, and that furthermore there was still no arrangement for the transfer of prisoners between Australian States.

However, a draft bill had been prepared for the Interstate transfers of prisoners, and placed before the Standing Committee of Attorneys-General.

The only exceptions to this generalisation, are arrangements for New South Wales to take the prisoners of the A.C.T. and for a transfer of prisoners from parts of the Northern Territory to some of the States. Apart from prisoner-exchange, the Conference shared experiences on the organisation of prison labour, on the rights of prisoners and prison officers, and on the problems of standards.

The agenda was as follows: Item I - Prison Industry; Item II - Remands; Item III - The Status of Prison Officers and Human Rights; Item IV - Prisoners Exchange Arrangements in Asia and the Pacific; Item V - The

(continued on Page 4)

Fulbright recipient returns

In early September the Institute's Assistant Director (Research), Mr David Biles, returned to Australia after four months in the United States on study leave.

From May to September, Mr Biles was a Visiting Fellow to the Program in Social Ecology at the University of California, Irvine, while being the recipient of a Fulbright Senior Scholarship.

During his stay, Mr Biles visited all of the major criminological research centres in California and also made brief visits to similar centres in the eastern States. He has prepared a report 'Criminal Justice Research in California' which is to be published by the Institute in the near future. He says that this report is to be seen as a companion volume to the Australian research review which he prepared earlier in the year and is intended to provide ideas and comparisons for Australian researchers.

On his return to the Institute, Mr Biles said that he had learned a great deal from his discussions with American criminologists.

'The level of research funding was much higher and the scope of their research was much broader than would be found in Australia', he said.

'This makes an Australian criminologist in the United States feel like a poor relation', he said.



Mr David Biles, Assistant Director (Research)

Despite these great differences, Mr Biles said that it was surprising that the range of topics being researched in the United States was very similar to the work of

the Institute and, in fact, many of the titles of our publications would be identical to those found in American research centres.

(continued from Page 3)

Problem of Drug Offenders in the Prisons of Asia and the Pacific; and Item VI — Accreditation and International Status.

In accordance with the resolutions of the First Conference, the A.I.C. provided the Secretariat for the Conference in Bangkok.

Other Australian participants were: Mr Evan Collins, Comptroller-General of Prisons, Queensland, and Mr John Dawes, Director of Correctional Services, Victoria. Mr John Braithwaite, Criminologist, A.I.C. assisted Mr Clifford in the preparation of the proceedings.



From left to right: Mr William Clifford, Conference Executive Director, and Director of the Australian Institute of Criminology; Mr Dhavee Choosup, Conference Chairman; and Mr Masaharu Hino, Deputy Director, U.N.A.F.E.I., Japan.

Rethink on Drink-Drivers

Section 29 of the A.C.T. *Motor Traffic, (Alcohol and Drug) Ordinance, 1977* which provides for the referral of offenders to treatment programs will be referred to the Criminal Law Consultative Committee of the A.C.T. for review.

Opening the first session of a two-day seminar aimed at examining the effectiveness of the provisions of the Ordinance, the Chief Magistrate of the A.C.T., Mr Hermes expressed concern that the 'expectations of the current legislation had not been fully realised'.

Addressing participants from the fields of corrections, courts, drug and alcohol treatment centres, police and the legal profession, Mr Hermes said that draft legislation recommended in 1976 by the Australian Law Reform Commission, which recommended that either the defendant had to apply for conditional release for treatment, or the court had to be satisfied that the defendant was drug dependent, would have allowed a court to send a reluctant defendant for treatment.

Although Mr Hermes was of the opinion that the Commonwealth Government had chosen the correct course by adopting legislation which differed slightly from that of the A.L.R.C. in that it required both application by the defendant for treatment and satisfaction on the part of the court that the person was drug dependent, he said that it was regretful that the legislation had not worked very well because 'the plain fact of the matter is that defendants are not applying to be released for treatment in accordance with its terms'.

In an effort to identify where the legislation had failed, Mr Hermes told the seminar, organised by the Australian Institute of Criminology at University House in Canberra, that it was hard to believe that the legal profession was not advising defendants of the provisions of the Ordinance, and that it seemed more likely that defendants were reluctant to admit that they were dependent on alcohol, describing themselves as noth-

ing more than 'social drinkers'.

Therefore it would be a bold step for a magistrate to say that he was satisfied that the defendant was alcohol dependent in the absence of some credible evidence on the subject other than the conduct of the defendant at the time of apprehension and perhaps a list of prior drink-related offences.

'What is happening', he said, 'is that on the rare occasions on which the section is being used, it is being utilised more often than not as a soft option to avoid a well deserved prison sentence.'

The coordinator of the Alcohol and Drug Dependence Unit of the Capital Territory Health Commission, Mr George van der Heide, told the seminar that the unit viewed the present legislation as 'running counter' to the wishes of the Australian Law Reform Com-

mission for the implementation of a drink-driver education and therapy program and a requirement by the courts sentencing persons charged with drink-driving offences to take into account evidence of medical or other treatment undergone by the offender.

He said that the case for the introduction into the A.C.T. of random breath testing had been strengthened by the comments of some drivers who had made it clear to him that they considered their chances of being apprehended a second time for a drink-driving offence as being very low.

Mr van der Heide said that some previously convicted drivers had told him that they had actually been over the limit on as many as 700 occasions before being caught for drink-driving again. ®

Chief Magistrate of the A.C.T., Mr C. Hermes



Better deal for the insane

A hard, penetrating look at the treatment of mentally disordered persons has been taken by Senior Research Officer of the Institute, Mr Ivan Potas. In a recent paper, he examines the confusion that arises in Australia because of overlapping punitive and treatment elements in cases involving mentally disordered persons.

In the paper, 'Protecting the Community from the Mentally Abnormal Offender' delivered to a seminar in Melbourne, he submitted that both the interests of the mentally ill and society could be effectively served without having to resort to criminal law with the subsequent imprisonment of the insane, a method of control dating back to the *Trial of Lunatics Act* of 18th century England and still in use in Australian jurisdictions today.

He told participants at the seminar organised by the Victorian Association for the Care and Resettlement of Offenders at the State College of Victoria, Coburg, that the mentally abnormal offender stood as a reminder of the strengths and weaknesses of society and simply to provide society with protection from such a person would be to miss the point.

Mr Potas agreed with a submission to the Consultative Council on Review of Mental Health Legislation by the V.A.C.R.O. committee that the prison environment was not the appropriate place to hold persons who were acquitted on the ground of insanity, or who were unfit to plead (even though they were considered a danger to society).

'Although it may not be appropriate to hold some mentally ill offenders in psychiatric hospitals, it did not follow that they should be held in prison', he said.

Instead, he supported the establishment of 'special security units' outside the correctional system which would offer treatment somewhere between maximum security and open-door.

'There was nothing merciful or humane', he said, 'in requiring an

acquitted person to spend an indeterminate time in prison when other, more appropriate facilities could be made available.'

'A prison environment provided a likely setting for the worsening of the mental health of detainees. It was also wrong in principle to treat those unfit to plead or those acquitted on the ground of insanity in the same way as persons who had been convicted of a crime.'

'Detaining mentally ill offenders could only be morally justified if grounded in civil, not criminal law, and then only where a serious threat to the community could be perceived.'

Turning to the complex problems of responsibility in criminal law, Mr Potas said that unless a person was found to be responsible under the law and guilty of a crime, the justification for the appropriate dispositional procedure should lie outside the boundaries of the criminal law.

THE INTERESTS OF THE MENTALLY ILL AND SOCIETY COULD BE EFFECTIVELY SERVED WITHOUT HAVING TO RESORT TO CRIMINAL LAW

He said that the practice of keeping mentally disordered offenders in strict or safe custody in prison could easily be abused, turning a policy of community protection into one of community persecution.

The Report of the Nagle Royal Commission into N.S.W. Prisons showed that at 16 December 1976, of 51 Governor's Pleasure prisoners detained, only 29 were in mental hospitals.

Mr Potas said that declaring a mentally disordered person to be held for the Governor's Pleasure was comparable, in terms of the time served in custody in prison, to a sentence of life imprisonment from which there was no anticipated date of release.

As an alternative, Mr Potas has suggested that a person found to be unfit to plead should not be brought to trial after a specified

period of time.

'The effect of such a statute of limitations', he said, 'would be to protect the offender from prosecution after a period of time which would be related to the gravity of the offence or offences with which the defendant was charged.'

'Where a mentally disordered person had been acquitted on the ground of insanity and found not guilty of a crime, it then ought to be determined whether or not he or she satisfied the criteria for involuntary civil commitment.'

'If so, the person should be held according to the rules applicable to civil detainees. On the other hand, if, after being acquitted on the ground of insanity, the person is not certifiable, he or she should be immediately released', he said.

