



\*MR. JUSTICE J.A. LEE

## ADDRESS BY \* MR. JUSTICE J.A. LEE

to Public Meeting called by  
The Parramatta Recidivist Group  
at State Office Block Theatre,  
Sydney N.S.W. on Thursday 12th July, 1979.

The little group of men making up the Parramatta Recidivist Group have made it plain over quite a period now that they want to do something to prevent others suffering the fate they have, and for that alone they deserve the highest praise. That is indeed a work of humanity and it should attract the support of men of good will on that ground alone, but speaking for myself, and whilst recognising the humanitarian nature of their objectives, I support them for another reason altogether and that reason is that I think they are on the right track so far as getting through to young people is concerned.

We, as well as most other western nations, are acutely conscious of the fact that the more we spend to contain crime the more crime we get. The undeniable fact is that the criminal population in our community is growing decade by decade.

How do we attack the problem of crime? We wait until we catch a criminal or identify criminal behaviour, if you like, and then we set to work to do something about it.

We have Parole and Probation Services and ultimately prison as the means whereby we seek to control the criminal population and contain it. These two agencies are directed to reforming a man whose behaviour has been criminal — that is the hope, the expectation. The success of these agencies in individual cases can be great, and it can be argued that but for these agencies the amount of crime would be greater, but the fact is that the criminal population goes on increasing. The

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*\*(Mr. Justice J.A. Lee is also the immediate Past Chairman of the N.S.W. Branch of the Australian Crime Prevention Council).*

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efforts we are making, whilst in a sense successful, are doing really nothing of any significance to cut down the amount of crime being committed each year.

I am not criticising the Parole and Probation Services or the prisons when I say that — I merely state a fact. The humanitarian nature of Parole and Probation work cannot be underestimated, nor its success in rehabilitation of proven offenders, but it does nothing to prevent others joining the criminal population or to reduce crime, any more than prisons do.

As I said earlier, our present corrective system works on the basis that you have a person identified as engaging in criminal behaviour and then you go to work to try to reform him. That is all that is done in this country and most other countries to control crime. We have the police, the courts, the prisons, and the Probation and Parole Officers. It is to their efforts we look to control and contain crime, and we know that it is not working, that is, it is not controlling and containing crime. It costs us \$600,000,000 just to keep the courts, the police and the corrective services going for a year in this country, and it is not reducing the numbers of the criminal population. Governments talk about harsher penalties for this and that, and the criminologists tear their hair at what they see as the futility in many cases of putting people in gaol, and the public asks, "When are you going to do something about reducing crime?"

I have for many years held the view that our present approach to the matter of crime is short-sighted and incapable of producing worthwhile results. I am firmly of the opinion that you will never get very far in reducing crime or the criminal population whilst ever you direct efforts only to a criminal population already established because of its behaviour. As the Parramatta Recidivist Group so eloquently makes clear, men do not like going to gaol, they do not want to go there, but they do go there and in large numbers.

What has never been done in this country or in any other country as far as I am aware is to approach the matter of

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crime with the positive object of producing a smaller criminal population.

You do not wait until a man fronts the courts. You embark on a policy designed to stop him getting into trouble. You have a policy of education against the crime, and when I say education I am thinking firstly of the schools. You teach not only what the law says about crime and what is crime and how it is dealt with and how offenders are dealt with, but you teach attitudes that will enable men and women to avoid crime. Some children are lucky enough to get that kind of education from their parents. Many do not: many of those who come before courts particularly do not. Why should there be lucky ones and unlucky ones? A child has a right to be shown and taught how to keep from committing crime. What is the use of waiting until he has grown up and then going to work on him? In many cases it is too late. What is the use, one might ask, of trying to persuade him then to be honest if he has never been taught the necessity to respect other people's property. Why should children be disadvantaged because they have not had a proper education in how to avoid being involved in crime?

I believe that our education system from primary school to high school should be organised to give sound education in all matters that can enable the child to grow up and avoid crime. It used to be once said that better education would reduce crime. It has not. It used to be said that if you had better living conditions that would reduce crime. Our standard of living is immeasurably higher than it was thirty years ago — and so is our crime rate. But there never has been a concerted attempt within the education structure to educate children from the time they are quite small to when they come out of high school in crime avoidance. It should be done, and that is why I back the Parramatta Recidivist Group. They are out to educate the young, particularly at the present time. Their scheme is one which is limited to those who have already offended but have not been in prison, and it tries to bring home to that individual the senselessness of going on with crime. It recognises the vital importance of giving help by a follow up program; but that is only part of its program. Its program aims to get through to all youth the futility of crime. That is a message that every child from the age of six years is entitled to hear and to hear throughout his school life. It will be heard more clearly, certainly I think heeded more often, when it comes not from a parent or schoolmaster or judge, but from men who did not themselves hear the message. It should not be a message reserved only for those that have actually been caught in criminal behaviour.

