

# **ANZSOC abstracts: Individual paper presentations**

## Neurolaw in Australia: The use of neuroscientific evidence in criminal proceedings

**Armin Alimardani, Faculty of Law, University of New South Wales**  
**Jason M Chin, TC Beirne School of Law, University of Queensland**

Despite recent research finding that parties increasingly rely on neuroscience as evidence in court, much less is known about how such evidence is being used in the Australian legal context. To fill this void, a review of neuroscience in Australian criminal cases was performed. It found that this evidence is being used in two general ways: as diagnostic evidence (ie, the evidence tells the court something about the specific accused) and as framework evidence (ie, the evidence tells the court something about people like the accused). With regard to diagnostic evidence, neuroscience is being used pre-trial, as evidence of fitness to stand trial; at trial, to support the defence of insanity and substantial impairment of the mind; and at sentencing, to support arguments regarding diminishing and aggravating factors. Its use as framework evidence has been much more varied.

## The emergence of neuroscience as a commonly admitted type of evidence in Australian criminal courts: How it happened and why we should care

**Armin Alimardani, Faculty of Law, University of New South Wales**

Some researchers claim that neuroscientific tools (such as brain scans) can detect abnormalities of the brain that might explain criminal behaviour. The use of these tools as evidence in criminal courts has been the subject of many debates. Some scholars, by pointing to the limitations of neuroscience, have criticised the admissibility of neuroscientific evidence in criminal procedure and theorised about how courts might react to this evidence. Despite the lack of awareness amongst scholars, in practice, neuroscientific evidence has been admitted in Australian criminal courts since as early as 1979, and for a wide range of purposes. These include supporting claims of reduced moral culpability and future danger (recidivism). This study, by reviewing criminal cases involving neuroscience, investigated how neuroscientific evidence has become a commonly admitted type of evidence in courts. This presentation will also discuss the ways in which this trend may be of concern.

## Gun control legislation: Australia's 20-year leading role on the world stage

**Philip Alpers, University of Sydney**

Australian firearm legislation altered very little in 65 years. Then in merely 12 days a 'perfect storm' of outrage, law and leadership forced policy reversal and swift legislative adjustments now held up as global best practice. Two decades of research and hindsight describe the attitude adjustment which enabled effective enforcement of gun laws, and the notable improvements to public health and safety which followed. At the United Nations, Australia now takes a global leadership role in reducing the proliferation of illicit firearms, and assists countries in the Pacific region and beyond to improve their gun control legislation.

Note: This paper expands and updates the author's chapter 'Australian Gun Laws' in *The Palgrave Handbook of Australian and New Zealand Criminology, Crime and Justice* to be launched at ANZSOC 2017.

## Uncaging the beast: Examining risk as the driver of a separate and distinct strand of penal policy development

**Jordan Anderson, Victoria University of Wellington, New Zealand**

New Zealand communities are becoming increasingly intolerant of risky individuals: those who threaten irreparable harm to vulnerable people. This presentation examines the frenzied reactions of everyday New Zealanders to the release of repeat sex offender Stewart Murray Wilson from prison to Whanganui—a small North Island town with no previous connections to him. Wilson, better known as the 'Beast of Blenheim', was perceived to pose a number of 'intolerable risks' to the local community. The extraordinary conditions of his parole, his return to prison for breach of them, and the government's subsequent Public Protection Order legislation will be explored within the context of the current fragility of much of New Zealand community life. The presentation will demonstrate that Whanganui's experience with the 'Beast' is an example of the ways in which risk control in New Zealand, as in similar societies, drives a separate and distinct strand of penal policy development.

## Language, social inference and antisocial behaviour in young offenders: Analysis of interrelationships

**Stavroola Anderson and David Hawes, University of Sydney**  
**Pamela Snow, La Trobe University**

Contact with the juvenile justice system exposes youth offenders to a range of socio-linguistically complex situations that they may not possess the skills to navigate. The primary aim of this research is to intensively examine the associations between: specific language skills (structural, metalinguistic and narrative); social inference skills (emotional recognition and social inference); antisocial behaviour (including aspects of offending behaviour); and relevant socio-cultural factors. The research involves male youth offenders between the ages of 14 and 21 years who have contact with Juvenile Justice New South Wales (n=81), and a comparison group (n=49), matched on gender and age, recruited through public schools in New South Wales. This presentation will report findings highlighting the differences between youth offenders and their non-offending peers on key skills and behaviours. In addition, the presentation will report analyses demonstrating the direct and indirect contribution of language and social inference skills to key types of antisocial and offending behaviour.

## ASEAN law enforcement cooperation in an era of complex global crime

**Hai Thanh Luong, People's Police Academy, Vietnam**  
**Paul Battersby, RMIT University**

All member states in the Association of South East Asian Nations (ASEAN) struggle with the complex security challenge of increasing and diversified cross-border crime. Trafficking in illegal drugs, weapons, forest resources, trafficking in persons, and the smuggling of migrants, stretch the capacities of the region's state law enforcement agencies. And yet, the potential for cooperation to address this transnational crime threat remains unrealised. This presentation plots the trajectory of ASEAN police cooperation on transnational organised crime and explores reasons for weak institutionalisation. It highlights significant institutional gaps, policy omissions and deficits in policing capability. Despite overwhelming evidence that deeper sub-regional and regional-level cooperation between national law enforcement agencies is essential if networked transnational criminal entities are to be effectively disrupted, mutual mistrust, and the ASEAN principle of non-interference, stifle progress towards this end.

## Reducing the gap between the conceptualisation and measurement of reintegration of children affected by armed conflict

**Luke Bearup and Ibolya Losoncz, RegNet, Australian National University**

Disarmament, demobilisation and reintegration constitute the United Nations' standardised approach to post-conflict peacekeeping. The long-term consolidation of peace, however, rests heavily upon the final phase of this intervention, and the extent to which former combatants are successfully reintegrated within cohesive receiving communities. This critical review examines and contrasts the conceptualisation and measurement of the reintegration of children affected by armed conflict within peer reviewed literature. It presents a conceptual map of reintegration, and posits a distinction between normative constructions of reintegration, or 'procedural reintegration', and the achievement of 'substantive reintegration', as guided by local norms that inhere within groups and social institutions. Through this sharpened focus upon receiving groups, social institutions and local norms, this presentation posits a clearer conceptualisation of reintegration, apposite to guiding the development of locally valid instruments and informing the design, monitoring and evaluation of reintegration programs.

## **Traumatic brain injury following assault: The psychosocial impact on caregivers**

**David Belsham, School of Criminology and Criminal Justice and Griffith Criminology Institute, Griffith University**

**Annerley Bates, Brain Injury Rehabilitation Service, Princess Alexandra Hospital, Queensland**

**Lyndel Bates, School of Criminology and Criminal Justice and Griffith Criminology Institute, Griffith University**

**Vivien Houston, Metro South Health, Queensland**

Traumatic Brain Injury (TBI) following violence has a wider impact than just the immediate victim of the assault. Often a significant portion of caregiving falls to family members, yet there is a gap in the research regarding the impact of the violence and resulting TBI on these individuals. Seven interviews with informal caregivers were conducted by a Senior Social Worker at a state-wide brain injury rehabilitation service, with a thematic analysis of transcripts conducted by a psychologist. Results demonstrate the profound ongoing psychosocial impact on caregivers due to both the violence and the resultant TBI, and suggest that the caregivers themselves can also be seen as victims of the assault. This understanding of the unique impact of a TBI following an assault has direct implications for practice, service delivery and intervention development.

## **The police knowledge fund: Explorations of police/academic collaboration in England and Wales**

**Geoff Berry, Department of Criminology, University of Derby, United Kingdom**

In 2015, the UK Home Office, College of Policing and the Higher Education Funding Council for England launched the Police Knowledge Fund, a two-year, £10 million program designed to support the adoption of an evidence based policing approach and encourage the establishment and development of collaborative links between the police and academic institutions in England and Wales.

This session will outline the broad findings from the evaluation of the recently completed program and will firstly consider its impact with regard to such factors as crime, victim satisfaction, working practices and public confidence. It will then explore lessons learned from the program regarding police/academic collaboration going forward and their relevance in other national and thematic contexts. The session will also discuss what this means for the future shape and nature of police based research in partnership with academic institutions.

### **‘No action required’: A historical pattern of inaction towards child sexual abuse by the Queensland Police Service**

**Paul Bleakley, University of New England**

Throughout much of the 20th century, the Queensland Police Service were led by an administration of senior officers more engaged with corrupt practices than with the prosecution of child sexual abuse. Archival material highlights an unwillingness within the police force to take action against suspected child sex offenders which, on many occasions, could be perceived to obstruct investigations and provide a layer of protection to this kind of criminal behaviour. Examination of several high-profile cases suggests that Queensland police were motivated by a desire to avoid negative attention by covering up the behaviour of prominent suspected offenders. The highly discretionary approach towards the policing of child sexual offences adopted by the Queensland police is indicative of a broader culture of process corruption within the organisation and could be considered to have constituted a clear dereliction in the duty of police to protect the most vulnerable members of the community.

## Explaining the body-worn camera perspective bias

**Remi Boivin, Université de Montréal**

Body-worn cameras (BWCs) are massively implemented by police organisations, in part to provide a video account of police interventions from a point of view that is closer to what officers perceive in action. An implication is that videos will be available to third parties—that is, individuals who were not present during the intervention but nevertheless get to comment and judge. Previous results suggest that police interventions might be judged more harshly by observers who view it through a BWC, compared to a surveillance camera. This presentation explores this perspective bias, and explicitly aims to explain its underlying process. Eleven group discussions were conducted with participants with different levels of experience of police work. Participants were first shown an intervention filmed from a surveillance camera and then were shown footage from the BWC. They were asked to discuss their assessment of the intervention after each viewing.

## Innovative court responses to family violence: A 12-month evaluation of the Southport Domestic and Family Violence Specialist Court trial

**Christine Bond, Griffith Criminology Institute, Griffith University**

In September 2015, the Department of Justice and Attorney-General established the Domestic and Family Violence Specialist Court in Southport, as a response to the recommendations in the February 2015 report of the Queensland Special Taskforce on Domestic and Family Violence. The specialist court handles both civil applications for protection orders, as well as criminal matters related to domestic and family violence (breaches, and associated criminal offending) within the Magistrates Court jurisdiction. This presentation summarises the results of an independent evaluation of the specialist court's progress on its short- and medium-term outcomes after 12 months of operation. The short- and medium-term outcomes are a mix of efficiency, victim safety and satisfaction, and offender accountability goals. The evaluation used a trial/comparison site design, relying on court administrative data, case file data, surveys of victims and perpetrators, as well as interviews and focus groups.

## **Time matters: The importance of targeted, timely and graduated responses to domestic violence**

**Hayley Boxall, Anthony Morgan Rick Brown, Australian Institute of Criminology**

Given the significant harms associated with intimate partner violence (IPV) for victims and their families, and evidence that these harms are cumulative over the lives of abusive relationships, preventing the recurrence of IPV is important. This requires identifying offenders who are more likely to reoffend, and survivors who are at greater risk of being revictimised, and targeting responses at these high-risk cohorts.

The broader literature suggests that victims are at heightened risk of being revictimised in the period immediately following an offence. However, this research has typically focused on property crime. This presentation will outline the results from an analysis of police data to determine whether these findings hold true for IPV, and what factors contribute to risk of short-term reoffending among a cohort of IPV offenders. The implications of the study for police and other agencies are discussed.

## **Cascades of violence and macrocriminology**

**John Braithwaite, RegNet, Australian National University**

This presentation develops a macrocriminology of how violence cascades from one space and time to another. This connects to John Braithwaite's 2017 ANU Press book on cascades of violence and his next one on macrocriminology. These books develop the idea of a theory of crime-war.

## Revealing the hidden pathways to radicalisation using social network analysis

**David Bright, Flinders University**  
**Chad Whelan, Deakin University**  
**Shandon Harris-Hogan, Radar Solutions**

This presentation explores the potential of social network analysis (SNA) to reveal the pathways to terrorism and violent extremism. SNA is being increasingly used across the social and behavioural sciences in ways that suggest it has some potential applications for determining the hidden ties between a given set of actors. As such, SNA may have potential for understanding so-called ‘lone wolves’, who are not members of established organisations and often do not readily come to the attention of police and security agencies, and small radicalised groups who may have direct and indirect ties. The research draws on the analysis of open-source material (judges’ sentencing comments, media reports, court records). Using selected case studies of terrorist-related incidents in Sydney and Melbourne, the project team will map each actor’s ties (known as ego-centric networks) and the ties between all other actors. The presentation will examine the hidden patterns of these relationships and will attempt to identify potential applications of SNA for explaining each actor’s pathways to radicalisation. It will then consider the potential outcomes of such analysis in furthering our knowledge of possible pathways to radicalisation.

## Violence and Elias' historical sociology: The case of Cambodia

**Roderic Broadhurst, Thierry Bouhours and Brigitte Bouhours, Australian National University**

Elias' historical sociology method and his civilising process theory have never been applied to study long-term trends in violence in non-western societies. Colonial archives, historical and contemporary secondary sources, official police data, crime victim surveys and newspaper records were used to estimate homicide trends in Cambodia between 1900 and 2012. A study of historical developments during the same period examined whether Elias' civilising process theory could explain the long-term variations in violence in this country. His interrelated concepts of sociogenesis and psychogenesis, particularly state formation and monopolisation of force, interdependencies, sensitisation to violence, as well as dis-civilisation periods, adequately accounted for the successive ebbs and flows in the level of homicides in Cambodia.

## Narratives of force and resistance in rape trials in Victoria

**Rachael Burgin, Monash University**

This presentation explores the persistence of force and resistance requirements in modern rape trials, drawing on a thematic analysis of transcripts of cases heard in the County Court of Victoria between 2009 and 2015. Legislative reform in Victoria and across western nations generally has steadily moved towards an affirmative consent standard, which requires ongoing and active communication by all parties to a sexual act. This communicative standard of consent should act as a safeguard against the use of narratives of force and resistance in rape trials, as it places the onus firmly on the accused and their actions in establishing sexual consent. This presentation explores whether such a consent standard has removed legal reliance on arguments of victim resistance and perpetrator force. Findings from this research suggest that the concepts of force and resistance continue to be drawn upon by prosecutors and defence counsel. In light of this evidence, this presentation contends that rape law reform to date has been largely symbolic rather than substantive in legally securing women's sexual autonomy.

## **Domestic violence and completed suicide in New South Wales: Preliminary findings**

**Anna Butler and Emma Buxton-Namisnyk, Domestic Violence Death Review Team**

Suicide is a significant public health issue in Australia, but to date little research has focused on examining the prevalence and proximity of police reported domestic violence, and unreported domestic violence histories, across completed suicide cases. As a result, this study, conducted by the Domestic Violence Death Review Team Executive (New South Wales), combines data derived from a combination of coronial databases and files, justice databases and police systems, to investigate preliminary relationships between domestic violence and completed suicide across all suicides within a six month period (n=330). Findings illustrate that a high proportion of suicides occur following a history of domestic and family violence (with results varying by gender), including proximal and distal histories, and highlight patterns of police involvement illustrative of enhanced prevention and intervention opportunities related to this cohort.

## **Hotels in Gauteng Province, South Africa: Is safety and security of assets a priority?**

**Nomsa P Cebekhulu, University of South Africa**

Hotels operate 24/7, 365 days a year. Strangers lodging at hotels come from near and far, and are bestowed guest status. Owing to lax security, this presentation seeks to address the safety and security of guests, their luggage and hotel assets at hotels in Gauteng, South Africa. Twenty hotels were involved in the study. One-on-one interviews were undertaken with security managers from each hotel. The study revealed that theft, fraud, crime syndicates and prostitution pose an ominous risk to hotels.