Research grants

The Criminology Research Council is seeking applications for research grants from individuals and organisations for projects likely to produce results of relevance for the prevention and control of crime throughout Australia.

Projects designed to evaluate currently effective measures are particularly invited.

Application forms are available from Registrars of all Australian Universities or from the Assistant Secretary, Australian Institute of Criminology, P.O. Box 28, WODEN, A.C.T. 2606.

Book Reviewers needed

The *Reporter* is seeking book reviewers. If you are interested in doing reviews, please write to us, stating your interests and we will be happy to send you books for review. We cannot pay reviewers but they do get free copies of the books they review.

What price - freedom?

'The greater the freedom in the lives of individuals - the greater the freedom to commit crime, including assassination', said Mr William Clifford, Director of the Australian Institute of Criminology.

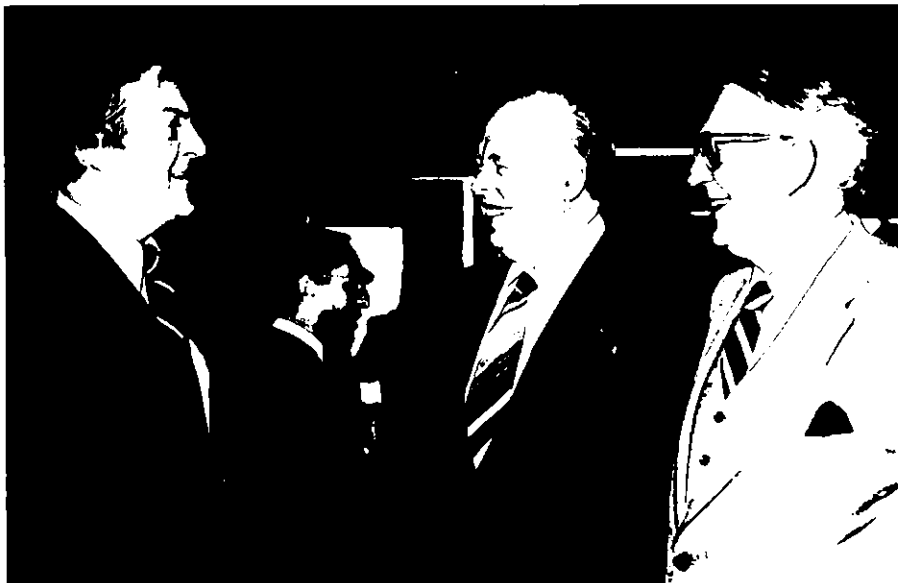
From a paper which looks at the political, sociological, psychological and biological aspects of 'The Criminology of Assassination', and at the question of how to approach its prevention, Mr Clifford said that the way to deal with the threat of assassination was through improved criminological research and intelligence and the development of international cooperation in criminal justice, not through repressive 'police state' powers.

Opening a special seminar of Canberra diplomats on the problems of assassination, at the Institute on 22 June, Mr Clifford emphasised the importance of the inclusion of criminal justice bodies in international exchanges and the need for a closer, tighter, more effective cooperation between crime prevention bodies, whose meetings he said were no less important than those of politicians, educators, and members of cultural exchanges.

He told about 30 diplomatic staff that while not discounting the possible existence of assassins in totalitarian countries, the problem was not as troublesome as in a democracy because of the tight security and the fewer opportunities offered to those who wished to kill the leaders.

He suggested that although the diplomats were the potential victims of assassins they could be instrumental in the development of international cooperation in criminal justice.

Speaking of ways in which assassination could be prevented, Mr Clifford stressed that as well as looking at firearms control, there must be a tightening of international cooperation in criminal justice otherwise events such as meetings of heads of governments would become increasingly dangerous undertakings.



Pictured during a break in the 'Problems of Assassination' Seminar, 22 June 1981. From left to right: His Excellency Mr R.C. Anderson, High Commissioner for Canada; Dr J. Seymour, Senior Criminologist, A.I.C.; Mr W. Clifford, Director, A.I.C.; and His Excellency Mr L.J. Francis, High Commissioner for New Zealand.

He said that the tightening of security would also lessen the opportunities afforded gunmen by reducing the target available to them. Democracies also needed to look more closely at the practice of 'touching flesh' - the hand shaking, baby kissing, head patting style of politics practised by U.S. President Reagan, and at arms such as the long distance rifle and the planting of remote controlled bombs.

'Political leaders, royal visitors and others in positions of public prominence ought not to behave as though a democracy was the place where everyone appreciated their privilege of living there.'

At the same time Mr Clifford said that it would be difficult to prevent assassination through absolute security, because absolute security meant absolute immobility.

Mr Clifford said that abolition of the death penalty was blamed for the liberties taken by criminals, terrorists and killers, but there was still no evidence that the death penalty reduced murders. In fact in some States of America which had capital punishment, there were more police killings than in States which had abolished the death penalty.

He thought it unlikely that the execution of an assassin would deter others, and said the real question was whether the death penalty was enough to satisfy public yearning for the balance to be redressed.

Mr Clifford warned that while the countries of the world were still locked into 19th century constraints of sovereignty and limited legal jurisdiction, the criminal had long ago transnationalised and internationalised into areas of the drug trade, gold dealings, diamonds, and foreign exchange, computerised crime and illegal gambling.

Mr Clifford ended his address by saying that 'no society had yet found a way of making everyone happy all the time, or of even guaranteeing a respectable place for everyone regardless of limitations'.

'Therefore, those who vented a verbal frustration on others could be tolerated, excused if the frustration resulted in minor damage or injury, renounced by all if it were excessive, and vehemently condemned if someone was killed.'

'It may be', he said, 'that we were creating not only assassins but a social climate conducive to their operations because of the lack of capacity and unification of democracies of the intolerable.'

Deterrence of criminals, civil conflict

Increasing severe penalties to deter criminals had to be weighed against the question of human rights.

Welcoming authorities from Australia and the United States to a two-day seminar, 'Deterrence of Criminals, Civil Conflict and Gun Control', held at the Australian Institute of Criminology on 29-30 June, Director Mr William Clifford said, 'We have descended into a sad, polarised condition of increasingly severe penalties on the one hand to deter criminals or at least give them what they deserve, and on the other we have the bleeding-hearts lobby.'

'This group', he said, 'was often connected with an academic determination to view human rights in such simplistic terms that it ignored Article 29 of the United Nations Declaration of Human Rights which dealt with obligations.'

Mr Clifford said that in an attempt to obtain a balanced view of deterrence, the Institute had brought together some of the most important and distinguished people in the field.

As mentioned in the last issue of the *Reporter*, the seminar followed a conference on 'Firearms', held from 25-28 June in Perth, which was co-sponsored by the Institute and the University of Western Australia.



GUN LAWS DESIRABLE — GUN BANS DAMAGING

'Gun laws could not reduce violence because they were unable to effect people's social habits. But they could be helpful if they were intelligently applied.'

'Conversely', said American firearms expert, Professor Don Kates, 'gun prohibition damaged useful controls by driving the traffic in firearms underground and provoked a confrontation with government.'

The San Francisco Attorney,

formerly of the Law School, University of St Louis, said that in times of high crime levels, it was 'useless' and 'counterproductive' for Government to go beyond gun control to prohibition because it would lead to an enormous abuse of civil liberties and victimless crime penalisation, and a loss of public confidence.

He said, 'Banning guns as a means of reducing violence was less appropriate and more difficult than banning liquor and certain narcotics, as a gun would only have to be purchased once, whereas those who wanted liquor and drugs had to take the risk of returning often to the blackmarket to renew their supply.'

'America had wearied of attempting to enforce marijuana and liquor prohibitions against a substantial minority of the population, and in the light of that experience,' he said, 'one would have expected gun prohibition advocates in the United States to have devoted their energies into ways of showing how a firearms prohibition could be enforced.'

But he said that very little of the vast amount of antigun literature had focussed on the issue of enforcement and America prohibitionists simply had not faced the question of what was going to happen when an ever-growing majority of anti-prohibitionists were asked to obey a handgun ban.

Dismissing the theory that the high availability of firearms promoted a high incidence of homicide, Professor Kates said that the pattern of gun laws and violence in the U.S. had shown an almost perfect direct relationship in the U.S. Southern States, for example, where America's most restrictive gun laws went hand in hand with the country's highest homicide rates.

In short, he said that there was no guaranteed way of stopping someone who wanted to misuse a firearm from getting one.

Professor Kates said that although sophisticated prohibition-

ists admitted that a ban would not effect terrorists, robbers or other dangerous people who were determined to have a handgun, it did not follow that it would not effect the dangerous person who was likely to commit domestic homicide since he was no more responsive to the law than any other person with a history of criminal violence.

