

BRANCH REPORTS TO NATIONAL EXECUTIVE AS AT 18 MAY, 1981

VICTORIAN BRANCH REPORT

It is with regret that the Victorian Branch has accepted the resignation of the Chairman Mr. Geoff Cuddihy. Geoff has been a member of A.C.P.C. since the mid 1960's and was a member of the 'National Executive from 1968-1973. He has been a tireless worker for the Victorian Branch, and Chairman of this Branch for the past 4 years. Mr. Dennis Challenger will act in the position of Chairman until the Annual General Meeting in July.

ACTIVITIES

The Victorian Branch is again involved in an active yearly programme and is holding monthly meetings on the theme "Crime Prevention and the Community". The programme is as follows:-

- 26 February - Community Crime Prevention Programme
Chief Inspector B. McRae.
- 26 March - The need for School Programmes for the Prevention of Crime.
Mr. John Finlayson of the Fitzroy Legal Service.
- 20 April - Visit to the Forensic Science Laboratory
- 28 May - Primary Prevention in the Community -
The Lions Club Experience
Mr. Brian Coffey
- 11 June - "Is it Safer to Live in Tokyo"
late afternoon, evening Seminar, run in conjunction with the Institute of Criminology, Victoria Police and the Community Welfare Services Department.
- 25 June - Effective Education for the Rehabilitation of Prisoners
- 30 June - Annual General Meeting
- 27 August - Educating the Irresponsible Driver Dr. Trinca.

In addition to the above programme there have also been 2 general business meetings of the Branch membership. The Committee continues to meet monthly.

PUBLICATIONS

The Victorian Branch has produced three publications since the last Executive meeting:-

1. Unconvicted Prisoners - Problems of Today and Tomorrow. \$3.00
2. Security a Key to Your Future \$3.50
3. Organisational Crime and the Difficulties of Law Enforcement - Mr. Justice P.M. Woodward \$0.50

MEMBERSHIP

While the Victorian Branch is slowly increasing its membership (123) the Branch is aware that more work needs to be done to attract additional members.

Sybil Hardie
Victorian Representative A.C.P.C.

South Australian Branch Report Period Under Review: July 1980 - May 1981

ANNUAL GENERAL MEETING

The Branch held its A.G.M. on 27th August, 17 Members attended.

Officers elected:

Chairman: Mr. G. Joseph
Deputy
Chairman: Dr. W.A. Dibden
Hon. Secretary: Mr. R.J. Kidney
Hon. Treasurer: Mr. N. Smith
Committee: Mr. L. Draper
Insp. A. Copeland
Miss H. Nichols
Judge L.K. Newman
Mr. D. Perlgut

S.A.

Representative

to National

Council

Auditor:

Ex Officio

Members

Judge L.K. Newman

Mr. A.E. Wright

Judge R.W. Grubb - National President

Insp. J. Murray - Police Representative,
National Council

SEMINAR

'Alcohol, Drugs, Drink Driving and Road Safety' was attended by over 100 including Judges and Magistrates (Previously reported).

EXECUTIVE MEETINGS

Have been held: 13.8.80, 12.11.80, 11.2.81 and 1.4.81. The first three meetings were open to the general membership.

INTEREST MEETINGS

Following a request from members attending the A.G.M., a series of interest meetings have been arranged for members and their friends during 1981. The first of these was held on 9.3.81 with the topic 'Town Planning and Crime Prevention.' 30 People attended. Speaker was Mr. Donald Perlgut - Town Planner.

The Second is planned for 6.5.81 when the recommendations of the 'Victims of Crime Report' will be considered. Speakers will be The Hon. K.T. Griffin, Attorney-General of S.A., Dr. P. Grabosky, Director, Office of Crime Statistics, Law Department, and Mr. R. Whitrod, Victims of Crime Service.

Two other meetings will feature the treatment of adult and juvenile offenders.

VICTIM OF CRIME SEMINAR - CANBERRA

Three members of Executive took an active part in the Australian Institute of Criminology Seminar held in October 1980.

INTERNATIONAL PRISONERS AID ASSOCIATION REGIONAL CONFERENCE ADELAIDE - SEPTEMBER 9-12 1980

Members of the S.A. Branch and some from other states participated in these meetings. Resolutions of the Conference

have been distributed by the Branch to all other State Branches.

SUB COMMITTEES

The Executive has been alert to issues affecting the Criminal Justice System in S.A. and where appropriate has referred matters to the various sub committees of the Executive for consideration and report.

Some matters discussed have been Victims of Crime, Drug Abuse, Royal Commission on Prisons, Law Education Program, education for juveniles, traffic offenders, Psychiatry and the Law.

STATISTICS

The Branch has 91 financial members and as at May was \$804.40 in credit.