## **‘Long on hocus-pocus and short on transparency’: A criminological guide to the contemporary Australian art market**

**Duncan Chappell, Institute of Criminology, Faculty of Law, University of Sydney**

Andy Warhol, the late and famous US artist, once commented that ‘making money is art’. Following this precept, during the past decade his work alone has sold at auction for a cumulative total of almost \$4 billion, while sums exceeding \$100 million for individual artworks by numbers of sought-after artists are becoming commonplace. In an environment where art now seems to be traded as a commodity the conditions have become ripe for the contemporaneous rise of the activities of thieves, fraudsters and plunderers. In this presentation a preliminary appraisal is offered of the nature and scope of such criminal activities, based in large part on individual cases of art theft, fraud and plunder occurring in the Australian art marketplace during recent decades. It is concluded that this market, like its counterparts elsewhere, is all too frequently full of hocus-pocus and short on transparency.

## **Change the story: Collaborative early intervention for youth justice**

**Karina Chicote, Save the Children, Western Australia**

One in 12 receptions into Western Australia’s juvenile detention centre comes from a single local government area, which has a history of high levels of youth crime. Despite significant expenditure and 71 services working to support young people, high numbers of local youth in the juvenile justice system continue. Clearly, what we are doing is not working.

The Youth Partnership Project (YPP) is a demonstration site for WA Reform, proving that solutions to complex issues such as youth crime are highly contextual, and place-based approaches are critical for success. This presentation will showcase the early intervention model aimed at preventing youth crime, including early identification of young people with complex needs, co-design with young people, and strategic use of data to lead collaboration. YPP partners collaborate to ensure the most vulnerable young people in the community get the right support, at the right time. Together, we are helping change the story.

## Positive thinking, coping skills and wellbeing: An empirical study of future police recruits

**Doris Chu, National Chung Cheng University, Taiwan**

Positive psychology, a scientific study of optimal human functioning, with the aim to help individuals thrive and flourish (Seligman & Csikszentmihalyi 2000; Magyar-Mor 2015), has grown in popularity in recent years. The specific mechanisms of positive emotion and positive thinking in positive psychology, such as perceiving oneself as effective and possessing a sense of belonging, have been identified as protective factors against negative emotions and suicidal behaviour (Andersen et al. 2015; Wingate et al. 2006).

Given the beneficial effects of positive psychology on promoting individuals' mental health and wellbeing, this study explores whether the interventions based on the principles of positive psychology actually reduce future police recruits' stress and enhance their wellbeing. Participants in the experimental (intervention) group consist of a sample of 100 cadets receiving training in Taiwan Police College. The control group consists of a sample of 100 cadets with matched characteristics. Cadets assigned to the experimental group participate in interventions that include positive psychology components during their psychology class. Cadets in the control group attend the normal psychology class, which does not include the components of positive psychology. To assess the effectiveness of the interventions, an entry survey and a post-intervention survey are conducted to compare the stress levels and wellbeing of the two groups. Policy implications are discussed.

## Restorative justice: Innovative approaches, diverse applications

**Daniel Clements, Justice Programs, Jesuit Social Services  
Alikki Vernon, Victorian Association of Restorative Practice**

Traditional and adversarial approaches to justice and incarceration commonly do not translate into lower levels of offending, higher rates of rehabilitation or higher levels of community safety. In fact, these approaches and a 'tough on law and order' focus across the criminal justice policy and practice environment is increasingly proving to be both ineffective and costly. Research clearly demonstrates that imprisonment increases the likelihood of offending behaviour and more often impacts negatively on prisoners—particularly on younger, more vulnerable offenders.

Jesuit Social Services believes that restorative practices are more effective in reducing reoffending, increasing victim empathy and making our communities safer, and that a well-implemented system of restorative justice responses is critical to ensuring that young people do not become entrenched in the criminal justice system.

Jesuit Social Services' work with young people in the justice system uses a problem-solving approach to offending that is based on principles of restorative justice, which balances the needs of offenders, victims and the community and aims to help the young person make amends for the harm done.

This presentation will outline the organisation's work in this area, and how the principles and practices of restorative justice can be applied in a range of settings, including in community, schools, out-of-home care and custody.

## **Compare and contrast: Effective approaches to youth justice in Europe and the United States**

**Daniel Clements, on behalf of Glenn Jessop, Policy and Advocacy, Jesuit Social Services**

Jesuit Social Services is committed to ensuring that Australia's youth justice systems are effective in turning around the lives of young people and promoting a safe community. A number of high-profile events across Australia have focused the spotlight on young people and crime, and in some jurisdictions we have seen a hardening of political rhetoric and responses that emphasise punitive rather than rehabilitative responses.

In response to emerging trends and reforms, Jesuit Social Services conducted a study tour to investigate youth justice policy, systems, facilities and advocacy in Europe and the United States. This presentation will outline lessons learnt from fellow practitioners about alternative, best practice approaches.

This presentation will describe how success in other jurisdictions is being achieved through strategies in community and detention that focus on addressing underlying causes of criminal behaviour, supporting young people to build connections with family and community, and (re)engagement with education and employment. This is guided by a fundamental vision for youth justice that is focused on rehabilitation and re-socialisation.

## **The importance of out-of-home care: The views of magistrates in the New South Wales Children’s Court regarding children in care in the New South Wales criminal justice system**

**Emma Colvin, Kath McFarlane, A Gerard, and A McGrath,  
Charles Sturt University**

Children in out-of-home care are disproportionately represented in the criminal justice system. This presentation discusses findings from a CRC-funded study of the views of judicial officers of the New South Wales Children’s Court on the reasons for, and consequences of, the cohort’s over-representation. It presents findings arising from interviews with judicial officers, and considers strategies employed by magistrates to address the issue.

## **Using financial intelligence to target online fraud victimisation**

**Cassandra Cross, School of Justice, Queensland University of Technology**

It is well established that policing in an online environment is fraught with challenges. To combat losses attributed to online fraud, Australia has seen the emergence of a victim-oriented approach, which uses financial intelligence to identify potential victims and deliberately intervenes through the sending of a letter. This approach predominantly targets victims of advance fee fraud and romance fraud who are sending money to West African countries.

This presentation discusses three case studies: Project Sunbird (Western Australia Police and the Western Australian Department of Commerce); Operation Disrepair (South Australia Police); and the National Scams Disruption Project (Australian Competition and Consumer Commission). The presentation locates these cases within existing theory on crime prevention, using available data to document initial positive outcomes. Overall, this research supports the use of a victim-oriented tertiary approach to online fraud, and advocates its potential to reduce both repeat victimisation and the harm incurred through online fraud.

## From traditional policing to the Mandaña community-oriented policing model: Lessons from Guam on implementing community policing

**Joseph Cruz, Guam Police Department**

For many countries with a history of colonialism, dependency on international donor aid and/or reliance on outsider policing strategies, the shift away from reactive policing to more community oriented approaches has become somewhat of a necessity. Strong international emphasis on proactive policing strategies further propel reform efforts in developing countries, with community policing models being adopted from the global north, adapted and implemented in the global south. This presentation highlights the realities of a community policing policy adaptation and implementation in Guam. It presents the challenges and successes associated with Guam's shift from traditional to community oriented policing, while also discussing the impact of the shift on the relationship between the policing organisation and the community. The goal is not to present a perfect picture of community policing implementation; instead it is to highlight the necessity of taking ownership of an adopted model and modifying it to fit local context, culture, ideologies and societal shifts.

## **The impact of Local Area Command based policing on crime rates: Assessing the New South Wales Police Force structure as a mode of crime prevention**

**Timothy IC Cubitt, Western Sydney University**  
**Perry Stephenson, University of Technology Sydney**

In 2016 the New South Wales Police Force announced a significant organisational restructure. The most recent restructure of this magnitude occurred in 1997, with the establishment of the current Local Area Command (LAC) policing model. This presentation will discuss the analysis of 20 years of crime rate data from 1997 to 2017, primarily utilising regression methods, in order to discern any interaction between the LAC based policing model and crime incidence over this period. This study offers a greater understanding of the efficacy of the LAC based policing model, and serves to provide a baseline to compare the forthcoming restructure against. A comparison will be made to crime rates prior to the 1997 restructure, and the implications of this research regarding the forthcoming restructure will be discussed. This presentation will offer results regarding the crime prevention power of the structure and staffing of the New South Wales Police Force, and prospects of the forthcoming restructure.

## **Show cause analysis: Understanding the drivers of police misconduct as reported by New South Wales police officers**

**Timothy IC Cubitt and Samantha JH Judges, New South Wales Police Force**

The New South Wales Police Force is subject to a variety of accountability mechanisms both internal and external. Internally, once an individual officer's misconduct has reached consideration of removal from the police force, they are issued with a Show Cause Notice (SCN). An SCN details complaints against the Subject Officer and allows them provide mitigating circumstances and arguments as to why they should not be removed in an SCN response. This study consisted of a thematic analysis of 100 SCN responses from January 2013 to October 2016. Responses ranged between 1 and 1,000 pages. A conventional content analysis was performed with coding categories derived directly from SCN response text. Themes nominated as impacting upon officer misconduct included financial, health and relationship issues, and work related stressors. These themes and subsequent common sub-themes will be explored in this presentation to provide an insight into their impact on officer misconduct.

## Age, inexperience or something else altogether? Examining illicit substance use amongst police officers

**Timothy IC Cubitt, New South Wales Police Force**

A significant change brought about by the 1996 Wood Royal Commission into the New South Wales Police Service was the advent of drug and alcohol testing of New South Wales police officers. Random drug testing is performed throughout New South Wales, coordinated by the Drug and Alcohol Testing Unit of the Professional Standards Command. Data collection for this study consisted of de-identified demographics data from all resolved positive drugs tests amongst NSW Police Force officers between 1997 and 2017. These data were compared with a control sample, and a sample of officers who had commensurate sustained misconduct findings alternative to a positive illicit drug test. All data were de-identified, and random sampling was employed. Results of this study indicate that the traditionally held belief that young, inexperienced officers are most commonly the source of positive drug tests is untrue. This presentation will explore the results and implications of this study.

## Social media, vigilantism and Indigenous people

**Chris Cunneen and Sophie Russell, University of New South Wales**

In recent years ‘anti-crime’ Facebook pages have appeared across all states and territories in Australia, and as our social spaces increasingly shift from the physical to the virtual realm, different forms of online ‘cyber’ vigilantism have emerged. This presentation explores the ways in which community-justice and vigilantism in Australia are exercised through social media in the wider context of the racialised criminalisation of Indigenous young people. It explores how new forms of media are used to produce and reproduce a racialised narrative of crime, which at the same time has the effect of legitimating violence against [young] Indigenous Australians.

This presentation draws on a number of these ‘anti-crime’ Facebook pages, and finds that the very presence of these sites legitimates the beliefs of their members, while at the same time providing details of potential targets, most of whom are young people. The researchers contend that the views expressed on these sites mirror, in more prosaic language, sentiments that are expressed in sections of the old media and among a number of ultra-right politicians and groups. There is, then, an assumed social consensus around what is being presented on the Facebook sites: that overt racism and calls to vigilante violence are socially and politically acceptable. While in some cases there appears to be a direct link between the Facebook groups and incidents of violence, at a broader level it is the constant reinforcement of an environment of racist violence that is most troubling.

## Punishment as acratric action: A view from sociological systems theory

**Jesse Cunningham, University of Sydney**

Most theories of punishment are one-sided, self-satisfied justifications. The alternatives are the so-called communicative theories of punishment that attempt to portray punishment as expression which the one punished experiences as meaningful according to the punisher’s intention to instruct and transform. Theories of punishment are normative insofar as they deal in justification.

This presentation offers a non-normative view of punishment, developed from Niklas Luhmann's theory of social function systems. An accurate sociological observation of communication can show that punishment is not dialogical but occurs where communication has hit its limits. Punishment is what happens to/by those who cannot be reasoned with. The justification of punishment is empirically observable as self-referential reasoning, a closed social system. Punishment is action carried out in the absence of communication that would, if functioning, modulate action's meaning. Punitive action is uncontrolled by the relation that it produces—that is why it is punishing.

## **What do survivors and advocates want for redress? Views on a national scheme for institutional abuse of children**

**Kathleen Daly, School of Criminology and Criminal Justice, Griffith University**

This presentation discusses the views of public survivors and advocates on an Australian redress scheme for child sexual abuse in institutional settings. They answered four questions: what would you like to see happen with a national redress scheme? What do you think will happen? What concerns do you have? What more generally would you like to say about redress?

This analysis seeks to facilitate a national discussion on redress by identifying areas of agreement, disagreement, and concern about the proposed scheme. In March 2018, the Commonwealth intends to soft launch a scheme for those abused in Commonwealth institutions, with applications for redress open from July. When (or whether) other Australian jurisdictions and institutions will 'opt in' to the scheme remains uncertain. We can expect intense discussion among representatives for the Commonwealth, states and territories, and non-government organisations, on the parameters of the scheme during 2017 and beyond.

## The offending, conviction and sentencing of female sex offenders who abuse children when working in institutional contexts

**Andrea J Darling, Durham University, United Kingdom**

Very little empirical research has been conducted to date into female-perpetrated child sexual abuse in institutional contexts such as schools, residential homes and sports organisations. This presentation discusses findings from part of a larger study exploring this particular type of female sex offending. The study examined 71 cases considered by the UK criminal justice system between 2000 and 2016 using mixed method secondary data analysis of court reports, professional regulatory body decisions, media reports and publicly accessible UK databases.

The results showed that most women offended alone and had no previous criminal or employment misconduct records. Victims were typically male, aged 15–16 years and almost half had particular vulnerabilities. Most abuse occurred outside of the institution and over half of the cases involved sexual intercourse or oral sexual abuse. Most cases reported to the police resulted in charges and the majority considered by the courts lead to custodial sentences, typically of 2–3 years.

## What do we know about the outcomes of police responses to domestic violence? A systematic review

**Christopher Dowling, Anthony Morgan, Chloe Boyd and Isabella Voce, Australian Institute of Criminology**

Police perform a vital role in addressing domestic violence and have implemented a wide range of responses to improve the safety of victims. Importantly, there is now an established body of evidence from which it is possible to draw conclusions as to whether these responses are effective and the circumstances in which they are most effective. Drawing on a systematic literature search and review of more than 300 studies across six domains, this presentation will synthesise evidence on the effectiveness of five police responses to domestic violence (arrest, protective orders, investigation and charging, second responder programs, and proactive surveillance measures and technologies) in relation to three key outcomes (prevention, criminal justice outcomes, and feelings of victim safety, satisfaction and wellbeing).

The implications of this evidence for police will be discussed, including the importance of targeting responses at cases where they are likely to have the maximum possible impact.

## **Police corruption and the rise of the guilty plea in Queensland's Supreme Court**

**Lisa Durnian, Griffith Criminology Institute**

One hypothesis for the emergence of plea bargaining locates its origins in the professionalisation of criminal justice actors like police. Improvements in investigative techniques and the quality of evidence meant that, when faced with an overwhelming case against them, guilty defendants were more amenable to pleading guilty in exchange for some concession. The hypothesis ignores the effect that less palatable policing practices—false confessions, fabricated evidence, and violence—may have had on defendants' decisions to plead guilty. The effects of police corruption on the prosecution process were not acknowledged in Queensland until the Lucas Inquiry in 1977, yet most Supreme Court defendants were pleading guilty by 1950.

This presentation analyses archival records including Prosecution Project data, criminal depositions, professional texts, and newspaper reports from 1940 to 1961. It argues that this dark side of police professionalisation played a role in the guilty plea phenomenon that subsequently transformed the prosecution process.