He warned that the banning of handguns would encourage those determined to have a protection firearm, to turn to the more deadly rifle or shotgun which would return America to its highest ever firearms fatality rate of 50 years ago.

'The banning of any kind of firearm for self-defence was feasible only while rates of violence were so low that only aberrant people believed they needed a defence weapon.'

'A total ban had been tried in New York City, but after 70 years of prohibition the rate of illegal ownership for self-defence alone was estimated to be twice the rate for that purpose in the rest of the country where firearms were legal.'

'Frequently', he said, 'gun prohibition seemed to stem from the ignorance of how easy it was to make a modern handgun from scrap metal which could be sold by black-marketeers tax free for more than triple the cost of its manufacture.'



HISTORICAL CRIME TRENDS

A paper which principally examined the historical evidence of violent crime in some Western societies was delivered to the conference by Professor Ted Robert Gurr, Professor of Political Science, Northwestern University, Illinois.

He began by saying that recent historical studies had suggested that the post-1960 increase in violent crime in most Western societies was preceded by a much longer period of decline.

and gun control

In a summary which attempted to explain the social dynamics of the long-term decline in violent crime and the sustained periodical upsurges of violence, Professor Gurr observed that the long-term decline in interpersonal violence followed cultural changes in Western civilisation; the transition to town and urban life; a growing sensitisation to violence; and the development of increased internal and external controls on aggressive behaviour where norms of conduct in almost all organised activity stressed non-violent means of accomplishing goals.

'This cultural process', he said, 'led for example to the decline and ultimate abandonment of executions in most Western nations, the end of slavery and wage labour, and the phasing out of corporal punishment in schools and prisons.'

Discussing irregularities in the downslope of interpersonal violence, Professor Gurr said that war was the single most obvious correlate of the great historical waves of violent crime in England and the United States.

'War', he said, 'may lead to increased violent crime for many reasons, directly because it legitimised violence for young men who then became habituated to violence in military service, and indirectly for others who found during war-time a licence to act out their feelings of anger.'



Professor Ted Robert Gurr

'While the civilising process sensitised people to violence, war temporarily desensitised people to violence especially impressionable young people', he said.

Professor Gurr concluded that each great upsurge of violent crime in the histories of a number of countries was caused by a distinctive combination of 'altered social force'.

Some crime waves had followed social dislocation which had resulted in segments of a population being separated from the civilising institutions which instilled and reinforced the basic Western injunctions against interpersonal violence.

'They may', he said, 'be migrants, demobilised servicemen, disillusioned young people, or badly educated minority groups locked in the ghettos of an affluent society.'



RIGHT RESEARCH WORTH THE COST

A paper which focussed on ways of deterring violent criminals was presented by visiting American criminologist, Professor Frank Zimring, who said that murder rates in the United States might be halved if would-be killers were offered a cash bribe at the crucial moment not to kill.

Professor Zimring, Director of the Centre for Studies in Criminal Justice, Law School, University of Chicago, also looked at ways of ensuring that good basic research was carried out.

Professor Zimring, explaining that the homicide rate in the U.S. had doubled between 1964 and 1972, went on to say, 'We know we can cut the death rate from homicide but how do you get to the scene the minute before a murder is about to happen and offer the attacker \$25 not to do it?'

The irony was that adding five years onto a 10 year prison term would have little deterrent effect.

Discussing more practical ways of deterring robbery killing, Professor Zimring said that criminologists should 'come up with a model of a robber's behaviour, get to know the robber better, get to think like he or she does so we can design counter-measures'.

'The only way to do this', he said, 'was by doing basic criminological research. For example, one out of every 100 firearms robbery in Detroit ends in death and that makes no sense at all.'

He said, 'You cannot view robbery killing in the Detroit context as anything other than largely a recreational and aggressive game.'

Professor Zimring told the conference, 'I have come to tell you how we in America have wasted our money and where we have invested wisely.'

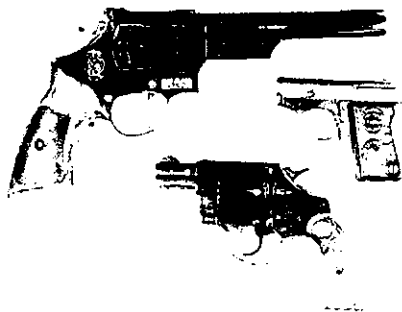
Describing the last 10 years of general deterrence research in the United States as the 'wasted decade', Professor Zimring said that 'catastrophic errors' had been made by comparing the deterrent effects of sentences in different cities, and at different times, instead of by learning specifically about deterrence crime by crime.

He criticised the popular method of calculating the percentage of crime attributable to juveniles on the grounds that it overstated their contribution to the number of crimes committed.

'It was an error to take the percentage of arrests under 21 for particular crimes and express it as a fraction of the percentage of crimes committed, when research carried out over 50 years showed that over 80 per cent of juveniles arrested for theft offences did it in groups', he said.

'It was also not genuine to conclude, that because there was a high rate of crime among juveniles, teenagers should be jailed for longer terms.'

Professor Zimring suggested that a start be made to conduct the 'right kind' of non-experimental research into general deterrence. For example, he said that crim-



Frank Zimring — '... one in 100 robberies in Detroit ends in death, and that makes no sense.'

inologists could look at jurisdictions where the juvenile courts stopped protecting youngsters at the age of 16, with jurisdictions where the juvenile courts stopped at the age of 18 to see if the age curves were different.

'Ten years of asking the right kinds of questions, and of being unafraid of getting factual answers', he said, 'would reveal to criminologists what policy trade-offs they faced on sentencing.'

Confessing to 'meddling in the politics of another country', Professor Zimring concluded by saying that he understood the Commonwealth Government in Australia had budgeted to spend 5 million dollars on the Australian Institute of Criminology since its establishment five years ago.

'I have read Dr Mukherjee's manuscript', he said. 'It's an eight million dollar manuscript, so the Institute has already done one piece of work alone putting it three million dollars ahead.'

'If 80 per cent of what an Institute does in basic research is a failure, and 20 per cent is successful, investing Government money in basic research is, like diamond mining, extremely profitable even with a 20 per cent success rate.'



'... we know we can cut the death rate from homicide.'

A RIGHT TO BEAR ARMS

On the same subject, International Firearms Consultant and former Superintendent of the West Yorkshire Constabulary, United Kingdom, Mr Colin Greenwood spoke on 'Firearms Law Issues: The British and International Context'.

Mr Greenwood began by saying that there were two approaches to the whole question of controlling firearms.

'Firstly', he said, 'you could say 'why should these people be allowed to have firearms?' or you could say 'why should they not — why should we try to prevent them from having firearms?'

'The two questions were poles apart, and it seems to me that if we live in a democracy, then everybody has the right to follow whatever sport or activity they choose with whatever implement they choose to use.'

'If the State or a group of people wanted to inhibit that activity, the burden of proof lay on those proposing restrictions, and I would suggest that the starting point ought to be that, unless it can be shown that the private ownership of firearms causes a significant problem then people have a right to them.'

'The best system of firearms control that could be hoped for',



'... murder rates might be halved if would-be killers were offered a \$25 bribe at the crucial moment not to kill.'

he said, 'was one of optimum control arrived at by weighing the benefits against the costs.'

'One of the benefits which were said to flow from arms controls was a reduction of armed crime of any sort.'

Similarly, there were claims that controls would help reduce accidents or vandalism. It was not usually admitted that another objective of firearms control was simply to keep the public happy by allowing them to feel a little more secure.

Among the costs of firearms control was the straightforward cash cost of police time which in many systems was very high.



Mr Colin Greenwood



'... the problem is how do you get to the scene the moment before a murder is about to happen and offer the attacker \$25 not to do it.'

'As well, every policeman who was taken away to issue permits or licences was one less on the street preventing or dealing with crime as it happened', he said.

It was also a fact that gun controls created criminals from people who failed to register their firearms, and could build a resentment among shooters toward the police who seemed to find it difficult to grasp that firearms were important to the committed shooter.

Mr Greenwood said that before criminologists could assume that firearms controls had created a certain situation, they had to be sure that there was a cause and effect relationship between, for example, a system of strict gun control and a relatively low rate of armed robbery before any attempt was made to relate the two facts.

'Looking at the situation in Britain', he said, 'if it was right that the rate of armed crime was so low because of a strict system of gun controls, then it should follow that when there were no controls there would be a significantly higher rate of armed crime.'

But he said that in 19th century Britain where firearms were freely available evidence showed that the rate of armed crime was very low.

