

such infringements were justified in the community interest. Some of the Australian police officers expressed dissatisfaction with some of the limitations imposed upon their interrogations as for example those imposed by the "Judge's Rules". It is, however, noteworthy that the participants from a number of the Asian countries accepted such limitations, which, in their countries, had become part of the statute law.

If comment be needed it is that the attendance at the Seminar was too heavily weighted in favour of senior police officers, permanent law officers and their assistants. The only other participants were two Judges and two Professors. One of the two Judges, who was from Iran, was in fact Assistant to the Attorney-General of that country in addition to being a Judge. No laymen or practising members of the profession participated, with the result that the discussions were somewhat one-sided. It is suggested that the discussion and the resulting report would have been of much greater value if practising members of the profession had been included in the delegations from all participating countries.

In saying this, it is not suggested that the discussion was of little value, but it is desired to stress that its value was limited quite unnecessarily.

#### Subject Matters Discussed

*Confessions:* There was a substantial discussion at the Seminar of the circumstances in which statements by an accused person should be admitted in evidence. The Judges' Rules applying in the United Kingdom were discussed at considerable length and there is no need to make any reference to them in this report. However, it is noteworthy that under the provisions of the Criminal Procedure Code and the Evidence Act which apply in India, it is laid down that no confession made to a Police Officer shall be proved as against a person accused of any offence and furthermore that no confession made by any person whilst he is in the custody of a Police officer, unless it shall be made in the immediate presence of a Magistrate, shall be proved as against such a person. Similar provisions to this also apply in Singapore concurrently with the Judges Rules but, as a matter of practice, the Police there appear to prefer the practice of having confessions made before Magistrates.

*Fingerprinting:* There was a lengthy discussion as to whether there should be a national compulsory fingerprinting of all persons and whether such compulsion would offend human rights. In this regard, it must be borne in mind that in some countries identity cards are provided for and compulsory fingerprinting for the issue of these cards is already in force. In some countries (such as Japan), although there is no national compulsory fingerprinting, in some prefectures a voluntary fingerprint registration system operates. Some of the participants in the Seminar felt that, if the fingerprinting was required for other than investigation of crimes, it might be regarded as interfering with a person's right to security and liberty, or it might injure his reputation or dignity, or interfere with his right to privacy and freedom of movement. The majority of participants, however, thought that much of the objection to compulsory fingerprinting arose from prejudice because of

the historical association of fingerprinting with criminality, and that compulsory fingerprinting could be of valuable aid to identification and serve useful social purposes. Human rights could not be infringed so they thought, when action was taken for the good of all people and compulsory fingerprinting should not create uneasiness in law-abiding citizens, because its only effect would be in the end to assist them. The majority view therefore was that there was no objection in principle to national compulsory fingerprinting of all citizens, and that fingerprinting should not be associated only with crimes, and that there was no infringement of any human right of the person whose fingerprints were taken, because the protection of the rights of the society and his own interest required certain limitations of his rights.

*The Ombudsman:* The Seminar heard detailed statements concerning control of police action by the Parliamentary Commissioner in New Zealand, and by the Civil Liberties Commissioners and Bureaux in Japan. Both the New Zealand and Japanese legislation on the subject stem from the Ombudsman systems which are well established in Scandinavian countries, and while several participants expressed their interest in such an institution, particularly if it could be used to combat corruption within the Police, others took the view that the Attorney-General or Public Prosecutor established in various countries within the geographical area of the Seminar might be considered as performing, with independence and impartiality, some of the functions of the Ombudsman or Civil Liberties Bureaux in relation to excess Police powers.

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What has been set out above is not, and is not intended to be, a summary of what appears in the report of the Seminar. The subject matters dealt with ranged far and wide over police activities and were of course not limited to police methods in Australia but covered all the countries whose representatives attended the Seminar. However, the matters discussed are of such importance that it is felt that members of the Bar should familiarise themselves with what actually took place at Canberra and should read the report when it becomes available for general publication. The Association has written to the United Nations and asked them to make available to the Association as early as possible a number of copies of the report and when these become available in Sydney, notices will be posted on the various floor notices boards as to their availability in the Association's library.

#### Reading Lectures and Reading in Chambers

The system is proving of substantial benefit.

Lectures are of a high standard and are shortly to be roneoed and made available to the Queensland and Victorian Bars.

Compulsory reading is additionally proving of substantial use in assisting those commencing at the Bar in both practical and ethical problems.

A meeting will shortly be held of all members of the Bar who have men reading with them to discuss any current problems.