## **Depression and anxiety in adolescent and young adult offenders: A longitudinal study from 13–32 years using the Australian Temperament Project**

**Ben Edwards, Australian National University**

**Walter Forrest, University of Queensland**

**Suzanne Vassallo, Australian Institute of Family Studies**

**Christopher Greenwood and Craig Olsson, Deakin University**

This presentation discusses a study that used seven waves of data, spanning adolescence and young adulthood, from a 30 year population based cohort study of social and emotional development (the Australian Temperament Project), to examine depression and anxiety in specific groups of young offenders from age 13 through to 32. The results suggest that involvement in antisocial behaviour is associated with higher levels of depression throughout adolescence and early adulthood, yet differences in levels of anxiety largely emerged from 19 to 20 years. High-rate offenders showed the largest and most consistent differences in anxiety and depression over time. These differences in depression and anxiety by offender group were robust to adjustment for a range of potential confounding factors and were not explained by temperament, self-regulation, parenting or peer relationships. In contrast, exposure to stress, antisocial lifestyle factors (drinking and drug use), supportive peers and parental warmth explained most of the differences in depression and anxiety by offender groups.

## **'I haven't heard anything': 2013 Sydney Gay and Lesbian Mardi Gras redux**

**Justin Ellis, Sydney Institute of Criminology**

A range of policing issues dogged the 2013 Sydney Gay and Lesbian Mardi Gras festival. However, it was a case of police unreasonable force filmed and uploaded to YouTube that catalysed community and police efforts to bring about change in the way that Mardi Gras is policed. Through in-depth interviews with community and police central to the controversy, this presentation analyses community and police expectations of police accountability in relation to the incident four years hence. Continued scrutiny of this, and related incidents, provides perspective on the impact on the victims of these cases, and their experience of internal police investigations into such matters.

## Sentencing young offenders in Western Australia: What mitigates punitive views of offending held by the general public?

**Suzanne Ellis and Natalie Gately, Edith Cowan University**  
**Andrée Horrigan, Children's Court of Western Australia**

Sentences imposed on young offenders can be contentious when balancing the need to protect the public while upholding the rights of the young person. The public are largely unaware of criminal justice process and sentencing options available. This lack of awareness can result in punitive attitudes that have the potential to shape legislation. To determine public attitudes to the sentencing of young offenders, 502 surveys and 72 semi-structured interviews from a sample of the Western Australian public were analysed. Participants were presented with a vignette and asked to select an appropriate sentence for the young offenders depicted in the vignette. Consistent with previous research, the survey findings indicated a trend towards punitive responses. Conversely, interview responses revealed the public were sensitive to the emerging maturity of young people and supported diversionary practices. Overall, when attitudes are measured beyond survey measures the public are able to consider mitigating factors when making sentencing decisions.

## Friendly but not friends: Prison staff and professional boundaries

**Anna Eriksson, Monash University**

Based on a large comparative prison project between Australia and Norway, this presentation explores personal and professional boundaries with regards to prison staff. The research clearly showed that a prison works better—eg less violence, less self-harm, better work environment for staff, lower recidivism—if staff and prisoners work closely together in a milieu that is designed for interpersonal interaction. This however requires a strict and professional stance on how personal boundaries are maintained, how one can be friendly without being friends. The tools by which such a prison environment can be maintained will then be contrasted to prisons where staff members are less sure about how to manage professional boundaries, both in relation to prisoners and other staff members. Poorly defined and flexible boundaries may lead to a range of unwanted interactions, and this presentation will discuss how and why that may happen, as well as suggest means to prevent this while not compromising the safety and security of everyone behind the walls.

## The performance of parole: Transformative justice in practice

**Anna Eriksson, Monash University**

**James R Brennan, director, artist and former parole officer**

This presentation will discuss *The Chat*, a theatre performance that created and implemented a working methodology for the reintegration of returning citizens and involved former prisoners and the community in active roles during the event. The presentation will unravel the unique practices of this project alongside other examples of effective and meaningful reintegration of returning citizens. The project enacted a utopian parole system, one envisioned as strengthening the working alliances of community corrections officers and offenders in the community by improving their interpersonal relations and self perception.

The ex-prisoners who actively participated in the project formed the core of this performance. The reality of taking part in the rehearsals and then performances (on main theatre stages in Melbourne and Brisbane) translated to an active (re)integration process which changed their lives in profound ways. The performance made possible a unique collaboration between artists, ex-offenders, partnering organisations and criminologists, creating an experimental dialogue at the nexus of criminal justice practice, performance arts and academic criminology.

## The criminal careers of female homicide offenders

**Li Eriksson, Griffith Criminology Institute**

**Samara McPhedran and Paul Mazerolle, Pro-Vice Chancellor's  
(Arts, Education, Law) Office, Griffith University**

**Shilan Caman, Department of Clinical Neuroscience, Karolinska Institutet  
& Swedish National Board of Forensic Medicine, Sweden**

**Richard Wortley, Jill Dando Institute for Security and Crime Science,  
University College London, United Kingdom**

**Holly Johnson, Department of Criminology, University of Ottawa, Canada**

Knowledge and understanding of women's pathways to serious offending is limited. This study used interview data with females convicted of murder or manslaughter to compare the criminal careers of women who commit homicide within and outside of the family unit. Although both groups had comparable overall lifetime prevalence of self-reported participation in crime, participation among the family group was typically at low levels of frequency, of limited duration, and with relatively little variety in categories of offending. The family group also reported lower contact with the criminal justice system compared with the non-family group, and were less likely to have experienced some form of criminal/legal sanction in the 12 months prior to the homicide. This suggests that women who kill family members are more 'conventional' than their non-family counterparts, at least in terms of aspects of their criminal careers.

## Breaking the care-crime connection for girls in out-of-home care

**Claire Fitzpatrick, Lancaster University**

Concerns over the unnecessary criminalisation of children in out-of-home care in the UK prompted a recent review of the issue by the Prison Reform Trust (2016). Importantly, this highlighted the lack of research about the needs and characteristics of girls in out-of-home care who come into conflict with the law. This presentation considers the limited knowledge-base in relation to recent experiences of females from care who come into contact with the justice system as both offenders and victims. In considering recent policy, it argues that a gender-neutral approach in this area simply serves to marginalise females who have been in care who may already be very vulnerable. Findings from a small pilot study in North-West England, exploring the views of those who work with care-experienced females, are considered in the context of wider concerns about breaking the often taken-for-granted care-crime connection.

## Responding to image-based sexual abuse: Results from a national study

**Asher Flynn, Monash University**

**Nicola Henry and Anastasia Powell, RMIT University**

Perpetrators are increasingly using digital technologies as tools of abuse, harassment and violence. One manifestation of this growing trend is image-based sexual abuse (IBSA), also known as 'revenge pornography'. The term 'revenge pornography' is narrow and misleading. It fails to capture the diverse range of perpetrator motivations (eg sexual gratification, social status building, control and monetary gain), and allows other forms of IBSA to be neglected, such as the non-consensual taking of intimate images (eg 'upskirting' or 'downblousing'), or the threats of distribution. This presentation discusses findings from the first comprehensive Australian study of IBSA, funded by the Criminology Research Council (CRG 08/15-16). Specifically, this presentation reports on interviews conducted with key stakeholders (legal practitioners, law enforcement, policy-makers, cybersecurity experts and victim support advocates) to discuss the new challenges created by the prevalence of IBSA and appropriate responses that fall within the law, beyond the law and somewhere in between.

## Media, policy and the law: The creation of the ‘new ice risk’

**Pota Forrest-Lawrence, Western Sydney University**

This presentation explores the role of media in creating a ‘new ice risk’. It draws on results from an empirical study that examined the role of media in contributing to the development of illicit drug policies and legislation over the period 2000 to 2009. It examines competing and contradictory media discourses of methamphetamine users, importers, manufacturers and those who policed them, and of the drug itself. These discourses, fuelled by dramatic metaphors and expert commentary, contributed to a media narrative that presented ‘ice’ as a problematic and risky drug.

Drawing on the work of Beck and Giddens, this study shows how the ‘new ice risk’ emerged as part of a broader risk environment that enabled media to heighten particular images of ‘ice’. This ultimately steered governments towards a punitive response to the drug. These problematic constructions of ‘ice’ only allowed the drug to be imagined and addressed through a risk-based framework.

## Royal commissions and wrongful convictions in Australia

**Jacqueline Fuller and Rachel Dioso-Villa, School of Criminology and Criminal Justice and Griffith Criminology Institute, Griffith University**

It is without doubt that wrongful convictions are a problem in Australia. However, there are very few avenues through which an erroneous conviction can be remedied. One such mechanism, royal commissions, may provide an alternative avenue. This presentation investigates the role and adequacy of royal commissions in the identification and correction of wrongful convictions. Four factors were identified as influencing the appointment of a royal commission: (1) the breakdown of the criminal justice system; (2) media involvement; (3) public support and (4) royal commissions as a potential political tactic. The presentation also highlights five benefits of using royal commissions to investigate wrongful convictions: (1) flexibility around the consideration of evidence; (2) the power to compel evidence; (3) the introduction of standards and correction of policies; (4) their role in maintaining a transparent and accountable justice system and (5) the composition of the commissioner’s support team.

## **Challenging assumptions: Victim needs when returning to work after armed robbery**

**Georgina Fuller, Australian Institute of Criminology**

Approximately one-third of all armed robberies in Australia occur in small to medium sized business and retail locations. In this context, employees are exposed to serious harm in an environment where day-to-day safety is not normally a concern. Victims can experience a range of negative consequences post-robbery and may require a large amount of employer support to successfully return to work.

This presentation discusses research examining the experiences of 93 victims of armed robbery in the workplace using data from the AIC's Database of Victimization Experiences to determine what helped or hindered their return to work. The results challenge a number of assumptions around the return to work, including why victims choose to return to work and how difficult it can be for small businesses to support employees' transition. These results are discussed in the context of enhancing how businesses respond to and support victims of armed robbery in the workplace.

## **Dysfunction, disconnection and drugs: The narratives of young people who come into conflict with the law**

**Natalie Gately, James McCue and Suzanne Ellis, Edith Cowan University**

A disproportionate level of crime is committed by young people. For many, it is a temporary shift from law-abiding behaviour which ceases when the young person matures. This presentation collates the narratives of 74 young people, interviewed in the Children's Court of Western Australia at a particular point in their criminal trajectory. They describe chaotic lives and family issues such as exposure to verbal and physical abuse, drug-using and criminal family members, educational delays and truancy, mental health diagnoses and substance use. Peers normalise this behaviour and they describe an environment whereby crime is just another factor within an unstructured day. How they explain their criminal behaviour has been categorised with the intention to initiate discussion of how to implement social crime prevention strategies to recognise the complexity of dealing with young offenders who have not yet reached full maturity and support situational crime prevention solutions.

## Transforming lives and reducing recidivism

**Gerry Georgatos, Mervyn Eades, Aaron Bradley Baker and Jennifer Kaeshagen, Ngalla Maya**

Nearly 40,000 Australians are incarcerated, with more than 10,000 of the prisoners comprising Aboriginal and/or Torres Strait Islanders. Nearly half a million Australians have been to prison, with an estimated 100,000 comprising Aboriginal and/or Torres Strait Islanders. In Australia, 86 percent of the national prison population have not completed year 12, 60 percent has not completed year 10 and 40 percent did not get past year 9. For Aboriginal and/or Torres Strait Islander prisoners, nearly 100 percent did not complete year 12. The majority of the individuals described remain predominantly unemployed for the majority of their lives—nearly half majorly homeless and the majority at elevated risk of aberrant behaviour, psychosocially impacting negatively on their families, from broken lives to ruined lives.

This presentation discusses the Ngalla Maya prison to wellbeing to training to education program. Founded by Mervyn Eades, an ex-prisoner, it has achieved unparalleled successes in the last two years in transforming the lives of former prisoners from both adult prisons and juvenile detention. Ngalla Maya mentors the individual through training and education and in their first year in the workplace. Ngalla Maya develops understandings with registered training partners and tertiary institutions and employers. Aaron Bradley Baker is a former prisoner and manages Ngalla Maya's partnerships. The involvement of Eades and Baker signifies authentic hope to prisoners and former prisoners. Eades and Baker are imperative to identifying and understanding psychological and psychosocial encumbrances in the 'mind's eye' of the prisoner and 'how to cut through', how to translate hope and capacity to the prisoner or former prisoner.

## **Imagining a future free of family violence: Creating consistency in correctly identifying the primary aggressor**

**Annette Gillespie, safe steps Family Violence Response Centre**

*The National Plan to Reduce Violence Against Women and their Children* and the Australian Law Reform Commission both identified the harm that can arise from ‘dual arrests’ and/or incorrect identification of the ‘primary aggressor’ in family violence law enforcement. Dual and incorrect arrests frequently re-victimise women, prevent specialist services engaging with the true victim-survivor, and perpetuate a victim-blaming culture in a society which already conditions us to have unconscious bias against women showing aggression, even in self-defence.

The Victoria Police Code of Practice for Investigation of Family Violence stipulates compulsory identification of the primary aggressor and requires that cross-applications not be made. In spite of this, the Victorian Royal Commission heard that the primary aggressor is still often incorrectly identified.

This presentation will draw on safe steps’ own practice-based experience to identify the factors that contribute to ‘dual arrests’, discuss the impact of incorrect identification of the primary aggressor, and suggest training improvements for first responders including law enforcement professionals.

## **Alternative and innovative responses to addressing social cohesion: A co-design approach between Victoria Police and the community**

**Aimee Griffin and Elizabeth Richards, Priority Communities Division, Victoria Police**

Victoria is a diverse state where multiculturalism remains a centrepiece of Victorian Government policy. However, Victoria’s levels of social cohesion are being undermined by periods of uncertainty and mistrust which may coincide with increased protests, conflicting views on the merits of multiculturalism, and sensitive national debates. This may reduce the ability of culturally and linguistically diverse (CALD) members of the Victorian community to fully participate in Victoria’s social and economic life.

The purpose of the Victoria Police Social Cohesion Partnership Project is to establish new and innovative ways of engaging with diverse communities (including CALD women and young people) that are not known to actively or regularly engage with police to identify points for strengthening community trust. This will provide a policing-specific insight into social cohesion issues and strengthen police engagement with unconnected groups, leading to greater levels of mutual understanding between communities and Victoria Police.

## **The immoral, the illegal and the criminal: Exploring the relationship between law and corporate harm in Indonesia**

**Fiona Haines and Kate Macdonald, University of Melbourne**

The relationship between law and white collar crime has been long debated within criminology. On the one hand, some argue that much corporate harm stems from legal activity since businesses are able to exert considerable influence over governments in shaping the law. Further, even when controls are in place their significant resources mean that they are able to comply with the letter of that law while continuing to perpetrate significant harm. On the other hand, a number of studies point to significant illegality, with Doreen McBarnet arguing that the idea of ‘whiter than white collar crime’ is no longer tenable.

In this presentation, we draw on two separate case studies in Indonesia to add further insight into this debate, with implications for business impunity. The case studies demonstrate a different dimension in challenges to use law to shape business activity that allows socially responsible, ecologically sustainable and commercially viable business to flourish. Ultimately, the analysis supports the notion that business harm often involves illegality but also reveals a deeper antagonism between law and business that can fuel impunity.

## **Toward reintegrative policing: Desistance and the problem of law enforcement**

**Mark Halsey and Andrew Goldsmith, Flinders University**

This presentation explores the role of policing and its capacity to support or thwart desistance from crime in the lives of repeat offenders. Several projects involving male and female as well as Indigenous and non-Indigenous (ex)prisoners show how particular types of policing encourage the ramping up of criminal behaviour. With particular reference to work recently completed in the far west of South Australia, this presentation calls for the development of a reintegrative style of policing—a mode of policing that actively embraces a nuanced understanding of how people desist from crime. A reintegrative policing approach is entirely consistent with enhancing public safety and can help create efficiencies in other parts of the (social) justice system.