It had also been shown that during the period 1911-1913, the



'... criminologists could come up with an economic model of a robber's behaviour so we can design counter-measures.'

average number of crimes of all types involving firearms in the whole of London was 45 with firearms freely available to anybody who wanted them.

During a brief discussion of the international situation, Mr Greenwood refuted the proposition that Australia could, and would be like Chicago or Detroit by comparing it with Switzerland where the private ownership rate of firearms was higher than it was in the U.S.A.

'Therefore', he said, 'it was not correct to say that on the evidence of one country, a high level of firearms ownership was followed by, or would be followed by, a higher rate of armed crime.'

'Because of the differences in gun control in each State', he said, 'Australia presented the perfect situation to decide rationally and logically the optimum measure of firearms control instead of being misled by looking at situations in other countries.'

'Too often in many countries, firearms controls were used by police and politicians as an answer to public concern about armed crime. When this happened it only diverted attention away from the real problem of how to deal with a small group of violent people. There was no point in stopping them getting firearms, because in



'... investing government money in basic research is like diamond mining - extremely profitable, even with a 20 per cent success rate.'

terms of robbery many more injuries were caused by iron bars or other blunt instruments than firearms.'

'In a robbery involving a blunt instrument, the robber is not credible until he has hit his victim, whereas a gun makes him credible without using force.'



ONUS OF COMPETENCE ON GUN USERS

Addressing the conference on the topic of 'Violent Crime and Gun Control Strategies', Assistant Professor of the Law School, University of Western Australia, Professor Richard Harding said that the registration of firearms had to be combined with licensing of shooters who showed they were competent to use a gun safely.

'Australia', he said, 'was like the United States for political, historical, and other reasons, and the responsibility would rest with those who supported free gun ownership to prove that increased gun ownership would not produce the same effects as it had in America.'

He said, 'Because Australia had only a relatively small number of

handguns, it had the opportunity to keep handgun ownership under control by legislation.'

Professor Harding said that rather than reflecting developments in society, gun ownership created its own 'fear-violence' spiral.



Professor Richard Harding

For example, firearms bought for 'self-defence' were more likely to be involved in domestic shooting accidents.

Professor Harding agreed that stricter gun control would have little effect on the 'up-market' armed criminal who had access to black-market weapons. But it could effect the 'down-market' robber without contacts who drifted into gun usage.

'Although, because of financial restraints, research in Australia was being made more difficult, it was essential', he said, 'to find out more about robbers and what made them 'tick'.'



LIMITING FIREARMS MAKES GOOD SENSE

A paper 'Violence and Guns in Australia', by Senior Lecturer in Criminal Statistics at the Institute of Criminology, Sydney University, Mr Paul Ward, examined studies of guns and violence in Australia and criticised some of the arguments

presented by the opponents of tighter gun controls in Australia.

'The Australian 'gun lobby', appeared to obtain many of its arguments against the tightening of gun legislation directly from the U.S.A., without adapting them to suit the situation in Australia', he said.

The following arguments were refuted by Mr Ward:

1. That gun laws will lead to a Communist Revolution in Australia.

This argument was ridiculed by Mr Ward on the grounds that a Communist uprising in Australia 'seemed less likely than a peasant revolt led by independent farmers determined not to have their right to turn the interior of Australia into a vast salt desert infringed by bureaucrats'.

'Neither revolt was likely', he said, 'and even if it were, it would be ludicrous to suggest it would be put down by a rabble of amateur riflemen rather than the proper military authorities.'

2. That ownership of guns provides protection for 'honest' citizens.

Mr Ward suggested that this argument was usually reduced to the slogan 'if guns are outlawed, only outlaws will have guns'.

He said that it was necessary for police and people who transported large sums of money to carry arms, and unless the slogan implied criticism of the police, it was untrue. 'It was risky', he said, 'for guns to be kept in homes for personal protection because the general arming of householders could lead to an 'arms race' where potential burglars felt that they had to carry guns to protect themselves.'

'As well', he said, 'guns in homes provided a ready made armoury for criminals and the possibility, because of the ready availability of a useable weapon in a home, of an increase in the rate of domestic murder.'

3. The awful example of New York.

Mr Ward said that he believed

the 'gun lobby' implied here that although New York had the toughest gun control laws in the U.S.A., the rate of violence in the State was such as to indicate that they were ineffective; the hidden premise in the argument being that New York's homicide rate when guns were used was worse, or at least no better than other comparable cities of the U.S.A.

'But', he said, 'the figures in Tables 1 and 2 (shown on p. 13), of criminal victimisation surveys conducted in the five largest cities of the U.S. in 1972 and 1975 by the U.S. Law Enforcement Assistance Administration, show the proportion of crimes of personal and business violence in which guns are used, and indicate that New York compares favourably with most of the other four largest cities of the U.S.A.'

In summary, Mr Ward said that the findings of the one reasonably sized victim survey carried out in Australia, revealed that the potential for violence in Australia was of the same order as that in the U.S.A., and that the evidence presented so far showed that the sensible policy for Australia was to maintain limits on the number of firearms, especially handguns, owned by Australians, and to ensure that those who did have permission to own a gun were trained in its safe usage.



RETRIBUTION AND DETERRENCE

Modern punishment-reformist movements had brought the theory of deterrence into disrepute and had opened the way for a revival of the more punitive response of retribution.

Reader-in-Law at the Australian National University and Special Magistrate for the A.C.T., Dr Des O'Connor told the conference that the present theoretical and traditional support for the retributive

Table 1 — Estimated Crimes of Personal Violence 1972 and 1975 in the Five Largest United States Cities

City	Year	Population*	Total	Incidents with Firearm	Percentage with Firearm	Rate**
Chicago	1972	2,426,000	87,011	24,209	28	10
	1975	2,480,200	94,809	33,034	35	13
Detroit	1972	1,035,000	45,739	14,370	31	14
	1975	1,064,100	51,115	16,118	32	15
Los Angeles	1972	2,100,700	60,498	15,287	25	7
	1975	2,213,100	67,070	13,750	21	6
New York	1972	5,665,900	153,914	21,205	14	4
	1975	6,151,400	174,789	27,449	16	4
Philadelphia	1972	1,386,100	54,760	11,025	20	8
	1975	1,467,100	43,002	7,993	19	5

Table 2 — Estimated Crimes of Business Violence 1972 and 1975 in the Five Largest United States Cities

City	Year	Population*	Total	Incidents with Firearm	Percentage with Firearm	Rate**
Chicago	1972	117,464	9,061	5,201	57	80
	1975	113,798	15,572	8,097	52	140
Detroit	1972	48,322	8,628	5,483	64	180
	1975	42,358	9,485	5,757	60	200
Los Angeles	1972	154,107	7,188	3,976	55	50
	1975	149,400	9,495	3,735	39	60
New York	1972	661,013	68,313	36,762	54	100
	1975	638,543	64,334	29,389	46	100
Philadelphia	1972	88,696	10,309	7,088	69	120
	1975	81,100	8,132	5,624	68	100

Source: Sourcebooks of Criminal Justice Data 1975 and 1977

* Population is the estimated number of persons 12 years and older in the surveyed cities.

** Rate is the estimated number of persons per 1,000 of population being the victim of a crime of violence with a firearm in the surveyed cities.

Table 3

Quarter Ended	No. of Offenders	Victims, Public Involved	Hostages	Violence Against Persons
31.3.79	31	21	1	4
30.6.79	35	22	1	3
30.9.79	56	160	5	5
31.12.79	51	171	1	11
TOTAL	173	374	8	23
31.3.80	58	193	2	18
30.6.80	53	184	1	6
30.9.80	92	194	1	7
31.12.80	103	327	—	15
TOTAL	306	898	4	46
31.3.81	83	216	2	13

views made the present-day age a most dangerous one for a rational and reasonable approach to questions of punishment.

He said that deterrence in the history of punishment had served as a 'civilising instrument' since its adoption at the end of the 18th century.

'Since then', he said, 'many efforts had been made to test the truth of the deterrent hypothesis with some success over a narrow range of activities.'

'The real merit of the idea of deterrence was in the civilising effect it had on the punishment itself', he said.

In early communities, the whole attitude of the community to breaches of the rules was one of punishment or revenge which may not abate even after the administration of a particular punishment.

'However', he said, 'since the development of an organic society, the element of purely revengeful punishment had been modified, and in this way the acceptance of the need to justify punishments in deterrence terms had acted as a break on the brutality of a community as it responded to crime.'

He said, 'The reformist and welfare movements that followed the deterrent theories of the 19th century, regulated and controlled the retributing impulses of the community and attempted to bring society forward to a civilised state, but they were never seriously used as an alternative to deterrent punishments.'



BANK HOLD-UPS ON THE INCREASE

Figures compiled and released at the seminar by the banking industry showed that there were 91 more bank hold-ups in Australia in 1980 than in 1979, and an increase in all States with the exception of Western Australia.

