

preciate the deficiency of their vocabulary so neither she nor the child will understand one another. Moreover the children are unlikely to have been in learning situations, their span of attention is limited and they are quite unused to sitting down for comparatively long periods.

Their social learning problems, which are associated with cultural retardation, therefore, comprise deficiencies in vocabulary, language, communication and understanding.

It is hardly surprising that when so many of the middle class requirements of society depend upon legal formalities requiring form filling, reading, reporting and the management of money, that the culturally retarded should be seriously at risk.

Finally, one must ask what can best be done for children at risk.

First it is clear that those working within the social, medical and correctional services should understand considerably more about the background of the children at risk and their families.

Unless the public in general also appreciate these problems it is most unlikely that the politicians will have to learn about these very major matters which should concern them all.

One of the difficulties in this field is that for anyone to discuss, investigate or to teach about social class distinctions is an unpopular occupation. It is subject to accusations and criticism, and efforts have to be made to introduce acceptable euphemisms which will postpone the time when they too become unpopular.

Nevertheless, investigations must be made to determine the extent to which the subjects from the various socio-economic groups have children who are at risk. Then the illiteracy of the underprivileged, their difficulties in facing a

middle class culture, the inadequacy and unsuitability of the correctional services and the problems of employment will be recognised. Most children, at some stage in their development are on the knife edge of delinquency, but how much more so does this apply to those who suffer from cultural retardation.

West points out the need for special attention before the age of eight, but as the Clarke's have shown, it is often the length of training rather than the time of intervention which is of the greatest importance.

Certainly much of the blame must be laid at the door of the educational services and one hopes that some day no-one will leave school without being literate and good at something.

Again there has been insufficient social work in this field as well as considerable overlap and inefficiency in its practice; probably a centralisation of social workers for this purpose, on which any department may call, may be the most satisfactory solution, but this will necessitate a governmental organisation devoted to the purpose, and social workers motivated to further the independence and self esteem of their clients.

Perhaps one of the most important of all the needs of the families of the children at risk is to employ adequate means for the practice of contraceptive measures which should be free and widely encouraged, whilst considerable funds, persons, propaganda and concessions should be made available to this end. Then the children at risk would have the opportunity to be brought up with individual attention, parental care and teaching. They could then share the advantages of the community and avoid its pitfalls, whilst in their turn they would bring into being a new generation of children who would be less at risk.

PLENARY SESSIONS — MONDAY 13th AUGUST 1979 (Morning Session)

There were seven discussion groups which spent an hour discussing the morning's papers. Most discussion groups concentrated more on Dr. Dax's paper than on that of Mr Loof. However, the implications of the two papers to a degree were interwoven, and the points that arose from discussion groups were as follows:

1. PLANNING:

- (a) Planning for programmes of crime prevention should be mostly at the primary preventative level, and there should be input from all professionals working in the field.
- (b) Consideration in these plans should be given to the fact that middle class attitudes are not always desirable, and that there should not be any attempt to impose them as the norm.
- (c) Each State should look at its own problems, and Crime Prevention Committees with a multi-disciplinary emphasis should be set up from each A.C.P.C. Branch.

2. PRIMARY PREVENTATIVE PROGRAMMES:

Contraception. Many groups took up Dr. Dax's remarks on this, and recommendations included that there should be more effective contraception for the "culturally retarded", with more efficient planning activities, and that detailed information on contraception should be included in all social work courses.

3. EDUCATION:

There was a strong emphasis that primary prevention is needed at schools. Schools are a desirable focus of community activities and often suitable as community centres. More after-school and holiday activity programmes were recommended. Courses at secondary schools with child welfare as a subject, and education for parenthood were also suggested.

4. COMMUNITY:

The importance of community cohesion was emphasised, with a need for greater community awareness and some propaganda to make people realise they need a community in lieu of the (now usually defunct) extended family principle. The question of boredom in housing areas with inadequate facilities was raised, and it was suggested that this was a progenitor of crime.

5. FAMILY & SUPPORT SERVICES:

There was a suggestion that there was a need for workers to go into family situations at the first sign of trouble rather than wait for the family breakdown. A recommendation was made that there should be a more adequate injection of funds into family finances so that mothers who do not wish to work do not have to. A recommendation followed for more parent education through home-maker services and the need for more efficient use of agency resources. The problem of the lack of co-

ordination between agencies, particularly at the bureaucratic level, was mentioned.