## **A life lived in fear is a life half lived: Balancing community fear with offender hypervigilance**

**Danielle A Harris, Griffith University**

**Alissa R Ackerman, California State University, United States**

Research on the collateral consequences of sex offender registration and notification legislation focuses largely on location (housing) and access to treatment and employment. Very little research has targeted the emotional toll of the ‘sex offender’ label. As the net widens and the mesh gets finer and we approach one million people on US sex offender registries, this presentation argues that these laws have gone too far. In interviews with 80 men convicted of sexual offences and released from custody, the strongest themes were crippling paranoia, paralysing but ultimately futile hypervigilance, and a strange reliance on the insurance of surveillance. Consistent with the conference theme, the response to sexual offending should be to acknowledge the past, but also to imagine the future, thus honouring the desistance. If we aspire to facilitate the pursuit of offence-free lives, good lives, or good *enough* lives, a life lived in fear is a life half lived.

## **'Nevertheless, he desisted': The strategies that men use to stop sexually offending**

**Danielle A Harris, Griffith University**

This presentation explores the strategies that men who have been convicted of sexual offences use to pursue, achieve and maintain offence-free lives upon release. 'Desistance scripts' were extracted from the life stories of more than 75 men. Thematic content analysis of life narratives revealed three main strategies of desistance from sexual offending: Retirement, Regulation, and Recovery. The men who used a Retirement strategy were further divided into two groups: those retirees who appeared to simply 'resign' or retire and then 'rebuild' their lives. The strategy of Regulation characterised desistance as being a product of the men's ability to navigate and adapt to the increasingly restrictive rules and requirements set forth by law. There were four specific approaches within this strategy: 'restricted', 'rehearsed', 'resistant' and 'reclusive'. Finally, the men who characterised their desistance process in terms of Recovery did so in two distinct ways: through 'rehabilitation' and through 'resilience'.

## **Responding to recidivist offending in family violence: Applying a 'serious crimes' and integrated support approach**

**Lisa Harris, RMIT University**

Family violence represents trauma for families and a significant draw on police time and resources. Recidivist family violence perpetrators are responsible for 38.4 percent of Victoria Police L17 data (CSA 2016). This presentation reports on findings from a two-year pilot of an integrated police-social services model initiated by Victoria Police and the Salvation Army in the Bayside area of Melbourne: the Alexis Family Violence Response Model. The initiative led to an 85 percent reduction in recidivist violence. This presentation explores the complexity of this cohort, the lack of formal service responses for some families and how innovations in police practice and coordination of social services have been critical in reducing recidivist family violence.

## Can cross-agency teams improve the criminal justice response to allegations of child sexual abuse? The evaluation of the Multiagency Investigation and Support Team (Western Australia)

**James Herbert and Leah Bromfield, Australian Centre for Child Protection, University of South Australia**

Informed by reviews of previous research, and by examining the characteristics of similar responses in Australian and American jurisdictions, the researchers evaluated a new approach to responding to child sexual abuse. The Multiagency Investigation and Support Team (MIST) set out to improve the response to these cases from a specialised centre with co-located detectives, interviewers, child protection workers, advocates, and therapists.

The evaluation consisted of three studies: a qualitative study of worker perceptions (n=33), a descriptive study of the fidelity of MIST to its establishing principles (n=509), and a quasi-experimental follow-forward comparison between MIST and practice as usual (n=402). The evaluation found that workers and caregivers were highly satisfied with the response, that children and non-abusive caregivers engaged with therapeutic services at high rates, and that the response was significantly quicker. This occurred without adversely affecting the rate of arrest for offences.

## **Understanding police use of force encounters in context: What encounters look like, circumstances when officers get injured, and the decision factors and processes involved**

**Kelly Hine, Australian National University**

Police use of force encounters can be volatile and unpredictable events that often require officers to make difficult decisions about force. This presentation discusses the results of a research project that examined how to better prepare officers for making use of force decisions during police-citizen encounters. To do this, four individual studies were conducted utilising data on police officers in Queensland. Combined, the studies revealed that, beyond specific factors, it is how officers interpret and respond to certain circumstances that plays a substantial role in the outcomes of police use of force encounters. These findings shift the focus from previous research, which examined discrete and common individual and situational factors, to a more holistic approach inclusive of officers' cognition. The findings are discussed in terms of implications for the way officers are educated and trained, and the policies and procedures that guide officers in use of force decisions.

## **Did the Pathways to Prevention Project reduce youth offending? Sixteen-year outcomes of a multi-systemic developmental prevention project**

**Jacqueline Homel, Kate Freiberg and Ross Homel, Griffith University**

Conduct problems, oppositional behaviour and physical aggression in the preschool and early primary school years are established risk factors for later delinquency. However, these problems can be modified through developmental prevention. Between 2001 and 2003, the Pathways to Prevention project worked with 614 four- to six-year old children and their families in a disadvantaged Brisbane suburb with a focus on improving communication skills and behaviour in the transition to school.

This presentation examines recorded youth offending for various subsets of Pathways children and matched controls followed through the transition to high school. Frequentist and Bayesian analyses show that offending was less likely in some subgroups of the preschool sample. Analyses also suggest that intervention effects were mediated by improvements in oppositional behaviour and parent efficacy during primary school. These results demonstrate the effectiveness of developmental prevention but also highlight the challenges in evaluating program effects for complex interventions in real-world settings.

## **Rumble's Quest as a tool for crime prevention: The development and properties of a measure of child social-emotional wellbeing**

**Kate Freiberg, Jacqueline Homel, Ross Homel and Sara Branch, Griffith Criminology Institute**

Rumble's Quest is an interactive game for tablets and computers that gives children an opportunity to report about their feelings and lives. Developed as part of an electronic Prevention Support System that includes sophisticated support resources and data reporting facilities, Rumble's Quest provides a valid, robust, and reliable measure of wellbeing for children in prevention programs, schools, and communities. It is suitable for use in non-clinical settings with large numbers of children aged 5–12 years, has been tested for validity and reliability with 8,000 Queensland children, and is being progressively implemented in New South Wales and Queensland schools. The tool measures key factors strongly related to future antisocial behaviour and crime: attachment to school; supportive home-family relationships; social and emotional confidence; self-regulation and prosocial behaviour; impulse control; focused attention; and working memory. Most children report high levels of wellbeing, but one to two percent evince very low scores that necessitate supportive system responses.

## **Yoga as a wellbeing intervention in an Australian prison: A pilot program**

**Anthony Hopkins, College of Law, Australian National University**

**Lisa Oxman, Faculty of Health, University of Canberra**

**Lorana Bartels, Faculty of Business, Government and Law, University of Canberra**

International research provides support for yoga as a wellbeing intervention in prison. No systematic research has been undertaken in Australia to assess the effectiveness of a yoga program, or consider the challenges posed in implementation. In 2017, the authors, in partnership with ACT Corrective Services and the Yoga Foundation, ran a pilot yoga program at the Alexander Maconochie Centre in the Australian Capital Territory. Results demonstrated a significant improvement for participants in reported levels of stress, depression, positive affect and self-esteem. Qualitative interviews with detainees provided further support for the value of the program as a wellbeing intervention. In addition, interviews with the yoga teacher and a participating prison psychologist offered insight into implementation challenges and the reasons for success. The research provides solid support for program expansion and valuable lessons for future design and delivery.

## **Conceptualising family violence in sentencing: Acknowledging past practice and imagining the future potential of therapeutic jurisprudence**

**Nina (Christina) Hudson, University of Tasmania**

Violence that occurs in domestic and family settings is fundamentally different to other forms of violence. Until relatively recently, society failed to recognise family violence as a matter for legal intervention. Following over 40 years of advocacy, family violence is now considered to be a prevalent and serious crime.

Jurisdictions conceptualise family violence differently in their respective criminal and sentencing legislative models. There are different definitions of 'family' and different characterisations of violence. Not all behaviour that is defined to be family violence is covered by the criminal law.

Further, our concept of family violence is continuing to evolve. Cultural change fosters a more diverse understanding of what it means to be a 'family' and reveals the complex dynamics of violence in the home. Technological change challenges previous notions about the nature of abusive behaviour and reveals new settings for the perpetration of violence.

This presentation examines the conceptualisation of family violence in Tasmanian and Victorian sentencing law and practice, past and current. It presents a doctrinal research approach to analysing the conceptualisation of family violence in Tasmanian and Victorian sentencing jurisprudence. This work forms part of broader research to articulate a better understanding of therapeutic jurisprudence and its potential under criminal and sentencing laws in future responses to family violence.

## **Internet users' knowledge and attitudes towards the online viewing of child exploitation material in Australia**

**Charlotte M Hunn, University of Tasmania**

Limited research examines public knowledge and awareness of laws criminalising the online viewing of child exploitation material in Australia. Using an anonymous online survey of 504 Australian internet users, two key areas were examined: (1) levels of knowledge around the parameters of criminalisation; and (2) awareness of the effects of viewing on the viewer, other offenders, the child, and society. Preliminary results reveal considerable variation in what participants think it is and is not a crime to deliberately view online. Most participants think viewing child exploitation material depicting a real child should be treated as a crime from the point of first contact, but less than half think such behaviour should be criminal where the material depicts a virtual child. Participants identified a range of explanations for their views, from the risk of child sexual abuse to the perception of viewing as a victimless crime. The implications of these findings are discussed.

## **Providing a check on prosecutorial decision-making: An analysis of the Victims' Right to Review reform**

**Mary Iliadis, Monash University**

The Victims' Right to Review (VRR) enables victims to request a review of a prosecutor's previously finite decision not to proceed with charges, the outcome of which can include a reversal of that decision. Informed by the voices of those involved in the VRR's development and operation, and a quantitative dataset unique to this study, this presentation analyses the VRR process and outcomes two years post its implementation. Ultimately, the presentation argues that despite being a primary aim of the reform, transparency, accessibility and accountability concerns may hinder the VRR's capacity to address victims' procedural justice needs (information, voice, control, validation), thereby reducing its effectiveness.

## **Sentencing laws in Indonesian terrorism prosecutions**

**Milda Istiqomah, Law Faculty, University of New South Wales**

This presentation describes and analyses the sentencing system in Indonesia's Anti-Terrorism Law (ATL) of 2002. First, it sets out the historical background as well as legal foundations of sentencing laws stipulated in the Indonesian Penal Code (KUHP) and explores the legal development of sentencing practices in the ATL. The presentation aims to review the formulation of a new sentencing system in terrorism law as well as to assess the extent to which the ATL alters or improves the existing sentencing laws, using normative studies and relevant legislation to analyse interrelated issues. The results indicate that the sentencing system in the ATL does, in fact, effect a change in approaches to sentencing which is mainly designed to impose punitive goals rather than retributive ones as responses to the acts of terrorism.

## Policing in a changing Vietnam: An ethnography

**Melissa Jardine, Law School, University of New South Wales**

In Vietnam, rapidly changing social, economic and legal environments require police to adapt in novel ways. Whilst many facets of Vietnam have been exposed to academic and international scrutiny in recent decades, insights into policing norms and structures remain opaque. This presentation explores the nature of policing in Vietnam given its unique history—particularly the influences of Confucianism, colonisation, communism and capitalism—through investigating recruitment and training, socialisation, policies and perceptions relating to women in policing, interpretations of policing as a ‘profession’, and strategies to increase police legitimacy.

Approximately 40 police students and officers were interviewed, and observation of police undertaken, mainly at the People’s Police Academy in Hanoi, over a six month period in 2016. Loyalty to the police and Party, and following instructions, were the top measures for being a ‘good’ police officer. Despite concerns they felt helpless to improve embedded bad practices, some officers were observed to break rules—within certain parameters—in order to effect positive change. Police emphasised negotiation and problem-solving as preferred responses and in many cases viewed enforcing the law as a last resort, justified as promoting harmony in the community. Social norms regarding ‘appreciation money’, prioritisation of family, and deference to authority offer fertile ground for theorising regarding perceptions of corruption, internal procedural justice and police leadership styles in Vietnam.

## **Military jurisdiction in Australia: Accountability and access to remedies for victims**

**Sharyn Jenkins, University of New South Wales**

The military and civilian criminal jurisdictions in Australia overlap and interact in complex ways. This study uses previous inquiries into the Defence Force to analyse that interaction and compare accountability within both jurisdictions. Victims' access to remedies has been highlighted, particularly in light of the Australian Defence Force Academy Skype scandal, and this presentation contrasts access to remedies in both jurisdictions and asks whether differences in access to remedies are linked to differences in accountability. Some reforms are suggested for accountability and access to remedies in the military jurisdiction.

## **Responding to young people's violence: Amplifying or addressing the problem?**

**Diana Johns, University of Melbourne**  
**Marg Liddell, RMIT University**

In Victoria, despite declining youth crime, a recent spike in violent offending by a small cohort of young people has intensified public fear and calls for harsher responses to youth violence. Concomitantly, remand rates, 'rioting teenage inmates' and failing youth justice infrastructure has prompted promises for newer, more secure custodial facilities. Alongside punishment/containment imperatives, a legislatively-framed rehabilitation narrative persists. These conditions and competing goals bring into sharp focus conflicting characterisations of violent young people as deserving/undeserving, incorrigible/redeemable.

This presentation teases out the implications of these differing constructions for youth justice policy and practice. Drawing on recent research, this presentation shows how punitive responses, while fulfilling community expectations for 'justice', may undermine attempts to reduce young people's violence in the longer term. It argues that effective intervention in cycles of violence hinges on relationship-based practice, and meeting young people's therapeutic and educational needs, in community and secure settings.

## **Making space for imprisoned fathers: Fatherhood, liminality and post-prison reintegration**

**Diana Johns, University of Melbourne**  
**Tess Bartlett, Monash University**

Much research on imprisoned parents renders men's experience of fractured relationships with their children—notwithstanding many imprisoned fathers' primary care roles pre-incarceration—invisible. This presentation examines the social and spatial elements of fatherhood behind bars, exploring how prison spaces (social, physical, symbolic, emotional) function to both constrain and enable men's post-prison transitions to fatherhood and thus (re)integration.

Drawing on research findings, this presentation uses case studies to illustrate how, for imprisoned men, fatherhood functions as a particular site of both identity disruption and potential reintegration. Liminality is used to conceptualise the 'in-betweenness' of being a father imprisoned, and to show how liminal carceral and social spaces can either constrain or enable post-prison transitions. The difference between 'getting stuck' and 'going home' to fatherhood hinges upon support and acknowledgement of fathering roles and identities. This presentation considers what this might look like in practical and symbolic terms.

## Age and consumer fraud: Are some age groups more vulnerable to fraud victimisation?

**Penny Jorna, Australian Institute of Criminology**

Since 2006, the Australian Institute of Criminology has administered an online survey to people from Australasia who may have received fraudulent invitations in the preceding 12 months in an effort to collect information about consumer fraud. Consumer fraud involves the distribution of a fraudulent invitation, request, or prize with the intention of deceiving the recipient into providing personal or financial information to obtain a benefit. It was estimated that fraud cost Australians over \$6 billion in 2013–14.

Age has long been considered a potential factor in the risk of fraud victimisation; however, it remained unclear which age groups were most vulnerable. This presentation uses survey findings to explore the risk of consumer fraud victimisation at different ages, with the aim of identifying whether particular age groups are more at risk of fraud victimisation than others. The presentation will then discuss ways to prevent those most at risk from becoming victims.

## Where has all the strategic criminal intelligence gone?

**Phil Kowalick, Queensland University of Technology, Australian Institute of Professional Intelligence Officers, University of New England**

In an increasingly global world an important trend for policing and law enforcement is to project intelligence and investigative activities offshore to detect and disrupt crime at its point of origin or the most accessible transit location. Some success has been realised with major disruptions of illicit drug and precursor chemical shipments being seized prior to departure from the country of origin. However, policing remains responsive.

Strategic criminal intelligence should be the mainstay of law enforcement policy and organisational decision making, but there is no national strategic criminal intelligence capability to provide informative, explanatory and forward-looking assessments about the main future criminal threats that will affect the nation. While there are pockets of strategic criminal intelligence practice, the discipline is at a low point. This presentation explores the need for a robust foundation for decision making on matters of law enforcement posture, policing approaches, personnel deployments and resource and policy bids.