Report of New South Wales Branch Representative Detective Sergeant P.E. Carter

The period under review has been one of consolidation and progress for the New South Wales Branch.

MEMBERSHIP OF THE BRANCH

The Branch has been conducting a membership drive and has seen some improvement especially in the organisational membership area. The drive is a continuous one. The Branch has a membership brochure in the process of being prepared for distribution to interested parties. An effort has been made to interest the New South Wales region of the Australian Federal Police in Branch activities but with limited success.

BRANCH SEMINARS

The Branch has been active in the presentation of seminars. A major seminar titled "Police and the Citizen" was held in 1979. Media penetration for the project was good together with public support. Some 200 people attended. In 1980 the Branch conducted an important seminar with the title "After Care of Offenders - Community Alternatives". This seminar was of great interest and generated considerable discussion and debate amongst those who attended.

Currently the Branch is endeavouring to organise a State wide "Crime Prevention Week" and considerable support for the project is being sought from the private sector. Unfortunately difficulty is being experienced by the organisers in obtaining support from Government Departments for the project.

BRANCH PROJECTS

Discussion is current within the Branch on the psychological problems of families. It is probable that in the near future this topic will become a major project. The problems associated with the delay in legal proceedings is also receiving attention and the Branch expects some result in this matter in the short term. The Branch is taking an active interest in efforts to form a co-ordinating body of Prisoner After Care Agencies which flowed from a meeting convened by Dr. J. Sutton, Director of the Bureau of Crime Statistics and Research in Sydney. Dr. Sutton has visited a Branch meeting as a guest where the role of the N.S.W. Branch of the Council was explained to him. Branch representatives are continuing to monitor the activities of the new group.

A sub committee is presently engaged on updating the constitution of the Branch. It is expected that the proposed amendments and alterations will be available for members consideration before the end of this year.

GENERAL

In the main, Branch meetings have been well attended throughout the period under review. Stimulating comment

from members has kept interest at a high level. The Branch endorses attempts to clarify the situation in respect to co-opted members as raised by the National President in his letter of the 5 March 1981. The Branch also endorses un-animously the bestowing of Life Membership upon John Gordon Mackay of Tasmania.

Western Australian Branch Report to the National Executive on activities for the period 1 July 1980 to 18 May 1981

During the period under review the Executive Committee has held five committee meetings and has presented three public seminars. The dates, the topics and the guest speakers were as follows:-

- | | |
|---------|---|
| 4.8.80 | Separation and Conflict in the Family - A Court Perspective (Mr G. Bowler, Director of Court Counselling) |
| 3.12.80 | Rape Victim - Chance not Choice! (Dr. Carol Deller of the Sexual Assault Referral Centre, Queen Elizabeth II Medical Centre) |
| 11.3.81 | The Community's Role in Crime Prevention (Hon. W.R.B. Hassell M.L.A. Chief Secretary, Minister for Community Welfare and Minister for Police and Traffic) |

The first two of the seminars were held at Vapech House and the third was held at the Community Development Centre, Shenton Park. All were well attended by members and visitors. As usual, the Press co-operated in publicising the function.

A fourth seminar will be presented on 17 June 1981 at Vapech House. It will be devoted to the link between alcohol, drugs and crime. The guest speaker will be Rev. George Smith and comments will be made by Dr. Porter of the Alcohol and Drug Authority and by Superintendent Guest of the W.A. Police.

As a result of suggestions made by Hon. W.R.B. Hassell at the seminar on 11 March 1981 the Executive Committee is a) studying the Inter-Departmental Report on Road Safety with a view to assisting in implementing some of the proposals made in the report and b) looking at the portrayal by the media of the criminal justice system with a view to improving the community's understanding of the system.

The Executive Committee is concerned at the apparent increases in crimes of violence and is giving consideration to presenting a seminar devoted to the possible effect of television and films on the incidence of such crimes. Before doing so it will study material on the subject already gathered by the Australian Institute of Criminology.

Signed D.C. Heenan
Desmond Heenan
Branch Chairman
20 May, 1981

Queensland Branch Report to National Executive Meeting - Melbourne, 18th May, 1981

SEMINARS

The Queensland Branch has, since the last National Executive Meeting, held three seminars.

All three were entitled - 'Drugs and Alcohol - Their

Danger to You'. They began at the instigation of the Queensland Vice Chairman, Mr. P.F.E. Johnson, who convened the first seminar at the Commonwealth Government Centre, Ann Street, Brisbane.

A number of students from different High Schools were invited and the interest shown by them sparked the initiative to take the programme to students in other locations.

Speakers to the first seminar were:—

Opening Mr. R.E. Camm, M.L.A.

Dr. D. Wilson, G.M.O.

A member of the Police Drug Squad and a reformed addict who will remain unnamed.

Workshops and reports from Group Leaders were conducted and given in the afternoon.