There was no increase in the Australian Capital Territory. Dur-

Table 4

Quarter Ended	State/Territory							Total	Shotgun		Rifle		Dis-charged	Other Weapons	Not Seen	
	N.S.W.	Vic	Qld.	S.A.	W.A.	Tas.	A.C.T.		Pistol	Normal	Sawn-off	Normal				Sawn-off
31.3.79	15	8	3	—	1	—	1	28	10	8	7	5	3	1	3	6
30.6.79	17	6	1	2	1	—	—	27	12	—	5	—	3	1	1	6
30.9.79	26	11	1	1	1	—	—	40	13	2	10	—	3	1	5	10
31.12.79	29	8	3	—	2	—	1	43	21	1	3	1	10	1	3	9
TOTAL	87	33	8	3	5	—	2	138	56	11	25	6	19	4	12	31
31.3.80	31	8	3	1	1	—	—	44	13	2	6	—	4	2	3	23
30.6.80	31	7	2	3	1	—	—	44	12	1	10	2	2	1	2	17
30.9.80	48	11	3	3	1	—	—	66	28	1	21	1	18	5	1	7
31.12.80	52	20	1	1	1	—	—	75	29	1	16	4	19	2	4	12
TOTAL	162	46	9	8	4	—	—	229	82	5	53	7	33	10	10	59
31.3.81	51	6	3	—	—	1	—	61	16	—	20	—	15	—	3	17

Tables 1 and 2 show the record of armed attacks against Banks for the Period 31 March 1979 to 31 March 1981.

ing 1979 and 1980 the use of pistols in bank hold-ups in Australia rose from 56 to 82, with firearms being discharged four times in 1979 and 10 times in 1980.

Over the same period, 173 offenders were involved nationally in bank hold-ups in 1979 compared to 306 offenders in 1980.

For the first quarter of 1981, 61 bank hold-ups occurred throughout Australia involving 83 offenders, 16 of which were armed with pistols, 20 with sawn off shotguns, 15 with sawn off rifles, three with other weapons and in 17 cases where the weapon was unknown.

Releasing the figures shown in Tables 3 and 4, the Federal Secretary of the Australian Bank Officers' Association, Mr Jack Jones said that until they were released by the Premier it was impossible to receive up-to-date statistics from the N.S.W. police.

It was also mentioned that crime statistics were 'useless' unless they became widely available to the public.

During a discussion on bank security, Professor Richard Harding

submitted that technological safety solutions like bullet-proof glass and metal screens were of 'no use' and that in time they would only lead to an escalation of violence by criminals working in groups and with heavier weapons.

'From the point of view of a teller's safety', he said, 'they made things more dangerous.'

Mr Jones disagreed that increased security measures favoured banks rather than tellers and pointed out that the number of hold-ups had dropped in Britain where anti-bandit screens were used nationally.

He said that the tightening of security, on union insistence, cost

far more money than it saved.

The Secretary of the Queensland division of the Australian Bank Employees Association, Mr Mark Lynch said that metal security screens prevented bank staff from being taken hostage because the robber was unable to make his demands heard.

Other speakers at the seminar were: Dr S.K. Mukherjee, Senior Criminologist, A.I.C.; Dr P. Grabosky, Director Office of Crime Statistics, Law Department, South Australia; Dr R. Cushing, Reader, Department of Sociology, A.N.U.; and Mr R.W. Page, General Secretary, N.S.W. Police Association.

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Participants at the two-day seminar 'Deterrence of Criminals, Civil Conflict and Gun Control.'

New publications

Behind the constant public concern about crime, expressed in such terms as 'crime wave' and 'police crackdown' lies commonly-held perceptions about changes in the level of criminal activity. This book analyses these changes over eight decades. Data from the police, the courts, the prisons and a host of demographic, social and economic variables are analysed to reveal trends in crime and punishment, and the relationships between these trends and other aspects of Australian society.

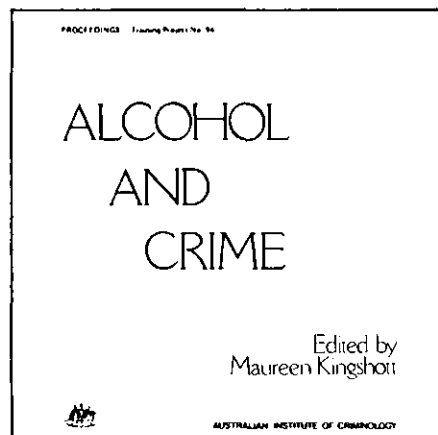
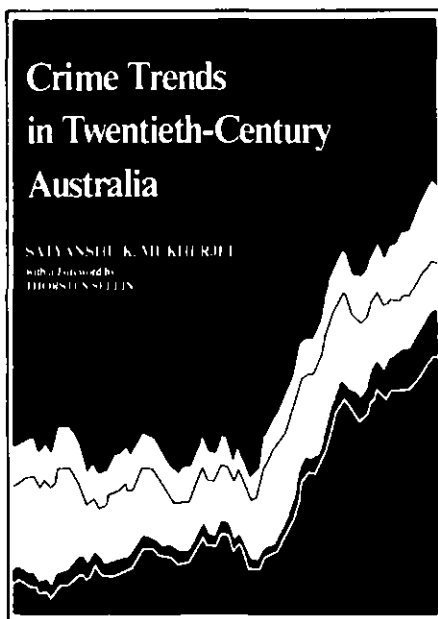
Starting with the description of general socio-economic developments, in Australia, the United States of America and the United Kingdom, the book deals with sources and limitations of crime statistics, summarised research studies carried out elsewhere and elaborates the origin and objectives of the research project. In the socio-economic and demographic areas the research finds the Australian situation closer to the United States than to the United Kingdom.

Chapters 4 to 8 examine patterns of crime dealt with by the police and the magistrates' courts, offenders tried at the higher courts and imprisonment trends. These descriptive chapters also analyse trends in the size of the police force, police to crime ratio, police expenditure and cost of maintaining prisons and prisoners.

Chapters 9 to 12 look into the long term and short term correlates of crime. The book systematically identifies discrete periods, called environmental sets, as well as examines effects of events such as wars and economic crisis. The findings show that distinctly different crime patterns are associated with different periods and that the prevailing socio-economic climate profoundly influences the nature of the patterns. Some results of this analysis effectively challenge the validity of conclusions reached by earlier studies elsewhere concerning the association between crime and unemployment and crime and the age structure of the population.

The book attempts to describe and analyse the principal parts of the total problem and the forces at work which bring about change. In the process of analysis, this work has identified numerous areas of potential for future research at a more detailed level. The enormous amount of data collected for this study and subsequently expanded and updated, have been incorporated in a separate volume entitled *Source Book of Australian Criminal & Social Statistics 1900-1980* to promote research of this kind in Australia.

Crime Trends in Twentieth-Century Australia is a joint publication of the Australian Institute of Criminology and George Allen & Unwin Australia. Copies of the book can be purchased from the Publications section of the Institute or from George Allen & Unwin at a cost of \$29.95, plus postage.

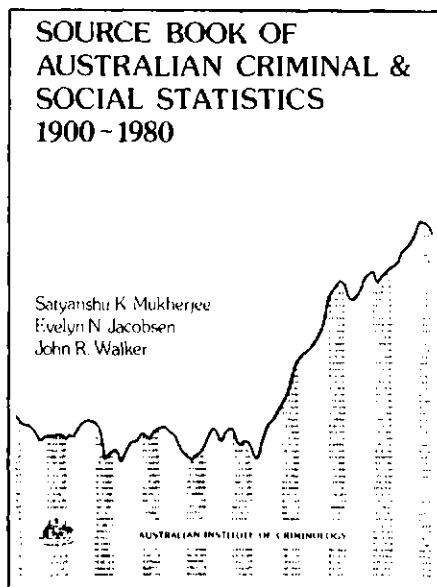


The proceedings of a training project held at the Australian Institute of Criminology to study the relationship between alcohol and crime have now been released in a new publication.

Alcohol and Crime, edited by Maureen Kingshott, explores within a broad sociological and psychological context the role played by alcohol in the commission of offences.

The publication which critically examines the assumed 'causal' link between alcohol and criminal behaviour contains eight resolutions which arose from eight major issues look at by 40 people working in the criminal justice system.

The publication *Alcohol and Crime* can be purchased from the Publications section of the Institute at a cost of \$3.60, plus postage.