## Re-conceptualising 'place' in cyberspace

**Tony Krone, University of Canberra**  
**Russell Smith, Australian Institute of Criminology**

This presentation draws together recent research exploring the concept of domain name crime in relation to cybercrime generally. The relationship to traditional physical jurisdictional limits is reconsidered by investigating the extent to which cyberspace presents new jurisdictional boundaries or features that place regulation beyond the reach of the state. In particular, the 'architecture' or 'topography' of the visible net is contrasted with that of the darknet.

## Understanding the experience of prison for First Peoples\* women: Advantages and disadvantages of interfacing yarning and appreciative inquiry by non-First Peoples researchers

**Sjharn Leeson, John Rynne and Kate (Catrin) Smith, Griffith University and Griffith Criminology Institute**

Indigenous peoples are a significantly over-researched population. However, research on, and with, indigenous populations are widely critiqued for utilising inappropriate and culturally repressive methods that devalue the strength of the indigenous, and indigenist, research agenda. To improve the wellbeing of indigenous people during research, it is not unreasonable to suggest the wider acceptance and application of indigenous, and indigenist, methods. However, finding appropriate ways to approach this when the researcher is of non-First Peoples origin can be more difficult to negotiate.

Research with incarcerated First Peoples women in the Northern Territory and Western Australia successfully utilised a method that interfaced yarning (a First Peoples mode of cultural conversation) and appreciative inquiry (a research tool that identifies what is life-giving out of what is experienced as painful). During this presentation, the authors offer insight regarding the advantages and disadvantages of this approach to research with First Peoples, based on their experiences.

\* For the purposes of this research, 'First Peoples' is used as a collective term for Aboriginal and Torres Strait Islander peoples, as the traditional owners and custodians of Australian land.

## **'Prison doesn't worry me': The need to account for cultural difference in the evaluation of prison performance**

**Sjharn Leeson, John Rynne and Kate (Catrin) Smith, Griffith University and Griffith Criminology Institute**

Prison quality re-imagines prison performance measurement, considering the intangible experience of incarceration to capture how a prison 'feels'. Despite the representation of black and minority ethnic (sic) prisoners in this research, it is unclear whether this is synonymous with culturally diverse populations outside the United Kingdom.

Explorations of what prison quality means to First Peoples\* women in Northern Territory and Western Australian prisons questions the meaning of imprisonment, and problematises less eligibility. Differences in worldview, based on culture and the experience of colonisation, oppression, and discrimination, reinterpret the role of the prison. For some, the prison has become a place to 'change their life', undeterred from imprisonment despite complaints regarding prison conditions, the treatment of prisoners, and alleged unequal access to valued services.

Thus, to accurately frame and understand prison performance for culturally diverse populations, prison quality must adapt to account for less eligibility and the context-related meaning of imprisonment.

\* For the purposes of this research, 'First Peoples' is used as a collective term for Aboriginal and Torres Strait Islander peoples, as the traditional owners and custodians of Australian land.

## Imagining the just prison: Results from an exploration of prison quality for First Peoples\* women in Australia

**Sjharn Leeson, John Rynne and Kate (Catrin) Smith, Griffith University and Griffith Criminology Institute**

Attempts to understand and measure the experience of incarceration are not a new phenomenon. However, innovative approaches such as prison quality, which considers the social climate of the prison, prioritise the intangible experience of incarceration rather than easily measurable key performance indicators. The presented research re-imagines prison quality to account for intersectionality, as gender and culture inherently influence how the prison experience is understood.

Content analysis was used to develop themes from selected United Nations instruments. Themes were also derived from purposive conversations that interface cultural safety and the prioritisation of First Peoples ontologies, axiologies, and epistemologies with appreciative inquiry. Participants included incarcerated First Peoples women, Elders, custodial, and non-custodial staff across four prisons in the Northern Territory and Western Australia.

A synthesis of the themes developed has resulted in the creation of a new framework for considering prison quality for gendered and culturally diverse prisoner populations—the just prison.

\* For the purposes of this research, 'First Peoples' is used as a collective term for Aboriginal and Torres Strait Islander peoples, as the traditional owners and custodians of Australian land.

## **Gaby's story: How economic abuse is perpetuated by our legal and administrative systems**

**Marg Liddell, RMIT University**

Gaby's story (not her real name) encapsulates the major aspects of new research on money, gender and family violence in the Anglo-Celtic and Indian communities. This presentation shows how the law and the court system continue to perpetuate economic abuse. Gaby has little money and is 'functionally homeless' by which she means she lives with her parents and her two children in cramped conditions. She cannot afford the fees or the time to file for family settlement. Lawyers focus on family law rather than family violence; hence they do not understand her plight. Her ex-husband is 'living it up' while she and her family are nearly destitute. The child support system has failed to assist Gaby to obtain unpaid money from her ex-husband.

Single mothers interviewed in this research who are trying to escape family violence situations all have similar stories to tell, even though there is a growing body of evidence about their plight. This presentation outlines the cultural and other similarities and differences told by women who experienced economic abuse. Much needs to be done to address the inequities they face. Legal and administrative processes must both understand economic abuse and develop strategies to address such abuse. Many continue to suffer even though they have physically escaped from the perpetrator.

## Preventing art fraud through emerging technology: Application of a regulatory pluralism model

**Jade Lindley, Law School, University of Western Australia**

Art fraud has occurred as long as art has been profitable. Art fraudsters study the methods of the masters to ensure their copies are indiscernible to the most experienced expert authenticators. Galleries, auction houses and dealers may use detection technology to verify artworks, separating the masterpieces from the fakes. Many scientific authentication tests are decades old and incremental improvements have been slow, enabling fraudsters to study the science to avoid interception. The cost of technologies prevents galleries, auction houses and dealers making use of benefits these technologies deliver. This research examines emerging technologies and their usefulness in shifting the power against the criminals, through a lens of regulatory pluralism. This presentation concludes that as technology improves and becomes more accessible and affordable, imposing regulatory controls over art at creation and change in ownership would decrease profitability for engagement in fraud and preserve cultural heritage.

## Exposing fish fraud as the ultimate illicit network

**Jade Lindley and Erika Techera, Oceans Institute and Law School, University of Western Australia**

Inadequate labelling requirements contribute to enabling illegal fishers to have an economically viable market to supply unaware consumers due to the inability to control all aspects of the supply chain. The introduction of clear labelling in comparable markets, such as the European Union, restricts illegal fishers from entering the market and therefore provides a useful case study to guide Australia towards tighter controls. This research explores illegal fishing in the Indo-Pacific broadly and in particular, transshipment of illegal catches on the high seas, mixing legal and illegal catches, and facilitating the entry of illegal catches into Australian markets. Further, it critically analyses case studies of seafood fraud internationally to show how Australians are vulnerable based on inadequate transparency in the supply chain, affecting the ability to clearly label. The economic effect of correctly labelling seafood could enhance demand for Australian seafood and legitimate imported products, making illegal fisheries unviable.

## **Not just ‘add women and stir’: Primary prevention of gender based violence in sport settings**

**Ruth Liston, Robin Cameron, Gemma Hamilton, Shaez Mortimer, RMIT University**

‘Change the Story’, the national framework for the prevention of violence against women, has identified sports settings as key locations to address gender inequality and the prevention of violence against women and their children. Research evidence regarding gendered-violence prevention in sports settings is predominantly focused on direct participation initiatives such as coaching, bystander and empathy based programs. Additionally, many organisations have concentrated on increasing women’s and girls’ participation in sports. Drawing on a review of the research literature, consultations with national and local sporting organisations, and using selected case studies, this presentation suggests that primary prevention in sports settings must go beyond discrete behavioural change and access initiatives. The presentation outlines a more comprehensive approach to primary prevention of gendered violence through sports settings.

## **‘The grey area’: Negotiating the meaning of consent in online anti-rape activism**

**Rachel Loney-Howes, La Trobe University**

This presentation demonstrates how consent is operationalised, understood and contested in online anti-rape activist spaces. Drawing on data from doctoral research, including interviews with managers and creators of online anti-rape campaigns, surveys with their users and a content analysis of the websites themselves, this presentation highlights the disconnect between community standards of consent and legal definitions of consent. The presentation unpacks the complicated or ‘grey’ understandings of consent in the context of rape, and illustrates the ways these online anti-rape spaces privilege victim-survivors’ knowledge of their own experiences and understandings of consent. The presentation concludes by reflecting on how online anti-rape activist spaces bring competing definitions of consent into dialogue with each other in order to engender a more productive understanding of consent that can potentially influence the outcome of rape trials.

## The harm that hurts us all

**Claire Loughnan, Criminology, University of Melbourne**

The recent events at Don Dale Youth Detention Centre bear a remarkable similarity with Australia's treatment of refugees in offshore detention centres. Both settings also share evidence of heightened tensions and riotous responses to those tensions. Such developments remind us of Australia's foundations as a penal colony. The consequent harms that have been experienced by young people and refugees are disturbing. However, such degrading treatment does not merely harm those detained: it damages the foundations of the institutions in which it occurs, through the ethical degradation of the office of those doing the detaining.

This presentation highlights the persistence of Australia's historical legacy, while emphasising the institutional effects of such practices to argue for a rethinking of institutional life as an ethical concern.

## Young perpetrators and child victims: The scope of human rights standards

**Nessa Lynch, Faculty of Law, Victoria University of Wellington, New Zealand**

Unsurprisingly, the vast majority of youth justice scholarship focuses on the child or young person who is in conflict with the law, as suspect, defendant or offender. There is, rightly, much discussion of how such individuals may often be more appropriately categorised as victims themselves, as a result of parental or state abuse and neglect, mental and physical health problems, lack of education, and poverty.

Nonetheless, there has been much less consideration of the situation of another group of children and young persons who are affected by the youth justice system: those who are victims of crime. Cases of offending by a young perpetrator against a child victim, particularly in serious sexual offending cases, are among the most difficult issues which a youth justice system must resolve, and raise complex questions of the balancing of rights and interests.

This presentation seeks to develop a conceptual framework for the rights and interests of the child victim of child-perpetrated offending, particularly in sentencing and other dispositions. What guidance can international standards for human rights offer? How do child-specific standards such as the Convention on the Rights of the Child interact with other international standards such as the victims' rights standards? Whose best interests?

## Interpreter usage and access to procedural justice for linguistically diverse clients of the criminal justice system

**Joseph MacFarlane, RMIT University**

Access to justice has traditionally been defined by access to courts, legal representation and information. Yet such a conceptualisation frames justice largely in terms of reaching a desirable legal outcome. This presentation argues that the term 'access to procedural justice' offers a broader framework which recognises the importance of 'voice' and client narrative as a valuable source of confidence and satisfaction in the legal process which can exist irrespective of final outcomes.

However, telling one's story in the legal process becomes increasingly difficult for those who do not speak English as a first language. Linguistic diversity in a monolingual legal system represents not just a practical barrier to accessing legal services and information, but impedes the opportunity to communicate a narrative in a full and unencumbered way. As such this presentation also argues that from a procedural justice perspective, interpreters become just as valuable a resource as legal representatives.

## The right to prepare a criminal defence while imprisoned

**Anita Mackay, La Trobe University**

The *Human Rights Act 2004* (ACT) and *Charter of Human Rights and Responsibilities Act 2006* (Victoria) both provide rights to those charged with criminal offences, including 'adequate time and facilities' and the opportunity to 'communicate with a lawyer or adviser' when preparing a defence (s 22 and s 25, respectively). This right is based on, but worded differently to, Article 14(3)(b) of the *International Covenant on Civil and Political Rights*. Several ACT and Victorian judicial decisions shed light on the extent to which this right is protected when people are preparing their defence while imprisoned (such as access to computers and whether another imprisoned person may be an 'adviser'). This presentation analyses these cases and compares the Australian approach to that taken by the United Nations Human Rights Committee.

## **Risk to resilience: Technology-enabled risk management and deterrence**

**Janine Mahoney, About Change**

We are facing a grim reality: family violence has reached epidemic proportions and continues to be one of the most pervasive human rights violations in the world. It severely impacts survivors and comes at tremendous social and economic cost to individuals, industry and government. The current system, despite the good intentions of many and significant financial investment, has not ensured the safety of those at risk.

The Personal Safety Initiative, designed and implemented by Janine Mahoney when CEO of the Safe Futures Foundation, has paved the way nationally for the use of security technology to deter perpetrators of family violence. Assessments of personal, property and cyber risk facilitate safety plans that include personal safety devices, CCTV and cyber bug scanning. The potential to capture admissible evidence has proven highly successful in deterring high-risk perpetrators. This world-leading response has led to the national rollout of the Women's Safety Initiative.

## **Policing with drug detection dogs in public settings: Mapping embodied harms**

**Peta Malins, School of Global, Urban and Social Studies, RMIT University**

In Australia, as in many countries, drug detection dogs are regularly being used by police to home in on people carrying drugs in public settings, including at music festivals, bars, pubs and clubs, on public transport and in public parks, beaches and streets. Despite many concerns being raised about their use, they are generally presented by police as being important tools for detecting drugs, deterring drug dealing and use, and reducing drug-related harm.

This presentation draws on fieldwork observations of drug dog operations, alongside interviews with people who have been subjected to them, to map the broad embodied effects of drug dog use and dismantle the key assumptions underpinning rationales for their use. The presentation argues that drug detection dogs do not deter most use, but instead criminalise and stigmatise marginalised groups, impact negatively on police-community relations, and significantly increase the likelihood of a range of drug related harms.

## **Statistical analysis of the relationship between crime, electronic gaming machine accessibility and demographics: New South Wales, Australia**

**Roman Marchant, Centre for Translational Data Science and Sydney Institute of Criminology, University of Sydney**  
**Armin Alimardani, Faculty of Law, University of New South Wales**

Several international studies have shown that people with a gambling problem are prone to associate with crime. However, only a few studies in Australia have empirically assessed the spatial relationship between gambling establishments and crime. To fill this gap, this study aims to examine the possible relationship between the presence of electronic gaming machines in a geographical region and the realisation of crime. In particular, a multivariate statistical model was derived that uses demographic characteristics of the population, the number of EGMs and spatial relationships to predict the density of crime. The models were trained using a combination of machine learning and prior knowledge from criminological studies. The models were then validated using real data from New South Wales, where gambling net takings (business operations) and aggregate problem gambling are estimated to be some of the highest in Australia.

## Changing views and perceptions: The impact of the Inside Out Prison Exchange Program on inside and outside students

**Marietta Martinovic, RMIT University**

The Inside-Out Prison Exchange Program has been delivered at two Victorian prisons—Dame Phyllis Frost Centre and Marnongoneet Correctional Centre—since 2015. As part of this program at each prison, 15 carefully selected Justice and Legal Studies students and 15 incarcerated individuals together undertake a semester long undergraduate subject. The subject matter is ‘comparative criminal justice systems’. All students are required to undertake university standard assessments. At the completion of the teaching program students receive an RMIT Certificate of Participation.

The Inside Out program has been evaluated through pre-test and post-test surveys, student focus groups and instructor’s journal notes. This presentation outlines the similarities and differences between the inside and outside students’ experience related to their knowledge of offending behaviours, sentencing and the prison system. It concludes with information on the way the teaching program shaped and changed student views of the criminal justice system, often in surprising ways.

## ***Lazarus v R: Communication in New South Wales sexual assault law***

**Gail Mason and James Monaghan, Sydney Law School, University of Sydney**

In May this year, Luke Lazarus was found not guilty of the sexual assault of an 18 year old woman in a laneway behind his father’s nightclub in Kings Cross. Lazarus had previously been convicted of the same offence but, upon appeal, was awarded a judge-only retrial. At retrial, the judge stated although the woman in her own mind did not consent, Lazarus had a ‘genuine and honest belief’ that she was consenting. These conflicting narratives of rape and sex go to the core of the communicative model in sexuality.