Mrs. A.A. Campbell, Queensland Branch Honorary Treasurer, convened the remaining two seminars. The first being at Nambour, some 100km north of Brisbane on 16 July 1980.

On this occasion students in Grades 11 and 12 from the cities of Gympie, Coloundra and Nambour were brought together at the Queensland Police Citizens Youth Welfare Association Building in Nambour. In all approximately 240 students attended.

Lunch and drinks were supplied with the cost borne by the Queensland Branch, Australian Crime Prevention Council.

The format was:—

Official opening.

Address by Deputy Commissioner, Mr. V.A. MacDonald Films

Address by Dr. D. Wilson, G.M.O.

Address by a young lady who shall remain unnamed, but who was prepared to talk to the students on her experiences when she was an addict.

Address by a member of the Police Drug Squad.

Afternoon Workshops and verbal reports.

A similar format was adopted in a later seminar held at the Noosa and District High School, Cooroy, approximately 130km north of Brisbane on the 11 March 1981. 120 students attended this seminar.

On the occasion of each seminar students were given the opportunity to question each speaker.

Any seminar, to be of use, must achieve some result. From these three seminars, I believe the result was the interest and concern shown by youth for the community.

In the seminars referred to, youth quite plainly denounced the marijuana scene and the drug trafficking. They felt that students should be better educated to know what to guard against; that there should be tighter inspections to guard against importing drugs into Australia; and that a travelling Social Worker should call at schools and counsel youths.

The seminars as well as denouncing drugs, highlighted the drinking of alcohol, indeed, students saw drinking as a major problem, with one group suggesting that the age whereby a person is entitled to drink should be raised to 21 years.

On the lower scale they saw alcohol as a social problem from age 12 years. Young people in attending parties saw alcohol as the attraction.

SUBJECT FOR POSSIBLE FUTURE SEMINARS

Glue Sniffing.

Town Planning — Crime. This particular subject has been brought up on a number of occasions at Branch meetings. Queensland Branch anticipate that this theme will evolve into a seminar in the latter part of 1981.

Mr. W. Clifford, Institute of Criminology, Canberra is to play a major role in bringing it to fruition. At this time nothing further is known with which the National Executive could

be advised.

MEMBERSHIP

Executive members of the Queensland Branch have been active in this area resulting in some increase of membership.

ANNUAL GENERAL MEETING — QUEENSLAND BRANCH

The Annual General Meeting and election of officers of the Queensland, Australian Crime Prevention Council, will be held on the 20 July, 1981, 7.15 p.m. at the Conference Room, Ground Floor, Police Headquarters, Brisbane.

Signed W.G. Lane

W.G. Lane

State Representative

Australian Crime Prevention Council National Executive Meeting — 18 May 1981

Agenda Item 9 Co-opted Members, (c)

Reports to Executive Child and Youth Welfare Representative

Firstly I wish to apologise for my absence from this meeting of the National Executive because of pressure of other duties associated with the re-organisation of my Department, the introduction to N.S.W. Parliament of a new Community Welfare Bill and my duties as Chairman of the N.S.W. State Steering Committee for IYDP which also meets on 18 May 1981. I propose to raise my continued representation of Social Welfare Administrators on the National Executive with other State/Territory Administrators before co-opted members are appointed to the National Executive in August/September 1981.

The main matter to report is the introduction of the *Community Welfare Bill* to the N.S.W. Parliament on 14 May 1981.

Following a considerable period of public discussion and the preparation of several reports on proposals for new legislation, the new bill will repeal the 1939 Child Welfare Act and other legislation and introduce completely new legislation for New South Wales in relation to Children's Welfare; Criminal Proceedings Involving Children; Children and other Persons subject to control or on Remand; and the Children's Court of New South Wales. Other Parts of the Bill are not of such direct interest to this Council. Copy of the Bill will be forwarded to the Secretariat as soon as possible. It is proposed that the Bill will lie on the Table of the House and be debated when Parliament resumes later in the year, so that further comments are expected and invited, and the Government may be prepared to consider further proposals.

Matters of particular relevance to this Council's concern include:—

Children in need of Care:

There is provided a completely new procedure for dealing with children who are in need of care. It is made clear that, in determining whether a child is in need of care or not, the Court is embarking upon an inquiry and not adjudicating a dispute. In care proceedings, an assessor will sit with the Magistrate to help him understand any expert evidence and to help him adduce further expert evidence, should this be required. The rules of evidence are not to apply but facts tending to prove that a child is in need of care must be proved beyond reasonable doubt. It will no longer be possible for a child who is found to be in need of care to be committed to a Training Centre. Further, truancy can no longer form the basis of a "care" application. The old definition of a neglected child is repealed and the term "exposed to moral danger" is no longer used.