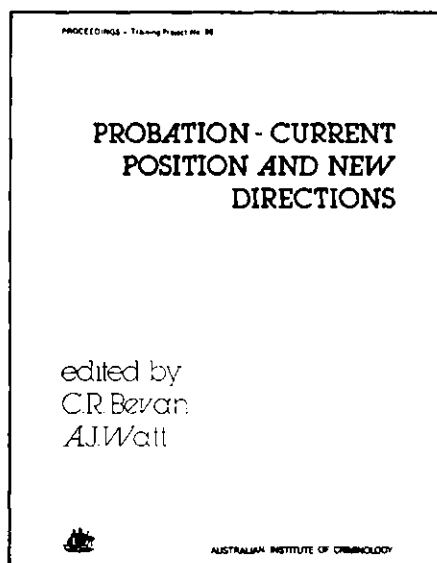


The *Source Book of Australian Criminal & Social Statistics* is a compilation of criminal justice, demographic, social, and economic statistics, published and unpublished, in Australia since the beginning of this century. This book emerged out of Dr Mukherjee's major study *Crime Trends in Twentieth-Century Australia* for which an enormous amount of information state by state was collected and analysed giving a more precise account of crime in Australia than had even been available before. Upon the completion of *Crime Trends* it was felt that the information gathered should be available not only to the Institute, but to other researchers for further development and further clarification of the situation in Australia and the eight jurisdictions.

The six states and the two territories are the main foci of attention because almost all criminal justice related transactions occur in these jurisdictions, and each is given a separate Part in the book. Wherever possible an Australian aggregate is also presented.

Within each jurisdiction data have been organised into seven sections: Section A – General, including demography, employment, GDP and Government expenditure data; Section B – Police, including manpower, expenditure, and crimes reported and cleared; Section C – Magistrates' Courts, including five major category offences, and specific offences from murder to traffic, with details on court outcomes; Section D – Higher Courts, as for magistrates' courts, but relating to number of persons charged not number of charges; Section E – Prisons, including daily average number of prisoners, accommodation and expenditure; Section F – Drugs, including charges by type of offence, age and sex of offender; Section G – Children, including a variety of statistics.

Copies of *Source Book of Australian Criminal & Social Statistics 1900-1980* (350 pp.) are available from the Publications section of the Institute at \$8.50 per copy, plus postage.



As a viable, broad-based alternative to imprisonment, probation is a relative newcomer to the Australian criminal justice scene. No state or territory can boast a statutory system as old as 40 years and at least two are still less than 20. Each state and territory has evolved its own peculiar brand of probation system, but one thing all probation systems enjoy in common is their relative inconspicuousness.

Although the spotlight of criticism and suspicion has in recent years been focussed on our criminal justice system as never before, probation has noticeably escaped adverse criticism. This is even more remarkable when it is known that there are three times as many people under probation supervision in this country at any time as there are persons in prison.

Secure from an unwelcome glare of publicity, probation officers could be forgiven if they maintained a low-key brand of operation. On the contrary, probation services throughout the country are bubbling with experimentation, innovation and critical self-examination. Much of this was revealed during a recent seminar conducted by the Institute in Canberra, the content of which is reproduced in *Probation – Current Position & New Directions*. In this publication the reader is invited to share with probation officers their professional concern to provide an effective worthwhile service to the community, the criminal justice system and their clients.

Copies of *Probation – Current Position & New Directions* can be purchased from the Publications section of the Institute at \$3.60 per copy, plus postage.

STATISTICS

Juveniles under detention

By Satyanshu Mukherjee, Senior Criminologist

Statistics on Persons in Juvenile Corrective Institutions for the quarter April to June 1981 are shown in Tables 1-3.

Definitions of terms used in the tables can be found in the March 1981 issue of the *Reporter*.

Table 1 — Persons Aged 10-17 in Juvenile Corrective Institutions by Sex, April to June 1981

		30 April		31 May		30 June	
		M	F	M	F	M	F
N.S.W.	n	583	112	554	97	521	90
	r	164.9	33.7	153.9	29.2	147.4	27.1
VIC.	n	241	76	252	81	253	81
	r	85.4	28.3	89.3	30.2	89.6	30.2
QLD.	n	108	23	110	15	89	22
	r	66.9	15.0	68.1	9.8	55.1	14.3
S.A.	n	92	7	81	11	71	5
	r	98.0	8.0	86.3	12.5	75.6	5.7
W.A.	n	166	22	148	17	145	14
	r	176.5	24.9	157.4	19.2	154.2	15.8
TAS.	n	21	7	28	9	26	8
	r	65.7	22.8	87.6	29.3	81.4	26.1
N.T.	n	1	—	3	—	1	—
	r	10.1	—	30.4	—	10.1	—
A.C.T.	n	15	11	15	11	13	13
	r	87.2	68.4	87.2	68.4	75.6	80.9
AUST.	n	1227	258	1181	241	1119	233
	r	117.5	26.1	113.1	24.4	107.2	23.6

Table 2 — Persons Aged 10-17 in Juvenile Corrective Institutions by Detention Status, April to June 1981

	30 April		31 May		30 June	
	Not Awaiting	Awaiting	Not Awaiting	Awaiting	Not Awaiting	Awaiting
N.S.W.	544	151	475	166	486	125
VIC.	247	70	290	43	296	38
QLD.	93	38	85	40	67	44
S.A.	55	44	47	45	51	25
W.A.	158	30	137	28	142	17
TAS.	21	7	25	12	25	9
N.T.	—	1	—	3	1	—
A.C.T.	24	2	17	9	23	3
AUST.	1142	343	1076	346	1091	261

Table 3 — Persons Aged 10-17 in Juvenile Corrective Institutions by Reason of Detention, April to June 1981

	30 April		31 May		30 June	
	Offender/Alleged Offender	Non Offender	Offender/Alleged Offender	Non Offender	Offender/Alleged Offender	Non Offender
N.S.W.	600	95	586	55	551	60
VIC.	171	146	197	136	209	125
QLD.	99	32	97	28	74	37
S.A.	95	4	80	12	75	1
W.A.	182	6	163	2	156	3
TAS.	24	4	32	5	32	2
N.T.	—	1	2	1	1	—
A.C.T.	16	10	19	7	18	8
AUST.	1187	298	1176	246	1116	236

Probation and parole

Compiled by Ivan Potas, Senior Research Officer

The following table provides the number and rates of adult persons on probation and parole as at 1 June 1981.

Table 1

	General Pop. ¹ '000	Probation ²		Parole ³	
		Number	Rates ⁴	Number	Rates ⁴
N.S.W. ⁵	5,218	8,792	168.5	2,256	43.2
VIC.	3,925	2,881	73.4	790	20.1
QLD.	2,298	3,109	135.3	498	21.7
S.A.	1,305	2,429	186.1	191	14.6
W.A. ⁶	1,288	1,535	119.2	559	43.4
TAS. ⁷	428	1,523	355.8	71	16.6
N.T. ⁸	128	221	172.7	81	63.3
A.C.T.	231	147	63.6	43	18.6
AUST.	14,821	20,637	139.2	4,489	30.3

1 Estimated pop. as at 30 June 1981 (subject to revision).

2 Only those under actual supervision are included.

3 Where applicable, licensees other than Governor's Pleasure licensees, are counted as parolees if supervised. In the N.T., no licensees are included in the parole data, and at the relevant date there were 8 such persons under supervision.

4 Rates are calculated per 100,000 of the general pop.

5 Includes 313 persons released from the Children's Courts.

6 In W.A. there was a total of 169 persons subject to Community Service Orders. Of these 125 are included in the probation statistics.

7 Includes 197 prisoners released from prison and then placed on probation, but excludes 105 juveniles.

8 See Note 3 above. Further, the probation figure includes 5 persons who were subject to C.S.O.s in the N.T.

Asian and Pacific series

Compiled by David Biles

Correctional administrators in the countries listed below have supplied the basic information which is incorporated in the following table. The footnotes contain a number of explanations that should be borne in mind when making comparisons between countries.

Table 1 — Total Prisoners as at 1 April 1981

	Males	Females	Population		
			Total (in thousands)	Rate ¹	
Australia ²	9,489	317	9,806	14,769	66.4
Canada ³	9,447	207	9,654	24,089	(40.1) ³
Fiji	1,230	23	1,253	619	202.4
Hong Kong	4,767	114	4,881	5,150	94.8
Indonesia	33,715	713	34,428	130,000	26.5
Japan	49,010	1,736	50,746	117,057	43.4
Malaysia	10,297	180	10,477	13,400	78.2
New Zealand	2,710	134	2,844	3,150	90.3
Papua New Guinea	4,633	348	4,981	3,601	138.3
Singapore	2,564	76	2,640	2,410	109.5
Sri Lanka	10,161	374	10,535	14,500	72.7
Thailand	60,764	2,774	63,538	46,000	138.1
Western Samoa	185	4	189	155	121.9

1 Per 100,000 of population.

2 Australian statistics in this table are based on the daily average number of prisoners for the month of March 1981.

3 Federal prisoners only.

Australian prison trends

By David Biles
Assistant Director (Research)

During the period April to July 1981 the number of prisoners in Australia has decreased slightly following a near record high earlier in the year. The number of prisoners in all States and Territories for July 1981 with changes since April 1981 are shown in Table 1.