In his summing up, the Chairman for the morning suggested that State Branches should find out what planning was going on in each State, and that they should form sub-committees to liaise with people responsible for urban planning, education policies, social welfare policies, etc. Mr Loof in his final remarks, suggested that at present funds

against them". His recommendations included that there should be a greater emphasis on education for people at risk, and that more effective contraception programmes are paramount.

were expended on projects when it is too late, and more should be applied in areas of primary prevention. Dr. Dax in his summing up, stressed that underprivileged people are at much greater risk than others because "the dice are loaded

MONDAY 13TH AUGUST 1970 (Afternoon Session)

*Official Opening of the Tenth National Conference of The Australian Crime Prevention Council
by His Excellency, Sir Zelman Cowen, A.K., G.C.M.G., K.St.J., Q.C., Governor General of the Commonwealth of Australia*

At the beginning, and again close to the end of this decade, I find myself speaking here on themes relating to crime prevention. On the earlier occasion, I delivered the Turner Lecture on Sir John Barry in the University of Tasmania; on this occasion, I am opening a National Conference of the Australian Crime Prevention Council. Jack Barry, as I and as so many knew him, died late in 1969, so that this year marks the tenth anniversary of his death. I think that it is appropriate therefore that I should say something of his work, because in his work, his writing and his thinking, he was deeply concerned with questions of crime, criminology and crime prevention. He had a law practice which involved him with such matters; as a barrister more than forty years ago, he wrote in a law journal about the comparative lack of interest among Australian lawyers in criminal law. In the very year in which he wrote that, I, as an undergraduate in the University of Melbourne, studied the Law of Wrongs, Civil and Criminal as part of my law course. Very few weeks were spent on criminal law and the greater part of the course was concerned with torts, with civil wrongs. What criminal law there was had little or no regard to principles of criminal punishment; we spent scarce time on distinctions between larceny and false pretences and other offences relating to property; there was murder and manslaughter and the law on various driving offences as a consequence of which people lost their lives. Later in the course, in Jurisprudence, there was a brief brush with criminology, and that was perhaps more than was done elsewhere at that time. I think that Jack Barry's strictures were justified.

Barry became a Justice of the Supreme Court of Victoria in 1947; in 1951, he became Chairman of the Department of Criminology in the University of Melbourne. Norval Morris was then the dynamic and imaginative leader of that Department, which blazed a trail in this country, and then, and for long thereafter, Barry gave it his interest and sympathetic chairmanship. In 1955, he led the Australian delegation to the U.N. Congress on the Prevention of Crime and the Treatment of Offenders in Geneva, and he did so again in London in 1960. In 1957, he became Chairman of the Victorian Parole Board: work which deeply concerned and involved him. He spoke of parole as an enlightened or 'less repressive and draconian approach to the subject of imprisonment'. Yet he was wary of drastic change in approaches to the problems of criminal law and punishment. In particular, in his writings, he warned against going too far, against throwing punishment overboard, against giving society over to "the adjusters in white coats". He was emphatic in repudiating the notion that decisions on punishment should be handed over to administrative officers and taken out of the hands of judges. He argued that the parole system, which deals with punishment

by co-operation between judges and experienced administrative officers, may represent a reasonable advance in an area about which, for all the words that have been written and spoken, we really do not know very much. He said that we do not know much about the element of deterrence in punishment, and that often retaliation masqueraded in the guise of deterrence. In all these areas, validated knowledge is hard to come by. He pointed out that one of the major problems with which we are faced, is not so much that punishment is used as a mechanism of social control, but that the way in which the punishment awarded by the court was carried out was often unimaginative and was unnecessarily repressive. Even here, it had to be remembered that many offenders were not the most hopeful material for moral and social regeneration, and the emphasis on security — to prevent escape — and the failure to provide the resource to bring about dynamic penal reform were formidable barriers to progress. Barry never denied the need to incarcerate for as long as necessary the dangerous offenders who had shown themselves beyond doubt to be a danger to society if they were left at large. Barry however argued that it must be the aim of an enlightened penology to send back to society, as soon as was reasonably possible, the offenders who have responded to rehabilitative training and have shown that they are not likely to harm their fellow citizens.

All of this, and more, was spelled out in speech, writing, and practical application. He wrote extensively: his studies of **Alexander Maconchie** and **John Price** were significant, and indeed were more arguments about issues than biographies of men; his undelivered lectures on **The Courts and Criminal Punishments** which, happily, were published in New Zealand where they were to be given, are a significant and valuable contribution to the debate on matters with which this Council is directly concerned. And what he had to say in his introduction to Morris and Howard's **Studies in Criminal Law** is so moving and so eloquent that I should recall it to you.

"There is much evil in the world and human beings are constantly guilty of wickedness which, always bringing in its wake unhappiness and suffering, is frequently appalling in its atrociousness. In a sense the criminal law is the final barrier against the triumph of evil. Even where the offence is less than homicide, a criminal case usually involves a calamity for the victim. But we should be careful not to allow the emotional surge of the retributive impulse to blind us to the reality that it is, too, a disaster for a defendant who is innocent, and a tragedy, in great or less degree, even for a guilty wrongdoer. The bad man may get satisfaction from his wretchedness but it is warped and bitter satisfaction and it can hardly be doubted that were it possible he would wish to be another than he is. The agonising task of infus-