PART VIII – Criminal proceedings involving Children:

Reforms introduced by the present Government setting the age of criminal responsibility of 10 years and restricting the admissibility in evidence of statements made by children to police are retained.

Clause 123 sets out the principles to be observed when a Court is exercising criminal jurisdiction with respect to children.

Children's Panels

Perhaps the most significant initiative in this Part is the creation of Children's Panels. These Panels, consisting of a Police Officer, an Officer of the Department and a third independent person, will determine whether a child should be proceeded against in a Court in respect of an alleged criminal offence. The Panels will deal with all but the most serious offences but will not consider fresh offences allegedly committed by children already subject to control.

If a Panel determines that proceedings should not be instituted the charge against the child is dismissed, if the child is in custody, he is released and if the child is on bail, any bail undertaking is discharged.

Before making a final decision, a Panel may convene a conference of persons who know the child to assist it in making a decision.

Community Services Orders

This is a new sentencing option which will be available to Courts which sentence children who are found guilty of criminal offences. The system which will apply to children differs hardly at all from the existing system which applies to adults except that the maximum number of hours of work to be performed shall not exceed 100 hours.

PART IX – The Children's Court of New South Wales

The Bill creates the entity of the Children's Court of N.S.W., which will have jurisdiction to deal with children who are charged with criminal offences and to enquire into "care" applications. In those parts of the State to which a member of the Children's Court does not travel, jurisdiction over children will be exercised by Stipendiary Magistrates sitting at those places.

Trial by Jury.

Greater access is given by the Bill for children to be tried in a non-summary manner than has existed in the past. In the past, a decision to commit for trial has been entirely for the discretion of the Magistrate; the Bill provides that a child must be committed for trial if he requests it.

Penalties

It will no longer be possible for a child who is found guilty of an offence to be made a Ward of the Minister. Moreover, a control order in respect of the child may only be made if an adult who was found guilty of the same offence, could be committed to prison – and the duration of such a control order may be no longer than such a committal to prison. A general control order will have a maximum life of twelve months and may be imposed only in those circumstances where an adult, found guilty of the same offence, might be committed to prison for a period of at least twelve months. Alternatively, a Court may commit a child to control for a specific period not exceeding two years but not so that such a period is in excess of the maximum period of imprisonment for that offence. A child cannot be committed to control as "exposed to moral danger" or as "uncontrollable" or as a "truant" but only where offences have been committed.

The Children's Court is given a new power to order the destruction of photographs, fingerprints and palm prints.

The Children's Court may not convict a child who is under the age of 16 years and has no power to commit a child under the age of 16 to prison, and may only commit a child of or above the age of 16 years to prison where the child is already subject to a control order and is being dealt with by it for serious misconduct in a Training Centre. It may, however, remand in prison, children of or above the age of 16 years or commit them to prison once they have been committed for trial.

PART X – Children and other Persons subject to Control or on Remand:

The objects of this Part are set out in Clause 206.

The Bill establishes two kinds of Training Centres:—

- 1) Called "Children's Training Centres" – will accommodate children and those prisoners under the age of 21 years who are transferred from a prison to the control of the Minister;
- 2) The other kind called "Training Centres for Intellectually Handicapped Persons" will accommodate intellectually handicapped persons of whatever age who are transferred from a prison to the control of the Minister.

Before a prisoner may be transferred against his wishes to a Training Centre for Intellectually Handicapped Persons, he must be certified by an Intellectually Handicapped Persons Review Tribunal to be, in fact, intellectually handicapped.

The Bill prohibits segregation as a method of punishment of an intellectually handicapped person. Segregation up to a maximum of twelve hours in any period of seventy-two hours and, when it is considered in the interests of the person that he be segregated for psychological reasons from other persons subject to control, is, however, permitted with the consent of the person to be segregated, but subject to stringent conditions (see Clause 239). A person detained in a Children's Training Centre who is found guilty of misconduct may be sentenced to room confinement for a period not exceeding six hours but, again, subject to stringent conditions (Clause 253 (2)). Other powers in relation to punishment are set out in Clauses 253 and 254. Physical punishment is prohibited. The regimen in Training Centres for Intellectually Handicapped Persons will be a specially-adapted prison regimen – on the basis that it is more appropriate to deal with such persons as the adults that they are rather than as if they were children.

It might be noted that the Minister's powers to deal with persons who are subject to control are quite significant. The Minister may, for example, grant such persons leave to be absent, from a Training Centre and may, subject to such terms and conditions as he orders, place certain of such persons in the care of reputable persons approved by him (Clause 222).