Table 1 – Daily Average Australian Prison Populations July 1981 with Changes since April 1981

	Males	Females	Total	Changes since Apr. 1981
N.S.W.	3,390	126	3,516	+ 114
VIC.	1,758	55	1,813	- 34
QLD.	1,649	44	1,693	- 48
S.A.	789	27	816	- 36
W.A.	1,314	61	1,375	- 99
TAS.	260	3	263	+ 4
N.T.	271	12	283*	- 20
A.C.T.	48	-	48**	- 3
AUST.	9,479	328	9,807	- 122

* 6 prisoners in this total were serving sentences in S.A. prisons.

** 41 prisoners in this total were serving sentences in N.S.W. prisons.

Table 2 shows the imprisonment rates (daily average prisoners per 100,000 population), for July 1981. The national rate of 66.2 compares with 67.2 found in April 1981.

Table 2 – Daily Average Prison Populations and Imprisonment Rates by Jurisdiction – July 1981

	Prisoners	General Pop. * '000	Imprisonment Rates
N.S.W.	3,516	5,218	67.4
VIC.	1,813	3,925	46.2
QLD.	1,693	2,298	73.7
S.A.	816	1,305	62.5
W.A.	1,375	1,288	106.8
TAS.	263	428	61.4
N.T.	283	128	221.1
A.C.T.	48	231	20.8
AUST.	9,807	14,821	66.2

* Estimated Population as at 30 June 1981 (subject to revision).

Table 3 – Total Prisoners, Federal Prisoners and Remandees as at 1 July 1981

	Total Prisoners	Federal Prisoners	Prisoners on Remand	Percentage of Remandees	Remandees per '000 of Gen. Pop.
N.S.W.	3,529	123	545	15.4	10.4
VIC.	1,843	41	110	6.0	2.8
QLD.	1,709	33	116	6.8	5.0
S.A.	801	15	109	13.6	8.4
W.A.	1,348	44	122	9.1	9.5
TAS.	259	1	22	8.5	5.1
N.T.	295	14	42	14.2	32.8
A.C.T.	47	-	7	14.9	3.0
AUST.	9,831	271	1,073	10.9	7.2

Happenings

DR S.K. MUKHERJEE – VISITING FELLOWSHIP – UNIVERSITY OF CHICAGO

Senior Criminologist, Dr Satyanshu K. Mukherjee left Australia for the United States on 1 October 1981 for four months, to take up a Visiting Fellowship at the Centre of Studies in Criminal Justice, The Law School, The University of Chicago.

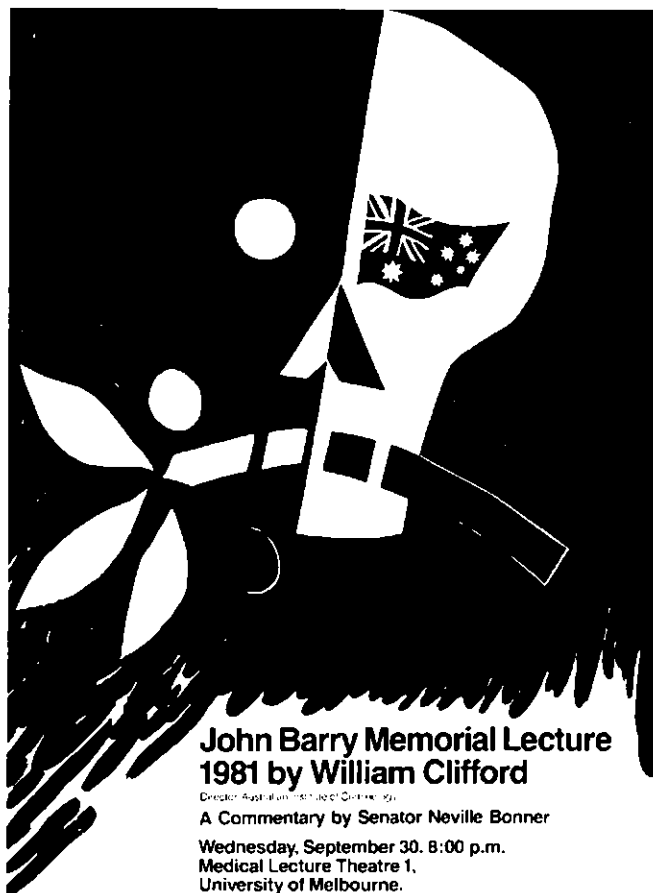
Among other research-related activities, Dr Mukherjee will present a paper at the Annual Meeting of the American Society of Criminology in Washington D.C.

He has been invited by the Council of Europe, Strasbourg to participate in the Fifth Criminological Colloquium on 'Trends in Crime; Comparative Studies and Technical Problems' to be held on 23-24 November 1981.

ABORIGINAL CRIMINOLOGY

On 30 September 1981, the Director of the A.I.C. Mr William Clifford delivered the J.V. Barry Memorial Lecture at Melbourne University on the subject of Aboriginal Criminology.

Mr Clifford said that while criminology would normally begin with the social structure and an analysis of human behaviour, the criminology in an Aboriginal setting was turned upside down by the quite extraordinary way in which Australia's Criminal Justice Systems arrested and imprisoned Aborigines. Indeed the rates of imprisonment which were quoted showed that Aborigines may be the world's most imprisoned minority. A full report of the lecture will be available in our next issue.



John Barry Memorial Lecture 1981 by William Clifford

Director, Australian Institute of Criminology
A Commentary by Senator Neville Bonner
Wednesday, September 30, 8:00 p.m.
Medical Lecture Theatre 1,
University of Melbourne.

BOOK REVIEWS

DEVIANCE, REALITY AND SOCIETY (2nd Edition)

By Steven Box

Holt, Rinehart and Winston, London. 248 pp. — \$17.95

Reviewer: ALLAN PATIENCE, Lecturer and Acting Head of Sociology, Flinders University, South Australia.

The best kinds of phenomenological sociology have come from scholars writing about the social construction of deviance. Steven Box's book, *Deviance, Reality and Society* is one of the finest texts promoting this fruitfully theorised perspective. The first edition came out 10 years ago and proved to be a readable and innovative text for quite some time. However, as with most good texts, it eventually dated, particularly in the wake of even more recent upheavals and developments in social deviance theorising. The various 'radical' challenges to social and political theory (from the women's and gay movements, which have been given added impetus by the revival of critical theory in the English-speaking world) resulted in the 'new' or 'critical' criminology movement, largely (though not exclusively) spear-headed by Taylor, Walton and Young.

This second edition of Box's book is a comprehensive re-write of his original text. It acknowledges many of the theoretical developments in criminology since the first edition appeared. As the author notes in his new preface (which is every bit as entertaining as the preface in the first edition): 'I have been unable to resist the temptation to make more than a passing reference to ideas, views and beliefs which reside more with conflict, 'feminist' and 'radical' approaches to criminology.'

Crudely positivist theories of crime and deviance — whether reductively biological or simplistically behavioural — are never seriously entertained in the book. The social construction of deviance is thoroughly explored. The defin-

itions of crime and deviance are identified as being part of society's value system. The social functions of deviance are explored. The social distribution of criminality is critically examined. And the social (and, indeed, political) structuring of official criminal statistics is thoroughly exposed.

The final chapter on 'The Social Process of Becoming Deviant' is superbly written. It elaborates a sensitively theorised picture of how a person moves through the stage of primary deviance into a criminal (secondary deviance) career. This process is mediated by society through a labelling process which functions so that 'as a person moves from offence, experiences of the meaning of ban, apprehension, imprisonment and post-prison stigmatization, so the obstacles to an easy return to conventional life are increased.' (p. 240).

Yet here we come up against the major problem with Box's social interactionism. He shows very little theoretical concern about where the values come from which give rise to the whole labelling procedure. Whether (as Taylor, Walton and Young have so cleverly argued) they can be understood in terms of a class analysis, and/or how the labelling structures in society function in the interests of particular groups (for example, the legal 'profession', police, parole officers, social workers, prison officers, or professional moralists like Mary Whitehouse) are huge, fascinating questions which Box rather blithely passes by. This neglect is a great disappointment in the book.