This presentation examines the influence that the communicative model has had on sexual assault law in New South Wales. The presentation begins with an overview of the model, arguing that it rests on distinctive accounts of autonomy and responsibility, then shows how the legislative changes in 2007 reflect the communicative model. Finally, the New South Wales Court of Criminal Appeal's judgement in *Lazarus v R* (2017) is discussed, with a focus on the extent to which communicative considerations were reflected in the Court's reasoning. The goal in all of this is not to promote or evaluate the communicative model, per se; rather, it is to use a particular high-profile case to explore whether the accounts of autonomy and responsibility embedded in that model are being employed in judicial reasoning. The sobering conclusion is that the communicative dimensions of the statutory reforms are largely absent from the judgements.

## **Police officers' perceptions of a child sex offender register: Identifying and responding to risk**

**Kindalin Brooke Masters and Mark Rhys Kebbell, Griffith University**

This presentation reports on interviews with 17 participants responsible for managing sex offenders on a child protection offender register. Participants were interviewed in semi-structured interviews that covered the topics of their policing experience, and their thoughts on the register and risk assessment. Nine themes were identified as being particularly important: the purpose of the register; concern about community perceptions; a lack of resources; recognition that risk assessment was essential but had limitations; a desire to tailor interventions to individual offenders; that staff were competent but needed more training; inadequate sharing of information; concerns about how well the legislation captures the sex offending space; and confusion about how to interpret online offending. This research provides first-hand views on how registers can be improved, and how police would ideally like a register to look when executing the essential and challenging job of monitoring sex offenders upon release into the community.

## A tale of two mafias

**Adam Masters, Hannah Fox, Jessica Scott-McLean and Virginia Hiu Tung Chow, Australian National University**

Is intergenerational kinship-based organised crime diminishing? In 1957, two mafia meetings were raided by law enforcement. In the US, the Appalachian summit saw the arrest of 60+ underworld figures gathered for a barbecue. These arrests laid to rest the fiction that no American mafia existed. Two months earlier in the Melbourne suburb of Brunswick, 46 'Ndrangheta members were arrested following a child's birthday party. Unlike the American incident, charges were laid and convictions secured. Early research has established nominal links between the Brunswick 46 and a recent drug importation.

This presentation explores what happened to the families of the Brunswick 46 over 60 years to trace intergenerational criminality. The research uses open source data from the media, court records and family histories in Victoria, anonymising data when necessary. This presentation will show—to the best available knowledge—whether these families have weaned themselves off criminality or not.

## Reducing vulnerability in public: The effectiveness of a psycho-educational intervention

**Lucy Maxwell, Jason Skues and Lisa Wise, Swinburne University of Technology**

This study examined whether a psycho-educational intervention influenced self-reported vulnerability, fear of crime, behavioural intentions and actual behaviour across five public behaviours in a small sample of young adults. The intervention was based on previous research with offenders, industry experts and young adults. Participants were randomly assigned to one of four experimental conditions that received different types of information regarding personal vulnerability. The first group received information about commonly known factors that contribute to vulnerability, while the second group received information about factors that most young adults are unaware of. The third group received information about commonly held misconceptions that contribute to vulnerability and the fourth group was a control group. An experience sampling application was used to collect data in which participants completed a brief survey four times per day across a two-week period. Preliminary findings are discussed and have implications for the design of personal safety programs.

## Acknowledging the past through the recuperation of human remains

**Natalia Maystorovich Chulio, University of Sydney**

The exhumation of mass graves acts as a mechanism for acknowledging past crimes. It offers surviving victims an avenue towards healing and reconciliation within their community. By recognising what occurred in these local places, through the process of locating, exhuming, identifying and reburying the missing, the unspoken past is finally recognised. The exhumations in Guadalajara have been an expression of the importance of exhuming to provide stark evidence of the past crimes that took place at the close of the Spanish Civil War. The institutional denial espoused by the council of Guadalajara with the many impediments has led to the Mendieta family applying to Argentine justice for a legal remedy. This case is significant as it is the first time an international judge has demanded an exhumation on foreign soil. The trial and subsequent exhumation culminated in the positive identification of Timeteo Mendieta's remains. As the family has stated, this has closed the chapter on the family's struggle to recover their history.

## Can family-prisoner relationships ever improve during incarceration?

**Daniel McCarthy, University of Surrey, United Kingdom**

Successive studies have argued that prison has a detrimental impact on prisoner-family relationships. Yet, while acknowledging the welter of negative consequences which prison has, far less attention has been paid to the countervailing effects, and in particular, cases where prisoner-family relations may improve during the sentence. This presentation outlines how and why these improvement dynamics exist, and what role incarceration may play in helping *some* families to re-build relationships with prisoners in the restricted physical context of the prison. This draws from a study assessing how primary caregivers experience their adolescent male children being sent to prison. Data is drawn from survey data (n=215) and a sub-sample of qualitative interviews with primary caregivers (n=61) from two large juvenile prisons in England.

## Conceptualising the social determinants of justice

**Ruth McCausland, University of New South Wales**

The ‘social determinants of health’ framework has been associated with compelling evidence over the past decade that people experiencing disadvantage across a range of socio-economic indicators are more likely to face poorer health outcomes. While well-established and influential in the health field, the social determinants framework has not been explicitly applied in the justice context, despite the growing body of research on the vulnerability of particular groups to victimisation, criminalisation and over-representation in the criminal justice system.

This presentation lays the groundwork for a ‘social determinants of justice’ framework by drawing on a rich linked administrative dataset of a cohort of 2,731 people who have been in prison in New South Wales, enabling the mapping of associations between incarceration and various socio-economic factors. These factors are conceptualised as social determinants of justice, yielding new insights into particular groups’ pathways into and over-representation in the criminal justice system.

## **The Victorian Therapeutic Treatment Board, 10 years on: Learnings from a legal-therapeutic response to sexually harmful behaviour by children and young people**

**Trish McCluskey, Berry Street**

**Karen Sutherland, Department of Health and Human Services, Victoria**

The Victorian Therapeutic Treatment Board was established in 2007 under the state's child protection legislation and is a world first innovation in responding to young people aged 10–15 with problem sexual behaviour. The board is a multidisciplinary panel which takes referrals from police and child protection. Young people referred may be given a one year Therapeutic Treatment Order which mandates specialised counselling to address concerning behaviour. They may also be given a Therapeutic Placement Order. Both of these orders are alternatives to court and possible sentencing.

The presenters are the current and past chairs of the board and will discuss the thinking behind its inception, the processes of the board and outcomes for children and young people. In particular the presenters will discuss the shift from seeing problem sexual behaviour in young people as requiring a punitive, criminal response to an understanding of the developmental issues in problem sexual behaviours and why therapeutic responses appear to offer greater hope for future safety.

## **Making opportunity knock: Young burglary offenders' descriptions of their motivations and decision-making**

**James McCue, Natalie Gately and Suzanne Ellis, Edith Cowan University**

Comparative analysis has revealed that young people are more likely to commit burglary offences than their adult counterparts. Burglary is of particular concern for the community due to the costs incurred by victims and society more broadly via insurance claims, as well as the investigation and prosecution of offenders. A research project conducted in collaboration with Western Australia Police and the Children's Court of Western Australia examined the motivations and decision-making of a sample of young Western Australian burglary offenders. The study revealed that the decision to burgle was opportunistic for most and based on ease of entry or valuables being in plain sight. It was found that decisions typically only afforded rudimentary consideration to the potential risks of detection. Most young burglars were motivated by short-term personal gains in the context of dysfunctional lifestyles. Crime prevention strategies relevant to policing and the general public are considered.

## **'Shock absorbers': The role of the New South Wales Police Force's multicultural community liaison officers in policing 'Middle Eastern crime'**

**Megan McElhone, University of New South Wales**

Multicultural community liaison officers ('MCLOs') are civilian employees of the New South Wales Police Force, who are tasked with strengthening the force's communication and engagement with multicultural communities. MCLOs are also expected to improve the force's capacity to reduce and prevent crime by gathering community intelligence, identifying offenders, and locating persons of interest. In recent years, MCLOs have become a vital component of the police force's response to 'Middle Eastern crime' in New South Wales, though the role of MCLOs in policing 'Middle Eastern crime' is yet to be explored by scholars.

Drawing on data obtained from semi-structured interviews and documentary sources, this presentation will discuss interactions between MCLOs and Middle Eastern background communities in New South Wales. While the community engagement efforts of MCLOs are widely endorsed, the institutional imperative for MCLOs to gather community intelligence can lead people of Middle Eastern background to feel as though they are the targets of unremitting police attention.

## Citation analysis of Australian and New Zealand criminology

**Tara Renae McGee, Griffith University**

**Ellen G Cohn, Florida International University**

**Li Eriksson, Griffith University**

**David P Farrington, University of Cambridge**

There have been a number of previous investigations of the development of criminology in Australia and New Zealand including Manning, Stenning & Mazerolle's (2014) documentation of the history of the Australian and New Zealand Journal of Criminology (ANZJC), including its establishment and a chronological list of editors. They examined 45 year trends in the authors' gender, number of authors per paper, authors' geographic locations, research methods used, topic of the paper, and policy focus. An earlier paper by Pratt and Priestly (1999) focused on the first 30 years of the journal and reported information on the geographic location of the author, author gender, subject area of the article, and criminological paradigms guiding the work presented in the papers.

The current research builds on this work by offering a citation analysis of the last 25 years of the journal. There are a number of points of investigation for the current project which include: examining Australian and New Zealander authors in leading international journals (both who is published and who is cited), assessing the frequency of citations of ANZJC in the journals; identifying who are the most cited authors in the ANZJC; and finding out which are the most cited works of the most cited authors.

## Most influential publications in Australian and New Zealand criminology (1967–2017)

**Tara Renae McGee and Li Eriksson, Griffith University**

Scholars often use quantitative citation analysis as a measure of the most influential publications. However, this approach has been criticised, as citation analyses and other bibliometric indicators are not the only means by which to measure the impact or influence of publications. An alternative method is to use the peer-review process whereby scholars identify and evaluate publications that have had the most influence within their field of study.

As part of the 50th anniversary celebrations of ANZSOC (1967–2017), the ANZSOC Committee of Management decided to commemorate the occasion by asking ANZSOC members about the publications that have most profoundly influenced them as criminology scholars. This presentation reviews existing literature, details the methods used in the current study, and presents the results of the membership survey.

## Breaches of court-ordered conditions in Victoria: Prevalence and sentencing outcomes

**Paul McGorrey, Sentencing Advisory Council (Victoria)**

In January 2017, the Sentencing Advisory Council (Victoria) began researching the prevalence of, and sentencing outcomes for, secondary offences in Victoria in the five years ending 30 June 2016. Secondary offences, which arise *secondary* to an individual's involvement in the criminal justice system, are those that meet three criteria: (1) a person has been suspected or convicted of a criminal offence; (2) because of that, they are subject to special conditions; and (3) breaching those conditions is a criminal offence. Two examples are failing to answer bail and failing to report annually as a registered sex offender.

This presentation has four aims. First, it identifies active secondary offences in Victoria. Second, it describes the number of secondary offence charges sentenced in Victoria in the five-year data period, including as a proportion of all charges sentenced in Victorian courts. Third, it describes the sentencing outcomes for secondary offences, including the length of imprisonment sentences, and whether they were aggregate, non-aggregate, concurrent, or cumulative. Fourth, this presentation describes the profile of offenders sentenced for secondary offences, including their age, gender, and number of charges sentenced.

### **'The Meme Team': Exploring the use of humour in police social media**

**Alyce McGovern and Phillip Wadds, University of New South Wales**

**Travis Linnemann, Eastern Kentucky University, United States**

Since 2009 police organisations around the globe have embraced social media platforms as part of their proactive public relations and communications activities. Allowing police to engage directly with the public, sites such as Facebook and Twitter have been used to inform the public about recent crime events, appeal for information, highlight police successes, and allay community fears. More recently, some police organisations have made a strategic decision to employ humour on social media, via memes and other comical posts, to increase their engagement with the community and foster the police image. This presentation will explore the humorous turn in police social media work by considering how humour is deployed by various police departments on social media, and the broader implications this may have for policing.

## The digital future of prisons: Communication technologies and portals to the free world

**Carolyn McKay, Sydney Institute of Criminology, University of Sydney**

With communication technologies increasingly embedded into the infrastructure of prisons, the digital future of corrections is in sight. Already technologies enable prisoners to ‘appear’ in remote courtrooms and hold conferences with their legal representatives. The next phase of technological rollout will allow prisoners limited access to locked digital environments via their own devices. The perceived benefits include: bridging the gap between the free world and the digital dark age of prisons; allowing access to rehabilitation, education and post-release programs; and enabling access to legal information and perhaps even family communications.

But there are potential downsides for increasing technological interaction for a population already isolated from human contact. Rather than complementing face-to-face family and legal visits, will the technologies simply replace such connection? Will the devices become electronic babysitters and lead to extended in-cell hours? How much will the service cost prisoners? This presentation will canvass these issues and question how the broader community might react to prisoners being able to virtually breach the barriers of their physical incarceration.

## Young adults' perceptions of, and engagement with, online sexually explicit material in Australia and the UK

**Nadine McKillop, University of the Sunshine Coast**  
**Sarah Brown, Coventry University, United Kingdom**  
**Julianne Webster, Griffith University**

This research investigated young adults' exposure to, perceptions of, and engagement with online sexually explicit material (SEM). This presentation will disseminate findings from a comparative analysis of university students in Australia and the UK. Participants completed a confidential online survey about their general use of the internet, the content they accessed online, and their perceptions of its regulation. A large majority reported that they had inadvertently been exposed to SEM while online, mainly in private settings. The average age at first exposure was 13 years old. Almost three-quarters also admitted to intentionally accessing this material online. The content viewed varied and included sexual violence. These findings suggest that exposure to and engagement with online SEM is typical among young adults. This has implications for primary and secondary prevention initiatives regarding safe use of the internet and increasing the perceived risks associated with engaging with this content online.

## Changing the crime conversation

**Katherine McLachlan, School of Law, University of South Australia**

In the year of 'alternative facts', it is worrying to continue to see 'tough on crime' policies supported by the media, politicians and members of the general public as strategies to address crime. At last year's ANZSOC Conference, our then President, Professor Rick Sarre, made a plea to academics 'to communicate their relevance clearly and in terms that are easily understood'. Research translation services are common in science, engineering, technology and mathematics fields, but not in criminology. The author discusses her work and effective strategies to better enable crime researchers, policymakers and practitioners to all speak the same language.

## **‘Ordinary domestic murder’? Sentencing men convicted of murdering their female intimate partners**

**Marilyn McMahon, Deakin University**

The killing of an intimate partner has evoked mixed responses, both in the categorisation of the homicide and the sentencing of the offender. In relation to men convicted of murdering their female partners, an analysis of sentencing remarks from 1980 to 2015 reveals an initial construction of these killings as ‘ordinary domestic murders’ in which the killing was constructed as the impulsive act of an emotionally distressed offender subject to provocation by the victim. More recently, courts have expressly rejected the notion that such killings constitute a discrete and less heinous form of murder and have increasingly assimilated these killings within the broader class of murder. However, the factors employed to explain ordinary domestic murder—impulsivity, emotional distress, provocation by the victim, prior good character of the offender and the discounting of his past and likely future violence—have proved to be remarkably persistent and are still employed in current sentencing rationales.

## **Should non-physical family violence be prosecuted as stalking in Australia and New Zealand?**

**Marilyn McMahon, Deakin University**

**Kelley Burton, University of the Sunshine Coast**

**Paul McGorrery, Deakin University**

Prohibiting non-physical family violence is a current priority in Australia and New Zealand. Examples of this form of violence include preventing a person from maintaining social or cultural connections, controlling and coercive behaviour and unauthorised surveillance. Many of these behaviours are indirectly criminalised in family violence legislation, and they are also directly criminalised in stalking laws, which apply irrespective of familial relationship. Consequently, there now appears to be considerable overlap between definitions of family violence and definitions of stalking in relation to protecting victims from mental harm.