INTENSIVE NEIGHBOURHOOD CARE SCHEME – SOUTH AUSTRALIA

The Intensive Neighbourhood Care Scheme is a major innovation in term services for young offenders which was introduced in South Australia in 1979. The Scheme gives more intensive, individual care to those young offenders who present no threat to the safety of the community, do not need to be detained and yet cannot go home to their own families. The Scheme aims to provide an alternative to placing young offenders in institutions whilst on remand or following a court order. Suitable families throughout the State have been re-

cruited and undergo extensive training programmes. The family provides intensive support, encouragement and supervision to the young person, with the goal of eliminating anti-social and offending behaviour. Participating families are reimbursed at the rate of \$15 per day if the young person is on short-term remand and \$18 per day for young persons in longer term care.

Since its inception to April 1981, ninety-four INC families have been contracted with a total of 364 placements. One hundred and Forty-four of these were long-term support placements and 220 were short-term remand placements.

In the time of operation of the Scheme to March 1980 a total of 17 or 14% of placements were terminated because of absconding. While some of the expected difficulties such as absconding, aggressive behaviour towards INC families and damage to property have occurred, they have been to a lesser extent than expected and overall the results have been very encouraging.

Report to Meeting of National Executive 18th May 1981

REPORT OF COMMONWEALTH GOVERNMENT REPRESENTATIVE

The Commonwealth subsidy to the Council for 1980-81 was \$28,000 not \$23,000.

An application for an increased subsidy for the year 1981-1982 has been made to the Interdepartmental Standing Committee on Grants-in-Aid. The outcome of this application will not, presumably, be known until the budget is presented in Parliament.

I draw attention again to the level of State contributions to the Council vis-a-vis the Commonwealth and to the desirability of an increase on the level of State funding.

I attach my 1980 and 1979 reports which contain observations on matters that remain relevant to the current program of the Council.

Signed P.R. Loof
(P.R. Loof)

Commonwealth Government Representative

Report to Meeting of National Executive 19th April 1980

This report brings up-to-date my report to the last meeting of the National Executive, the copy of which is attached.

Developments include the following:—

- (a) The Commonwealth subsidy to the Council for 1979-80 was \$28,000.
- (b) I appeared before the Senate Estimates Committee in September 1979, but on this occasion no questions were asked about the Commonwealth's subsidy to the Council.
- (c) An application for an increased subsidy for the year 1980-81 has been made to the Interdepartmental Standing Committee on Grants-in-Aid. The outcome of this application is not yet known.

I draw attention again to the level of State contributions to the Council vis-a-vis the Commonwealth. An increase in the level of State funding would seem to be desirable. As a minimum it would seem to be desirable that funding of the Council should keep pace with inflationary increases.

In relation to the publication Forum, I have noted the development of this publication with much interest and would urge the Council to support its further development and dissemination (including the further editing of bound volumes

and dissemination to public and departmental libraries).

It would also be useful for the Council to consider the feasibility of sponsoring further study groups on matters of current interest (Cf. Conditional Liberty Report by Mr. Justice McClemens, Mr. Hayes and others). In particular, I suggest that consideration be given to the establishment of study groups to report in detail on the administrative processes or other measures that would be required to implement the recommendations contained in Resolutions 2, 4 and 6 of the Tenth Biennial Conference. I would propose that action on the resolutions should not await the receipt of responses from the Branches and that the National Executive should proceed to take any follow-up action thought desirable.

signed P.R. Loof
(P.R. Loof)

Commonwealth Government Co-opted Representative

Report to Meeting of National Executive 15th August 1979

This report is concerned mainly with the Commonwealth subsidy paid by the Commonwealth to the Council.

Historical Outline

The Commonwealth subsidy to the Council from 1971 to 1973 was \$2,500 per annum. In 1974, the subsidy was raised to \$28,000 per annum to establish a National Secretariat. During the financial year 1977-78, an ex gratia payment of \$6,000 was made to the Council to assist it in meeting its commitments. The budget allocation for the Council for 1978-79 was \$28,000. A further Commonwealth subsidy has been sought for the Council for the financial year 1979-80.

Level of Commonwealth Grant Vis-a-Vis State Contributions

It has been recognised that the original grant of \$28,000 paid by the Commonwealth has been eroded in real terms because of cost of living increases. However, it has not been possible to obtain an increase in the subsidy, apart from the ex gratia amount paid in 1977-78. When the increase in the subsidy was approved in 1974, the then Treasurer indicated that it should be made clear to the Council that the Australian Government did not accept an unlimited underwriting role in relation to the Council's administrative costs. He said that it would follow from this that any increase in the cost of running the Secretariat would not necessarily imply an increase in the Commonwealth Government's subvention. The Treasurer also suggested that it would not be unreasonable to suggest that the States might also increase their contributions to the Council. Currently the subsidy is considered each year by the Standing Interdepartmental Committee on Grants-in-Aid. This Committee has expressed the view, in relation to applications for increase in the subsidy, that there is scope for considerable increases in financial support from the States.