However, the considerable (and thoroughly compensating) strength of this lucid and lively text is its richly plausible incorporation of criminology into phenomenological sociology. It uncompromisingly appropriates criminology for a solidly non-positivist mode of sociological theorising: 10 years ago this was a brilliant and courageous idea; today, the second edition of Box's book is a timely reminder of how criminology has

begun to progress forward into the social science fold, and how far it has yet to go.

ODD MAN IN: MY YEARS IN THE INDIAN POLICE

By Eric Stracey

Vikas Publishing House: New Delhi, 1981 : \$16 — Available only from the author at 3 Saywell Place, Charnwood, A.C.T. 2615.

Reviewer: W. CLIFFORD, Director, Australian Institute of Criminology.

When the Internal Affairs Department of the New York Police conducted an honesty test for police officers a few years ago by having ordinary people hand to patrolmen, wallets with \$20 or \$30 bills and then checking how many such finds were officially reported, it emerged that some 20 per cent of the officers failed to report the finds. The conclusion was that 20 per cent of the force might be dishonest. An outraged Patrolmen's Benevolent Association hired a researcher from the nearest university and set the same test for ordinary citizens — proving that 50 per cent or more were dishonest! Thus the police standards were higher than the social norm.

Shortly afterwards in Brazil, a United Nations meeting was deploring the venality of South American police when the Commissioner of Police from Trinidad and Tobago — the only policeman present — produced a dead silence by asking the meeting to turn their attention to the dishonesty of the politicians, judges and the public for whom the police worked.

These incidents crossed my mind as I read this detailed account of one man's lifetime in the Indian police. The production is marred by some careless proofreading, but it gives insights into policing which are as interesting as they are scarce. When Eric Stracey retired from the post of Director-General of Police, Tamil Nadu, India in 1979, he had completed nearly 37 years in the force. His career spanned

the last few years of colonial rule in India and the beginning of Independence. He had carried responsibilities for military type operations as well as for prisons and in 1971 he rejoiced in the title of Director of Vigilance and Anti-Corruption. He tells us that he was then engaged in cleansing the Augean stable of the public service. The difficulty about corruption is obtaining the facts: here they are set out for the reader by one who was in a position to know.

Beginning as a sub-inspector during the Second World War, Mr Stracey rose steadily through the ranks not only to the highest post but to a post even higher, which was created for him before he retired. Describing this rise step by step, the author shows an unusual capacity to observe sympathetically, yet critically, the environment in which he worked and his own reactions. Maybe this kind of detachment was a reflection of the fact that, being an Anglo-Indian, he did not always need to (and sometimes could not) become involved. He had a distaste for using family or community attachments to open back doors. He was able to be in the country and its police force without being of either. Hence his title *Odd Man In*. He could stand apart from himself as well as others. The result is a rare study of the Indian Police during a critical period by someone who actually carried responsibilities for the situation he is describing.

As might be expected, it is a rather sad tale of a struggle to stem the tide of political nepotism, clan or caste discrimination, corruption, communal division and finally the industrial strife which swept over the police. This was not peculiar to India after Independence, of course. If some of the prevailing opportunism of the times rubbed off on the police (whose parlous economic condition had been neglected for years) this was an occasion more for regret than surprise. Prohibition fanatically imposed was systematically and almost openly defied, creating

racketeers in the process and thus making policing without graft almost impossible. Not all were affected, however, and when all the difficulties are understood, it is the resilience of the system and the integrity of its backbone which impresses more than the failures and disgraceful lapses. There is, incidentally, a fascinating account of how police statistics can be 'cooked', which should be required reading for all criminologists.

ON THE SIDE OF THE CHILD

By Peter Boss

William Collins Publishers

166pp. — \$4.95

Reviewer: EMILY STEEL, Research Assistant in Sociology, University of New South Wales.

The author of this book has possibly had more experience in the field in the United Kingdom than here but he demonstrates a sound knowledge of the experience in the English speaking world and gives a competent outline of the situation and the studies relating to child abuse. His academic activities do not seem to have overshadowed his humanity in his approach to this subject. The bibliography is a good introduction to the subject both for student and research worker, and the chapter notes are a useful addition to it.

It is high time that an Australian book on this topic was produced and fortunate that it is written by one who has a broad view of the subject and the ability to write clearly and concisely in a highly emotive area. The chapter on treatment, prediction and prevention is particularly good — down-to-earth and sensible and most useful should there ever be enough money and voluntary efforts. Although more funding is always needed for such projects, Peter Boss does not descend to whining criticism of government policies — he gives a straightforward description of things as they are. The part of the chapter devoted to prevention

offers a recipe for avoiding a repetition of the Maria Colwell case by the proper use of resources; a strong case for the maintenance of a central registry of cases as a means of keeping track of those children at risk as well as those already notified is made. The American experience is quoted here, showing that there are some sensitive areas, chiefly in the matter of expunging old records.

The state by state review of policies on child abuse is most interesting. The Victorian section is the fullest indicating that more has been done there, as well as its being the author's home state. But the lack of research into the subject within the Commonwealth is noted and deplored. Again, lack of funds seems to be the major reason. With the expected reduction in post-graduate student numbers being added to the cuts in welfare programs it is probable that we will see no improvement in this position — rather, a serious decline.

The chapter on the size of the problem is the shortest. As in other fields of domestic violence, it is most difficult to get a clear idea of the numbers involved, even when, as in the case of child abuse, notification is compulsory. This is largely a factor of definition and diagnosis, though there is still that of notification to some extent. As long as the industrial world needs whipping boys, the family will suffer in its 'castle'.

Though the author glances at the class differences, he made no comment on the large number of neglected children found among the affluent. There must surely be some note of these as many teachers in middle class areas have noted the number of children who are inadequately provided for by holidaying parents, or parents overseas for their career — children who are left to look after themselves no doubt because they insist that they can do so, but whose notions of nutrition and ability to cope in a crisis are negligible.

Altogether a very useful and well-written book.

PUBLICATIONS

PROCEEDINGS OF TRAINING PROJECTS

- Seminar for Librarians in the Criminal Justice System* – \$2.00 (55c)
- The Conflict of Security and Rehabilitation in the 1970s* – \$1.70 (55c)
- Crime Prevention and the Community – Whose Responsibility?* – \$1.80 (55c)
- The Magistrates' Court 1976: What Progress?* – \$2.50 (\$1.00)
- Penal Philosophies and Practice in the 1970s* – \$2.65 (\$1.00)
- Planning and Policy for Crime Control Personnel* – \$2.45 (\$1.00)
- The Police Role in Juvenile Delinquency* – \$2.10 (55c)
- Legal and Law Related Education in Australia* – \$2.00 (\$1.00)
- Children's Rights and Justice for Juveniles* – \$2.00 (55c)
- Armed Robbery in Australia: Research, Information and Preventive Considerations* – \$3.60 (\$3.00)
- David Biles (Editor)
Review of Australian Criminological Research – \$2.75 (\$1.00)
- Maureen Kingshott (Editor)
Alcohol and Crime – \$3.60 (\$1.00)
- Jocelynn A. Scutt (Editor)
Violence in the Family – \$3.00 (\$3.00)
Rape Law Reform – \$4.00 (\$3.00)
- C.R. Bevan and A.J. Watt
Probation – Current Positions and New Directions – \$3.60 (\$1.00)
- John Walker
The Use of Computers in the Criminal Justice System – \$2.50 (\$1.00)
- Gael Parr (Editor)
Seminar for Librarians in the Criminal Justice System – \$2.50 (\$1.00)

REPORTS ON TRAINING PROJECTS (No Charge)

- C.R. Bevan
Progress in Crime Prevention in Papua New Guinea
- David Biles
Crime Prevention in Developing Areas
- Philippa Chapman
Youth and Social Control
- William Clifford
Western Australian Government Symposium on Criminal Justice Policy
- Mary Daunton-Fear
Women as Participants in the Criminal Justice System
- Col. G. Draper
Crime and Delinquency in Urban Areas
- Mark Filan
Police Training in Australia
- M.A. Kingshott
Juvenile Residential Care Alternatives to Imprisonment
- John Newton
The Magistrates' Court: 1975 and Beyond
- John P. Noble
Women as Victims of Crime
- Denbigh Richards
Crime Prevention: Planning and Participation in Geelong
- Bruce Swanton
Criminal Justice Research Methodology
- Arthur Veno
The Psychologist in Criminal Justice: An Australian Perspective

OTHER PUBLICATIONS

- David Biles (Guest Editor)
Journal of Drug Issues, Vol. 7 No. 4, Fall 1977, Drug Issues: An Australian Perspective – \$5.00 (\$1.00)
The Size of the Crime Problem in Australia – No charge
- W. Clifford
How to Combat Hijacking – No charge
- W. Clifford and L.T. Wilkins
Bail: Issues and Prospects – \$2.20 (55c)

reporter

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