This presentation has three purposes. First, it analyses stalking laws across Australia and New Zealand to consider the degree to which they can be used to prosecute family violence. Second, it evaluates the circumstances in which it is appropriate to use this legislation for this purpose. Finally, it explores impediments to prosecuting family violence as stalking.

## **Children in conflict with law *versus* law in conflict with children: Deciphering the National Crime Records Bureau: Crime data and policy discourse in India**

**Muzaffar Hussain Mir, Faculty of Law, Jamia Millia Islamia, New Delhi**

The National Crime Records Bureau, an agency under the Indian Ministry of Home Affairs, provides a detailed analysis of crime data and trends of crime in India. The bureau brings out an annual publication entitled 'Crime in India' which provides data about crimes in India classified into various categories, and data related to the children in conflict with law is provided under chapter 10 of the Crime in India Compendium. There has been hue and cry about the increase in crime committed by children below the age of 18 years and therefore there has been public demand for reducing the age of legal adulthood and sending those who commit 'heinous crimes' to adult prisons. This data is used by various interest groups to defend their claims about the increase in juvenile crime and their demand to amend the law relating to juveniles.

To explore whether this public hysteria is supported by any empirical evidence, this presentation analyses the official data provided by the National Crime Records Bureau to explode the common myths and to find out the truth. This presentation will further analyse the problems and errors in the crime data which lead to erroneous results, and the same results are utilised by the government to manufacture the consent of the public to further strengthen its control over citizens through various criminal laws. This presentation will further show that, by using this erroneous crime data, the juvenile justice law is in conflict with the development needs of children and the crime situation in India.

## Young people in child protection and under youth justice supervision, 2015–16

**Kirsten Morgan and Callin Ivanovici on behalf of Arianne Schlumpff,  
Australian Institute of Health and Welfare**

This presentation discusses findings from a recent Australian Institute of Health and Welfare report *Young people in child protection and under youth justice supervision 2015–16*. The report examines young people aged 10–16 who were involved in the child protection system and under youth justice supervision between 1 July 2014 and 30 June 2016. It identifies the key characteristics of young people involved in both systems and the level of dual involvement for those subject to investigated notifications, care and protection orders, out-of-home care, community-based supervision, and detention. A multi-step key-based method is used to link data collections, allowing linkage without the use of common person identifiers.

The report covers a two-year analysis period for the first time and includes about 47,700 young people. The expanded time period captures a larger number of young people than previous reports, allowing a more comprehensive investigation of the overlap between the services.

## What's the point of independent monitoring of closed places?

**Neil Morgan, Office of the Inspector of Custodial Services, Western Australia**

Western Australia has Australia's most robust system of independent oversight for prisons and youth detention centres. The Inspector of Custodial Services, established in 2000, is an independent statutory officer who reports to parliament on facilities and systemic issues. More recently, New South Wales and Tasmania have introduced inspectorates.

In the last two years there has been growing momentum for stronger independent oversight of closed places. The reasons include: events at Don Dale and other youth detention centres; Royal Commissions into the *Protection and Detention of Children in the NT and Institutional Responses to Child Sexual Abuse*; concerns about offshore immigration detention; and Australia's pending ratification of the Optional Protocol to the UN Convention against Torture (OPCAT).

This presentation examines:

- the roles of the WA Inspector;
- the national picture;
- the impact of OPCAT;
- a case study of youth custody in Western Australia;
- the relevance of inspectorates to education and research; and
- the strengths and weaknesses of independent oversight.

## The malware architect: A criminological perspective

**Sarah J Morrison, Macquarie University**

This presentation discusses current research into malware architects Robert T Morris, David L Smith and alleged malware architect Evgeniy M Bogachev. The primary goal is to explore the complex issues surrounding the malware architect and to gain insight into the motivation and causation of malware writing. The research then applies Clarke and Cornish's (2001) rational choice perspectives to determine whether the malware architect may be framed under rational choice theory. It is the position of this research that by reviewing the malware architect, criminology will be better equipped to frame malware under criminological theory.

## 'Rape's rape, isn't it?': Listening to LGBTIQ people's stories of sexual violence

**Shaez Mortimer, RMIT University**

The experiences of victim/survivors of sexual violence who are lesbian, gay, bisexual, transgender, intersex and/or queer (LGBTIQ people) are significantly under-researched and under-theorised. LGBTIQ victim/survivors' experiences are not recorded or discussed in most 'mainstream' sexual violence studies, victimisation surveys or police crime datasets. Most data about LGBTIQ people and sexual violence can be found in studies about other kinds of violence (eg homophobic/transphobic violence and domestic violence) or health (eg mental health and sexual health). Much of this data is quantitative and has defined acts of sexual violence narrowly (eg as an example of homophobic or transphobic violence).

Given this research gap, this presentation discusses some of the themes emerging from LGBTIQ people's published writing about their experiences of sexual violence. Using the stories of LGBTIQ victim/survivors as a case study, this research examines how heteronormativity and cisnormativity are embedded in and perpetuated by health and criminal justice systems. There is a need for sexual violence research to involve LGBTIQ victim/survivors and (re)examine the complex intersections between sex, gender, sexuality, power and violence.

The title quote is from a participant in Moran & Sharpe's study published in 2000.

## Rural and urban female offending in Victoria, 1860–1920

**Victoria Nagy, Deakin University**

**Alana Piper, Griffith University**

This research draws upon a longitudinal dataset that includes 6,042 women who were imprisoned in Victoria between 1860 and 1920. This data has been used to examine women's offending in rural and urban environments around Victoria during this 60-year period to consider not only how many criminal acts were committed in each region but also the mobility of women between environments and how their offending changed according to this movement. Results indicate that women who offended only in rural areas of Victoria showed marked differences in their offending patterns compared to women who offended within urban environments, and that the 4.5 percent of the sample who were convicted in both urban and rural courtrooms showed greater offending diversity than urban-only offenders. This research contributes to our understanding of Australian rural and urban female criminality and has implications for how the complexity in female offending is approached in policing and sentencing.

## **Collective victimisation: Analysis of the post-election violence in Kenya, 2007–08**

**John Ndikaru, The Technical University of Kenya**

The post-election violence of 2007–08 is an event that shook Kenya socially, economically and politically. This study focused on understanding victimisation research and what it entails, collective victimisation and collective victimisation within victimological discourse and interdisciplinary theory of collective victimisation. The impact was directed to women, men and children. The research was a survey study that analysed related literature data. The result of the research shows the use of illegal gangs in the election, the history of ethnicised politics and a lack of political will to resolve the crisis in Kenya. The researcher's recommendations are mainly in line with strong legal measures and policies to govern elections. Trust funds for victims are also a surety that, in the case of delayed interventions, victims are protected by the government. In addition, there should be stricter penalties for politicians who engage in ethnicised politics and use illegal gangs for political mileage.

## **An examination of safety and security measures at state hospitals in South Africa**

**Mokata Johannes Nkwana, University of South Africa**

Safety and security of hospitals in South Africa requires active commitment from government and hospital managers to examine the emerging security risks and provide effective security risk control measures. The purpose of this research is to explain how state hospitals go about protecting their assets, information and personnel against theft, assault and tampering of patient information by unauthorised persons. Furthermore, the research examines the security gaps and shortcomings in security service provision so that recommendations can be formulated to address assessed risks and threats. Hospitals manage drug substances that require protection from all threats and risks within the hospital environment. In the recent past there has arisen a need to review current security measures at hospitals in the light of a number of mysterious deaths of patients and attacks on nurses, doctors, other personnel and visitors on hospital premises and therefore security measures need to be more effective and improvements implemented.

## **Solitary confinement in Australian prisons: From reformation to oppression**

**Peter Norden, School of Global, Urban and Social Studies, RMIT University**

Solitary confinement is now used extensively in adult prisons and juvenile justice centres in all states and territories of Australia. Originally devised as a means of repentance and reform, it has in latter years been used extensively for the protection of individuals, both on remand and after conviction.

The recent media highlighting of the use of extended periods of solitary confinement in Don Dale Youth Detention Centre and in the Melbourne Youth Justice Centre has raised concerns about its current use as a means of punishment and control. There are current examples of such confinement being extended to several years.

This presentation will assess the extent of the use of extended periods of solitary confinement in Australian correctional facilities and examine whether its extensive use can be justified by Australian criminal law and United Nations covenants and human rights principles.

## **From transportation to deportation: The mass deportation of non-Australian citizens with criminal convictions**

**Peter Norden, School of Global, Urban and Social Studies, RMIT University**

It is perhaps ironic to note that in the past you had to have a criminal conviction to be sent to Australia but now thousands of permanent Australian residents are being deported from Australia because they have a criminal conviction.

This presentation will examine the origins of deportation laws impacting on non-Australian citizens as focused on major criminal offenders and how the present legislation permits the federal government to deport all of those convicted of a sentence attracting a prison term of 12 months or more.

The extent of this mass deportation of non-citizens, many of whom have been permanent residents in Australia for several decades, has increased in the last few years. The current practice will be examined in the light of United Nations human rights law and principles of justice and fairness.

## At gunpoint: Firearm use, homicide and organised crime in Mexico

**Rolando Ochoa, Macquarie University**

The use of firearms in homicides in Mexico has seen a substantial increase since the mid-2000s. Mexico's gun laws have historically been stringent, limiting their use to the armed forces and the police as well as some other government agencies. The significant increase in the use of firearms by actors outside state forces signals a 'professionalisation' of violence in the country.

This presentation discusses the trends that firearm-related homicides have shown since the late 1990s and explores the factors behind this trend. The researchers argue that the militarisation of the Drug War, along with several local institutional failures, as well as an increase in the trafficking of illegal firearms from the US resulted in the professionalisation of drug cartels, as they geared up to counter the state's armed offensive. This has resulted in increased levels of violence as well as a growth of Mexican cartels' presence in other regions such as the Asia Pacific as they seek new—more peaceful—markets. The presentation concludes with a discussion of the policy implications of these findings as well as a critique of the way in which data is collected by the government in these cases.

## More New South Wales prisons: Evidence-free public policy

**John Paget, Charles Sturt University**

The \$3.8 billion expansion of the New South Wales prison estate by 7,000 beds represents a manifest and expensive failure of public policy.

There are three reasons why this is so. First, the lack of evidence to support the expansion; second, because prisons are a very blunt and inefficient crime control measure and finally, because of the opportunity cost of the expansion of the prison estate at the expense of productive investments to increase community wellbeing.

If criminal justice policy in New South Wales is not based on evidence the void will be, and is, filled by the noisy populism of the tabloid media and talkback radio. Public safety is produced not by expanding the prison estate but by providing a complex mix of family and community support, education and economic opportunities and social interventions to address individual deficits. This is not easy, but it is the business of governments.

## Can police violence be addressed through democratic reform?

**Darren Palmer, Deakin University**

This presentation examines recent efforts to control police use of force—the broader concept that includes police violence—through mechanisms seeking to deepen democratic policing, using two areas of activity to explore such ideas. The first concerns current research emerging from the examination of public law injunctions and consent decrees in the US. The second concerns the use of the Federal Court to reach a consent agreement between plaintiffs and Victoria Police for structural review. The presentation argues that we should consider ways to renew ideals of democratic policing, drawing from the lessons of these two areas of activity seeking reductions in police violence and use of force.

## Fetal alcohol spectrum disorder in the Australian youth justice system: Prevalence and implications

**Bernadette Safe and Hayley Passmore, Telethon Kids Institute, Western Australia, and School of Paediatrics and Child Health, University of Western Australia, on behalf of the Banksia Hill Project team**

Fetal alcohol spectrum disorder (FASD) is characterised by severe neurodevelopmental impairment due to prenatal alcohol exposure. Impairments in executive function, memory, cognition, language and attention are common and can lead to problems with education, employment and engagement with the law. Previously, there were no Australian data on the prevalence of FASD among young people in the justice system. This presentation will discuss the processes and findings of the first FASD prevalence study to take place within an Australian juvenile detention centre.

Young people were assessed by a multidisciplinary team comprising a paediatrician, neuropsychologist, speech pathologist and occupational therapist. High levels of neurodevelopmental impairment were found, with 88 percent of the young people assessed as severely impaired in at least one domain. The prevalence of FASD was 36 percent. The translational outcomes of this research, including the development of training resources for the custodial workforce, and the relevance to all aspects of youth justice will be discussed.

## Improving the management of young people with fetal alcohol spectrum disorder in detention

**Hayley Passmore, Telethon Kids Institute, Western Australia, and School of Paediatrics and Child Health, University of Western Australia, on behalf of the Banksia Hill Project team**

Fetal alcohol spectrum disorder (FASD) is a condition caused by prenatal alcohol exposure and characterised by lifelong cognitive, physical and behavioural impairments. These impairments can lead to early and repeat engagement with the law. In the detention centre environment, certain behaviours may be misinterpreted by custodial staff as noncompliant and wilful, rather than as a symptom of permanent brain damage. Situated within the first Australian prevalence study of FASD among youth in detention is a workforce development component aiming to upskill custodial staff in recognising and managing young people with FASD and other neurodevelopmental impairments. The current knowledge, attitudes, skills and practices relating to FASD and other impairments among the custodial workforce were determined using mixed methods. This data is informing the development and evaluation of training resources for the Western Australian custodial workforce in the management strategies most effective for young people in detention with neurodevelopmental impairments.

## The act of monitoring in forensic interviews: Does it impact on child accuracy?

**Tess Patterson, Eilis Gallagher, Emily Macleod, Julien Gross and Harlene Hayne, University of Otago, New Zealand**

In New Zealand, forensic interviews with children are conducted by a specialist interviewer and must be monitored by a trained observer. Despite the monitor being a legal requirement, the impact of the monitor's presence on children's reports has not been examined. Here, 60 five- and six-year-old children underwent a health check during which their parent broke and hid a thermometer. Children were randomly assigned to one of four conditions—an obtrusive monitor condition, an unobtrusive monitor condition, or two non-monitor control conditions—and were then interviewed about the health check under conditions that mimicked specialist forensic interviewing. When free-recall questions were asked, there was no effect of the monitor on the amount or accuracy of information that children reported. However, when specific misleading questions were asked, an obtrusive monitor had a negative impact on children's accuracy. The findings provide caveats to the use of monitors during forensic interviews with children.

## 'What about men?': Discourses of resistance to gendered perspectives on violence against women

**Naomi Pfitzner and Larissa Sandy, RMIT University**

Drawing on in-depth interviews with practitioners and service providers in the domestic violence field, this study explores discourses of backlash against work seeking to prevent violence against women. Despite the resurgence of feminism in popular culture and media in recent years, this study found that resistance to a gendered analysis of violence against women persists. All the participants characterised backlash against anti-violence against women work as resistance to a gender lens. Participants reported that backlash discourses often had strong anti-feminist undertones, with several participants conceiving of backlash as 'a defence of the status quo'. Participants highlighted the 'what about men?' catchcry of anti-feminist men's rights activists, explaining that such movements see feminism as disadvantaging men. This study identified several impacts of this resistance to feminism including the gender neutralisation of violence against women work and the silencing of advocates.

## The prevalence of prison offending with Aboriginal and non-Aboriginal male prisoner samples in Western Australia

**Catharine Phillips, Edith Cowan University**

**Adrian J Scott, Goldsmiths, City, University of London and  
Edith Cowan University**

**Pamela J Henry, Edith Cowan University**

The present research examined the relationship between a range of prisoner and prison characteristics and the prevalence of prison offences committed within Western Australian prisons by Aboriginal and non-Aboriginal prisoners (n=648).

Logistic regression analyses revealed that prisoners' age, time left to release and prisoners' security ratings were significantly related to the prevalence of prison offending in both the Aboriginal and non-Aboriginal prisoner samples. In addition, prisoners' association with drugs and their use of the telephone were related to the prevalence of prison offending in the Aboriginal prisoner sample, while the most serious imprisonment offence and parole denial were related to the prevalence of prison offending in the non-Aboriginal prisoner sample.