The Commonwealth Attorney-General wrote to the State Attorneys-General in March 1978 urging them to give favourable consideration to an increase in State contributions to the Council's funds. The Attorney-General pointed out that the Council consisted of representatives from the judiciary and from most organizations in Australia, both governmental and private, that are concerned with crime prevention and the treatment of offenders. He said that the Council membership also included individual members, including laymen and professionals from a variety of disciplines. He expressed the view that it was highly important for governments to encourage the utilization of these voluntary resources and initiatives and assist them to make a contribution, by way of seminars, study groups and other activities, to improve methods of crime prevention and treatment of offenders. The Attorney-

General received replies from the State Attorneys-General indicating that favourable consideration would be given to this request and some increases in State contributions appear to have resulted.

Senate Estimates Committee

The annual subsidy to the Council is considered each year by the Senate Estimates Committee. The questions asked by the Committee cover a variety of aspects. Typical questions are as follows:—

"How long has the Council been functioning and is there any way to determine the efficacy of this Council?"

"I would like you to elaborate on the permanent secretariat's job in fully utilizing the reservoir of voluntary resources now available to the council?"

"What contributions are made by the States to the Council's funds?"

"To what extent does the work of the Council coincide with, or overlap, the work of the Australian Institute of Criminology?"

In relation to the work of the Council and its effectiveness, I have informed the Senate Committee as follows:—

"The Council, which has been operating for some years, originally was established as the Australian Prison After Care Council and, over the course of time, the functions of the Council have been expanded to incorporate the areas of crime prevention as well as the area of treatment of offenders. The Council is a non-governmental body, but it does represent virtually every organisation, both governmental and private, that is concerned with crime prevention and the treatment of offenders. Consequently, the Council does have as members, prison departments, police departments, probation and parole authorities, as well as prisoner's aid associations, church groups and other bodies. The Council has the function of stimulating interest among its membership in the problem of crime prevention and control, in such a way as to enable people at the grass roots level to express views about the treatment of offenders and the prevention of crime, and to give those people a forum in order to allow them to direct matters to the attention of governments. In addition to that, the Council holds seminars and conferences and conducts study groups. The conferences are normally arranged on the basis that speakers will be invited from overseas and from within Australia. Papers from these conferences are produced in book form and provide a very useful source of material for people concerned with crime prevention and control in Australia. In addition, the Council sets up study groups chaired, for example, by a Supreme Court Judge, with other people assisting him. These study groups have produced reports which have been of considerable value to governments — for example, the setting up of the parole system in N.S.W. — and for other purposes.

It is difficult to evaluate in real terms the effectiveness of a body such as the Council, but I am able to give as an example the report of the study group on conditional liberty, which, as I understand it, was a report of very great significance in the establishment of the parole service in New South Wales."

In relation to the question of overlap by the Council of the Institute of Criminology I said —

"There is an overlap certainly, in the general sense, but the Institute of Criminology is set up to provide services for governments, and to provide research, and to undertake courses of training for governments. The Commonwealth and State Governments have in the Institute their own

research and training body. On the other hand, the Australian Crime Prevention Council is a body that is set up on a non-governmental basis, and its great virtue is that it enlists the resources of people working in the field and enables those people to get together in a voluntary capacity and make their own contributions. So therefore it is a body which provides the maximum opportunity for individuals to voice an interest in these particular matters as distinct from governments.

The Government sees the Council as a very useful body, established on a national level and representing all relevant agencies, to consider the implementation of the research results and the results of seminars of the Institute. In this sense, there is a close relationship between the Institute and the Crime Prevention Council in that members of the Crime Prevention Council are often to be found attending seminars, and there is consultation between the two bodies with the end result of having the results of the Institute's work readily adopted by State authorities.

Senator EVANS — Is there any obvious reason why, given the existence of the Institute of Criminology, that might not take over what appear to be the essentially administrative tasks performed by the Crime Prevention Council?

Mr. Loof — We feel that this would be inappropriate because the Crime Prevention Council is a non-governmental body established essentially to serve the interests of voluntary resources which would enable the people working in the field to contribute. In contrast, the Institute of Criminology has been set up to serve governmental interests. There is a clear distinction between the two."

signed P.R. Loof
(P.R. Loof)

Commonwealth Government Co-opted Representative

NATIONAL POLICE REPRESENTATIVE JOHN MURRAY

Melbourne 18 May, 1981

In my last report I advised of the resolution of Australian Police Commissioners to move towards a concerted effort in the field of Crime Prevention. You may remember that Victoria Police were to prepare a package including television commercials, radio commercials, posters, pamphlets and stickers with the idea that other States would contribute towards the costs then use the package in their own States. In short, nothing much has been done. Funds in my State were not made available and others have had similar problems.