Lest I be misunderstood, I should make it clear that education of young people against crime through the education system should not be regarded as the sum total of an effective policy of education against crime. The adult community should be educated also to avoid crime. But there is not time for me to develop that tonight.

The important thing tonight, in my view, is for us to recognise that the Parramatta Recidivist Group should be given the maximum opportunity to have its message heard by the youth of this country, not just as a temporary thing but as a message that ought to be given to every boy and girl everywhere at all times. The Parramatta Recidivist Group should not be restricted to its present program involving only those who have been caught. A way must be found to get the message to all the young people in schools — the films will not be suitable to all ages but the message of futility is. If this can be done it could perhaps be the first step towards a fully comprehensive education of our children against the commission of a crime.

One thing is certain, education in the schools against crime, or even in the general community, has never before been properly tried. It is useless us going on deluding ourselves

that parole, probation and prison will reduce the criminal population. Let us attack the matter as well by education to prevent persons becoming criminals.

I would like to say a few things about some of the members of the Parramatta Recidivist Group and why I think that they can take part in a program of education of youth. They have excellent qualifications to be able to give out a message to young people. They are experienced in regard to what they say; they have been through it and know what they are talking about.

Let me read to you some of the statements these men have made about themselves and crime, and ask yourselves whether you can think of a reason why any child should not have the benefit of hearing their message. Some came from so-called good families, some came from broken homes; some started on crime early in their lives, some started late.

Here is one from a twenty five years old man serving eight and a half years, with no non-parole period. This is what he says:

*"At the moment I am serving a goal sentence at Parramatta and I will be here for another four years. I have already done five years of this sentence. You would think that by this stage I would have had a gutful of living like this but you see it is not very easy to step off the treadmill of crime once you have started. I have always had a rebellious nature and this has caused me not only trouble on the outside but on the inside as well. You see I have received additional sentences for escaping from two goals and also extra years tacked onto my present sentence for possession of various drugs, including heroin and possession of a hand gun.*

*It's not a very nice story but when you take into account that it is not only myself that I am hurting but all of the people that care for me, then the story becomes even worse.*

*If you can pick up just one thought from what I have related to you in this short story then that thought should be that no matter how hard things can get at times, no matter if your so-called friends call you a squarehead, or straight, it is much easier to live a life under those conditions than to live a life behind four walls year after year."*

This man is thirty one years of age and has four years to go. He started when he was nine years of age. This is what he says:

*"To sum up my life to date I can only say that it has been a total waste. I was not always a crim, once I was just a normal boy doing things that any normal boy would do. I don't think of myself as a criminal and never have. However crime becomes easy and harder to get out of the longer you become involved.*

*My advice to anyone is DON'T START"*

This man is forty six years old and is in for life. He was ten when he first faced a court. He says:

*"I have been in gaol for four and a half years on this present sentence and don't know when I will be released.*

*During the past several years I have noted the amount of young offenders that wind up in gaol and it makes me think of my youth. I can see a little bit of myself in them.*

*Goal isn't a very nice place to spend your younger days, and if I knew then what I know now I am sure that I would have taken a different direction.*

*Anyone who is thinking of committing a crime should have second thoughts, because this isn't the place to waste the best part of your life. You may ask what my qualifications are for expressing these views. Well, I believe that*

*my fifteen wasted years in gaol should account for some knowledge of what I am talking about".*

This man is twenty six years of age. He says:

*"I am now classed as a Recidivist class prisoner and that label will remain with me forever. My juvenile record and adult record will remain with me for life as well. I have nobody to blame but myself for the past that I have led. And I wouldn't wish the same kind of life on anybody.*

*You will notice the progression that occurred in my case was gradual. As a juvenile I was given every chance that the courts could offer but I continued to relapse in a life of crime. This progression carried over into my adult life. The same progression applies to my sentences — they started off small and gradually became bigger as time went along.*

*My future? Well, let's wait and see.*

*Your future is in your own hands."*

This young man makes it clear that courts do not cure you of the willingness to commit crime. Is he right when he

says he only has himself to blame? Was he ever educated against crime? It seems not.

This man is twenty four years old and is serving fourteen years with a seven year non-parole period. He says:

*"Smart thoughts that you are beyond the law, or it couldn't happen to me, belong to the fools who thought them up. The fact of the matter is that nobody is immune to being arrested if they are into illegal activities.*

*It's bad enough if you hurt yourself by silly deeds, but when you consider that it isn't only yourself that you are hurting but those who love and care for you, it is time to stop and think about the direction that you are taking.*

*The past is done, and it should be the future that you are looking towards.*

*Crime certainly never held any answers, and never will."*

Can anyone think of a reason why any child should be denied the opportunity to hear these messages? In my view every support should be given to the Parramatta Recidivist Group.

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