During the past twelve months I have written to each Commissioner of Police explaining my role and seeking information about the extent of crime prevention initiatives, either actually undertaken or contemplated by them. In particular I asked about the extent (if any) of A.C.P.C./Police interaction. Comment on this by Mr. Miller, Commissioner of the Victoria Police, is interesting:

" . . . The Crime Prevention Council has for many years directed their programmes to the sociological problems of crime prevention. Whilst their recommendations are valuable, they do little to assist and alleviate the operational problems of the Australian Police Services. It is desirable that a more practical approach be adopted to their deliberations and recommendations.

The Crime Prevention Council does not receive from the various Australian Police Services any details of crime prevention programmes being conducted. It is suggested that they request from the Australian Police Services

details of their crime prevention programmes and their associated problems. This would assist with the desired practical approach to their deliberations and recommendations.

The Council's views would, therefore, be appreciated on the following topics:—

- (a) Involvement by Crime Prevention Council in crime prevention programmes conducted or proposed by Police Departments;
and
- (b) Crime Prevention Council receiving advice of crime prevention programmes conducted by Police Departments."

My suggestion to this Executive is that it reply to Mr. Miller's requests — but to consider that meaningful "practical" participation by this Council can really only be achieved at State Branch level.

- * concur in principle with the suggestion of practical involvement with State and Territorial Forces;
- * advise that the contents of his letter will be sent to State Branches for action;
- * advise that the practical resolution lies with State Branch/State Police level and that State Branches will be encouraged to promote this;
- * agree that the "Crime Prevention Council (receive) advice of crime prevention programmes conducted by Police Departments" and that this would evolve from close police/council interaction.

Accordingly (if agreed) each State Representative should, on returning to his/her State, take action which will ensure co-operation and participation with the State Forces.

**Inspector of Police,
Officer, Policy Section, and
National Police Representative to A.C.P.C.**

REPORT TO NATIONAL EXECUTIVE BY ARMED SERVICES REPRESENTATIVE BRIGADIER M.J. EWING, C.B.E., B.A., LL.B.

Serious offences and breaches of discipline in the Armed Forces continue to decline. Very few members are sentenced to detention, and most inmates of the new, small M.C.E. are sailors. Newry has had a couple of newsworthy court martials, but otherwise they are few and far between. Over the past twelve months the Army has had some trials for dishonesty in relation to claims for various allowances, but two out of six charged were acquitted because the intent to defraud was not proved.

Legal Aid has grown tremendously. It is really legal "first aid" as we do not, as Service legal officers, act for members by appearing in Court. We make wills, we give advice and where necessary we act as a referral service.

One notable and interesting exception is the Commonwealth Compensation Tribunal. The Tribunal, Mr. John Ballard, bless him, has been very concerned about members of the Defence Force. They have no Union. Most earn too much to qualify for legal aid, but that does not mean they can afford legal representation. Accordingly, they were appearing before him unrepresented, and therefore at a considerable disadvantage. About eighteen months ago, one of the Army's Regular Legal Officers, Major Les Young, who on being posted to Adelaide, had himself admitted in that State, appeared to "assist" a soldier and the soldier won his appeal. Mr Ballard wrote to the Department and paid tribute to Major

Young and asked that Regular Legal Officers be permitted to assist soldiers and other members. The Senior Service Officers of Navy, Army and Air Force strongly supported this, but Senior Public Servants opposed it with all the strength of inverted Micawbers, and did so for over twelve months. Finally, last month, the C.D.F.S. (Admiral Sir Anthony Synnot) and the Secretary (Mr. Pritchard) agreed to it. The opposition was based on the view that Regular Officers should not act against the Commonwealth and also if they appeared in the Compensation Tribunal. It was the thin edge of the wedge and they would seek to appear in other Courts and Tribunals. This, of course, is nonsense. Legal Officers appear and fight in courts marked against the Crown which brings the charges. Legal Officers cannot appear in ordinary Courts unless they have the right of audience in that court by being admitted, and in many jurisdictions by having the necessary Practising Certificate.

Finally on this subject, the nature of employment of servicemen is deterrent to many other employments and their conditions of service are different. The Compensation (Commonwealth Employees) Aid is not entirely suited to do them justice. It is therefore highly desirable to have someone represent servicemen who knows the nature of their service. Army lawyers have appeared twice for two cases. Several appeals are now pending.

There are two or three matters relating to the services and the Community. Firstly we are alive to trends relating to the review of administrative decisions and you can rest assured, we take great care in making these decisions and moreover, quite voluntarily, we give reasons. Secondly, we are keeping pace in relation to Freedom of Information matters.

Finally, we are examining our law with careful scrutiny in relation to aid to the civil power. The use of troops is of course the last resort. We do not want it, but if we have to assist, we are determined to act within the law, but more importantly we are determined that our men know their rights and their duties. The parliament must act to define these more precisely. No soldier, sailor or airman should be put at risk because the law, as it is at present, is vague and uncertain.

We do not, at the moment appear to be offering much to the Council. We feel on the other hand, that the Services should be kept in contact with matters relevant to the areas of the Council. For example, at the moment, fortunately, we have no drug problem in the Services; that may change in the future. We have few problems with military detainees; that may change in the future. The Uniform Discipline Code is progressing slowly. When it comes in, there will undoubtedly be problems and there will be experiences we will want to report to, and discuss in this forum. While I share views which have been expressed by other co-opted members about their precise role, on balance, I feel the Armed Services should retain their close connection with this Council, although I will shortly be time-barred from being their representative.

REPORT OF CRIMINOLOGY REPRESENTATIVE FOR PERIOD MAY 1980 TO MAY 1981 David Biles

This report will again deal almost exclusively with the activities of the Australian Institute of Criminology in Canberra as this work is more familiar to the writer than the teaching and research which is being undertaken by criminological centres in Sydney, Melbourne and elsewhere.

During the period under review the following major publications have been produced by the Institute:

CORRECTIONS IN ASIA AND THE PACIFIC by William Clifford.

WOMEN AND CRIME edited by Satyanshu Mukherjee and Jocelynn Scutt.

COST EFFECTIVE BUSINESS REGULATION by William Clifford and John Braithwaite.

CRIME TRENDS AND CRIME PREVENTION STRATEGIES United Nations Discussion Paper Topic 1 by W. Clifford and A. Mukherjee

JUVENILE JUSTICE: BEFORE AND AFTER THE ONSET OF DELINQUENCY United Nations Discussion Paper Topic 2, Report of a Working Party convened by John Seymour.

CRIME AND THE ABUSE OF POWER: OFFENCES AND OFFENDERS BEYOND THE REACH OF THE LAW? United Nations Discussion Paper Topic 3 by J. Braithwaite and B.R. Kinchington

DE-INSTITUTIONALISATION OF CORRECTIONS AND ITS IMPLICATIONS FOR THE RESIDUAL PRISONERS United Nations Discussion Paper Topic 4 by David Biles
RAPE LAW REFORM by Jocelynn Scutt

VOLENCE IN THE FAMILY by Jocelynn Scutt
RESTORING VICTIMS OF CRIME by Jocelynn Scutt

In addition to the above numerous articles by Institute staff have been published in scholarly journals in Australia and elsewhere in the world. These include ten papers by John Braithwaite and David Biles dealing with various aspects of the first National Crime Victims Survey conducted by the Australian Bureau of Statistics.

Also during the period under review the Training Division of the Institute has conducted seminars or workshops under the following titles:

1. Diversionary Programms for Adult Offenders – Chief Crown Prosecutors
2. Legal Studies Teachers Seminar
3. Minimum Standard Guidelines for Australian Prisons, Second Edition, workshop
4. Diversionary Programs for Adult Offenders, workshop
5. Publicity and the Criminal Justice System Seminar
6. Training Course for Belconnen Remand Centre Recruits
7. Japanese Crime Prevention Symposium
8. Workshop on Corporate Crime
9. Criminology for the Worker
10. Victims of Crime Seminar
11. Crimes of Violence and their Treatment
12. Alcohol and Crime Seminar
13. Probation – Current Position and New Directors
14. Custodial Officers Training – Quamby Children's Shelter
15. Rights in a Prison Institution, Sydney
16. Criminology Library Services, Sydney
17. A Review of Criminological Research
18. Aboriginal Criminological Research
19. Use of Computers in the Criminal Justice System
20. Computerisation of Sentencing workshop

Notwithstanding the fact that the Institute has now reached a stage in its development where its research and training programs are being more widely recognised as making a useful contribution, it continues to face difficulties with budget cuts and reductions to its staff ceiling. If these trends continue to the point where the efficiency and value of the Institute are threatened it may be necessary for public support for its work to be sought from such influential bodies as the Australian Crime Prevention Council.

The Director and staff of the Institute are most happy to work in the closest possible relation with the Executive and members of the Council and look forward to a further strengthening of that relationship in the future.

AUSTRALIAN CRIME PREVENTION COUNCIL MEMBERSHIP SUBSCRIPTION FEES Applicable from 1 July, 1982.

National Executive A.C.P.C. at its National Executive Meeting held Melbourne, 18 May, 1981 resolved that appropriate scale of Membership Subscription Fees applicable from 1 July, 1982, shall be as follows:

1. Students Membership	\$7.00 p.a.
2. Ordinary Membership	\$10.00 p.a.
3. Voluntary Organisation Membership	\$15.00 p.a.
4. Organisation Membership	\$75.00 p.a.
5. Ordinary Life Membership	\$250.00



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