Reducing prison offending by channelling resources to those prisoners, prisons or situations which may pose a greater risk of offending may increase the safety and security of staff, prisoners, visitors and the community generally.

## Universal Services Team at Eastern Domestic Violence Service

**Paula Piccinini, Eastern Domestic Violence Service, Victoria**

Collaboration between specialist family violence services and universal services was identified by the Victorian Royal Commission into Family Violence (2016) as a critical component to improve the family violence service system. The Eastern Domestic Violence Service responded by establishing a Universal Services Team (UST). The UST works with universal settings including primary health and early childhood services to support families at an early entry point in the service system. The UST works to facilitate sustainable support for families by training universal services staff to recognise, respond and make family violence referrals. It also provides secondary consultation and responsive specialist family violence advocacy where required. Outcomes have included increased confidence of universal services staff in identifying family violence and making referrals and, most importantly, women and children are linked with service system supports earlier rather than predominantly at crisis point, which can change the trajectory and severity of their experience.

## Versatile offending and the criminal careers of female offenders in Victoria, 1860–1920

**Alana Piper, Griffith University**  
**Victoria Nagy, Deakin University**

A considerable criminological corpus exists that considers offence specialisation and versatility within criminal careers among modern offenders, although studies that consider large female samples are more limited. Longitudinal studies of the criminal careers of historical offenders are likewise rare. As a result, little is known about how levels of offence specialisation shifted over time. This study draws on longitudinal data about a sample of 6,042 women imprisoned in Victoria between 1860 and 1920 to examine how offending patterns fluctuated across the life course and within changing socio-historical contexts. The results reveal that the traditional historical approach of examining criminality within specific offence categories obscures the extent to which women in the nineteenth and twentieth centuries switched between serious and petty forms of offending. This data may have significant implications for understanding the impact of policing and sentencing policies on persistent offending by women.

## The role of co-offending networks in criminal careers

**Alana Piper and Lauren Vogel, Griffith Criminology Institute**

Many crime incidents are committed with others, yet we know little about the instigation, development, context, and impact of co-offending networks within individual criminal careers. Most criminology research focuses on the individual offenders involved in group crime or on crime incident characteristics. Since 2010, social network analysis has emerged in criminology as an important technique in analysing and understanding co-offending groups; however, its application has been limited to studies primarily focusing on co-offending networks within the context of gangs, organised crime or the spatial aspects of co-offending networks. Very little research explores the longitudinal aspects of network development within criminal careers.

This inter-disciplinary presentation is the first to apply social network analysis to a historical sample of offenders, specifically offenders convicted of robbery in Melbourne during the interwar period, when organised crime and gang violence were believed to be on the rise. By linking data from trial and police records, prison registers, and media reports the researchers have reconstructed the criminal careers and co-offending networks of these offenders in a unique longitudinal database unprecedented in scope and detail. This approach allows us to explore the historical and social contexts of co-offending networks, the evolution in networks across individual criminal careers, and the possible predictors and outcomes of co-offending.

## Representations of terrorism and Muslim identities within national and local news media

**Amy Pisani, University of New South Wales**

Scholarship and theory has traditionally demonstrated that the privileging of views and opinions expressed by powerful actors has led to a discursive marginalisation of less powerful actors, often minority groups. In the context of terrorism, this has resulted in a stereotypical representation of Muslim identity, with detrimental consequences experienced amongst Australian Muslim communities. With the threat of terrorism (both real and imagined) perpetuated by news media, it is imperative to societal cohesion that more positive representations of Muslim identities are constructed within news media. Reflecting upon the findings of a Critical Discourse Analysis, this paper will demonstrate an emerging shift toward positive representations of Muslim identities. Highlighting examples of national and local news media from December 2014 to December 2015, this paper will explore the positive ways through which actors have responded to discourse concerning terrorism to construct more positive and representative accounts of Muslim identities.

## Is wastewater analysis useful for understanding rural drug use?

**Jeremy Prichard, University of Tasmania**

Wastewater analysis (WWA) has established clear techniques for collecting and analysing samples of sewage water to estimate consumption of a wide variety of substances, including 'ice', tobacco, alcohol and many other drugs. WWA has been adopted by the European Monitoring Centre for Drugs and Drug Addiction. In March 2017 the Australian Criminal Intelligence Commission established the National Wastewater Drug Monitoring Program.

This presentation explores the utility of WWA for rural communities. It does this by presenting the results of a WWA study of 'ice' consumption in Tasmania. This study analysed samples from catchments servicing about 60 percent of the Tasmanian population. These results are compared with WWA data from 14 sites in other parts of Australia. The findings suggest that 'ice' consumption in Tasmania is one-half to one-eighth that of other Australian jurisdictions.

The presentation then considers WWA from a rural criminological perspective drawing on Hogg (2011), among others. Given that analysing substance use in rural communities can be difficult with traditional methods, it is suggested that some rural communities may benefit from WWA to (a) monitor consumption over time and (b) help inform particular debates about substance use. The presentation explores the extent to which WWA could enable local governments to initiate and fund research about their communities. Finally, other ways to use WWA are examined, including intervention studies to test the effectiveness of health or law enforcement drug strategies.

## Exploring new ideas about how to respond to child exploitation material users: Early intervention and automated messages

**Jeremy Prichard and Caroline Spiranovic, University of Tasmania**  
**Tony Krone, University of Canberra**

Since the advent of the internet and digital cameras, the market for sexually graphic and often violent child exploitation material (CEM) has boomed. Studies indicate that those who use CEM but do not sexually assault children come from very diverse backgrounds and may start viewing CEM impulsively and out of curiosity. Heavy reliance has been placed upon the shoulders of law enforcement agencies to tackle the supply and demand for the CEM market. However, prevention strategies are virtually non-existent.

This presentation explores two areas where changes in policies and practices might reduce strain on the criminal justice system. (1) Concerning police practices, it is suggested that early intervention with CEM offenders may be more effective than long-term monitoring (and evidence-gathering) to see how serious users' offending becomes. (2) With regards to automated messages, the presentation explores the practicalities of messaging CEM users as well as relevant account holders. Critical issues for future research are discussed.

## Immigration detention: Exploring its depth, weight, length and breadth

**Lorena Rivas, Griffith Criminology Institute**

Immigration detention has ignited vigorous debate in political, public and academic forums, particularly in relation to the ethics and the efficacy of this policy approach, how it works as a means of border control, and its impact on immigration detainees. This presentation explores some theoretical frameworks that provide useful ways to consider the complexities of women's experiences of immigration detention. While Shamir's theory of mobility, and Hindess and Aas' theories on citizenship and border penalty help us to contextualise migration and immigration detention, and Foucault and Goffman's work allows us to position immigration detention centres as 'total institutions'; Crewe's framework, which focuses on the individual and collective experiences of imprisonment, is particularly valuable when it comes to appreciating the consequences of this type of policy. This presentation describes how Crewe's framework can help to shed light on the lived experiences of women who have been held in Australian immigration detention.

## **A history of community strengthening in Australia: Decentralisation, policy, partnerships and practice**

**Yolande Robinson and Ross Homel, Griffith Criminology Institute**

Developmental and social-ecological theories are among those that guide early-intervention and community-based efforts to reduce youth antisocial behaviour and crime. An assertion common to these theories is the effect of a child's environment on their risk and protective factors. Significant to the current study is the importance that these theories place on developing the capacity of communities to address problems that affect the collective. This presentation synthesises grey material and scholarship to chronicle a history of community-focused policies aimed at supporting and strengthening young people, families, and their communities in Australia, thus providing a baseline for understanding current interpretations of policy and practice, and a framework for identifying misalignments in interpretations, intentions, and expectations of community-strengthening initiatives between key stakeholders.

## **Using authentic assessment as sites of learning: Enhanced employability and skills building for criminology students**

**James Roffee and Kate Burns, Monash University**

With increased graduate numbers and student awareness of an ever-changing employment landscape, focus has shifted to improving the quality of teaching and learning using authentic assessment tasks. This pilot study is part of a larger project altering a criminology degree to generate a portfolio of skills and evidence to support students in seeking employment after graduation. Constrained by limited opportunities for increased face-to-face contact, assessment has been reconceptualised as a tool and a site for learning, not just for testing students' understanding of content. Criminology students often find employment opportunities within a diverse array of fields. Hence, in enhancing employability in a cohort with varied employment trajectories, there is increased need for explanation of the relevance of skills built into the units and utilised for assessment. Student perceptions of assessment tasks and skills learnt within these are analysed to understand participant conceptualisations of skills required for increased employability.

## Drug users and drug policy: Letting lived experience inform policy

**James Rowe, RMIT University**

This presentation draws on an evaluation of the first peer naloxone distribution program in Victoria. While acknowledging the success of this program (reflected by its rapid replication), this study recognises and builds upon the vital role that criminally marginalised drug users played in its success. By emphasising the role played by drug users, stakeholders typically relegated to the margins in such discussions, it underscores how innovative responses can redress the injustice experienced by those made vulnerable by misinformed criminal justice policy.

The dominant narrative of criminally-inclined ‘junkies’ or pathetic victims underpins counterproductive drug policy. Using diffusion innovation theory, this presentation demonstrates how the agency and experience of long criminalised drug users can serve to reduce the harm of counterproductive drug control policies. Further, it gives us a reason to consider whose voices are heard in respect of drug policy debates ... and why.

## An analysis of a high-profile rape trial: The case of UK footballer Ched Evans

**Kathryn Royal, Durham University, United Kingdom**

This presentation will discuss the findings from PhD research looking at how high-profile cases of sexual violence are represented in UK news media. In particular, it will examine the case of Welsh footballer Ched Evans, who was found not guilty of rape after a re-trial in October 2016. His case spanned over five years, and Evans served two and a half years in jail. His re-trial received significant media attention in the UK. Using guidelines for reporting on violence against women created by the National Union of Journalists, this study explores how the trial was presented in the media. The findings highlight that the union guidelines were not followed, and the woman’s sexual history was reported on in great detail in the press, leading to a damaging presentation of the woman involved, and a worrying misrepresentation of the reality of sexual violence.

## **The innocence problem: Mitigation, rehabilitation and ‘no body, no parole’ laws**

**Michele Ruyters, RMIT University**

Prisoners who maintain their innocence have a dilemma. An innocent prisoner’s refusal to admit responsibility or refusal to participate in programs designed to reduce the risk of re-offending can frustrate the possibility of parole. On the other hand, their acceptance of responsibility is an admission that could be used adversely in any subsequent exoneration proceedings. This paradox is compounded in Australia through the introduction of ‘no body, no parole’ laws that specifically empower parole boards to consider a prisoner’s cooperation in disclosing the location of victims’ bodies in homicide convictions when determining eligibility for parole. This presentation considers the impact of Australian ‘no body laws’ on the innocence problem.

## **Spatial distance, socio-economic status and prisoner visitation: Are Australia’s Indigenous people visited less in prison?**

**Nicole Ryan, Jeff Ackerman, Christine Bond and Justin Ready, Griffith Criminology Institute**

**Faye Taxman, George Mason University, United States**  
**Stuart Kinner, Murdoch Children’s Research Institute**

Prison visitation has been found to be an invaluable source of social capital, resources, and informal social control that fosters connectivity to family and friends, thus preventing strain associated with incarceration and reintegration. However, not all prisoners are able to be visited in prison, even if there are people outside who are willing and want to visit. Considering that Indigenous people compared to non-Indigenous people are more likely to live in rural or remote areas, and are more likely to be from a low socio-economic area, Indigenous people may not be visited in prison as much as non-Indigenous people, which could have criminogenic effects.

Using a combination of administrative and self-report data from a cohort of 1,238 Queensland ex-prisoners, this study explored (a) whether there are differences in visitation for Indigenous and non-Indigenous people; (b) if the spatial distance between a prisoner's community and the prison, and the socio-economic status of a prisoner's community can explain any group differences in visitation; and (c) the possible effects of these differences in visitation on reoffending outcomes for Indigenous and non-Indigenous prisoners.

## Unpacking the 'black box' of prison life: Understanding its importance for Indigenous Australians' re-entry outcomes

**Nicole Ryan, Jeff Ackerman, Christine Bond and Justin Ready, Griffith Criminology Institute**  
**Faye Taxman, George Mason University, United States**  
**Stuart Kinner, Murdoch Children's Research Institute**

Claims are made that imprisonment is criminogenic, yet there is little empirical evidence that sheds light on the mechanisms of prison life that may be linked to reoffending outcomes. While a large body of prisoner re-entry literature exists, an offender's experiences within prison have remained a 'black box' within the broader prisoner reintegration literature. Furthermore, research examining reoffending outcomes for Australia's Indigenous prisoners is almost non-existent, despite the 392 percent increase in the Indigenous prisoner population since the Royal Commission into Aboriginal Deaths in Custody in 1991.

Using a combination of administrative and self-report data from a cohort of 1,238 Queensland ex-prisoners, this research explored whether prison life experience explains why Indigenous people are more likely than non-Indigenous people to be reincarcerated. Conducting a Cox proportional hazard model identified a combination of eight risk and protective factors that help us to understand why Indigenous people are also over-represented at the 'back-end' of Australia's criminal justice system. The findings of this study provide empirical evidence to policymakers that will enable the development of evidence based policies for Indigenous people, instead of relying on the 'what works' mantra and the practice of 'generalisation'.

## Trafficking in quantifacts: Unpacking the grand narrative of trafficking-as-organised-crime in criminological research

**Larissa Sandy, RMIT University**

In mainstream criminological research, human trafficking has been constructed as a form of transnational organised crime, with the institutionalisation of this approach reflected in international criminal law contained in the UN Trafficking Protocol. Based on ethnographic research involving long-term fieldwork with sex workers in Cambodia and secondary sources including the 'grey' literature on trafficking and government laws and documents, this research involved undertaking a spatially sensitive analysis of trafficked persons' experiences and national and international laws to highlight how trafficking laws and policies support the dominant anti-prostitution stance and perpetuate the grand narrative of trafficking-as-transnational-organised-crime. The presentation uses Southern theory to analyse hegemonic dynamics within approaches to trafficking and explore asymmetrical power relations that shape and dictate experiences in the global south. By giving priority to Southern experiences and perspectives, the presentation sets out to produce a different account of theorising about trafficking, and of course trafficking politics.

## Leading change through language: An examination of how language and communication can contribute to a safe, inclusive and people-centred policing service

**Leanne Sargent and Aimee Griffin, Victoria Police**

How can language and communication contribute to a safe, inclusive and people-centred policing service?

In 2013 allegations of racial profiling led to a review of Victoria Police's cross-cultural training practices. A need to enhance professional learning opportunities with a focus on human rights, bias in decision-making and improved communication was identified. A program of reform has been implemented under the banner of Equality is not the Same to enhance members' cultural capability in an effort to improve community confidence and trust in Victoria Police.

Conversations and language can provide an honest reflection of the status of organisational reform. Guided by Equality is not the Same principles, Victoria Police is on a pathway to change, acknowledging that real cultural change takes time.

Victoria Police is undertaking a deliberate and targeted effort to examine narratives of diversity to encourage the use of inclusive language within a policing environment. The approach will endeavour to equip Victoria Police members with communication that is people centred, accessible and inclusive.

## Love thy Niebuhr: Employing theological precepts in the criminological quest

**Rick Sarre, University of South Australia**

This presentation continues the ontological quest that the author began to explore in the 2016 ANZSOC paper. It pursues the argument that theology is a valuable tool in the criminological quest, not only in relation to questions of causality, but with respect to crime prevention and effective public responses to religiously-motivated criminal conduct and antisocial behaviour.

## Resolving a religious dispute through mediation in India

**Rajesh Sharma, RMIT University**

Hindus and Muslims in India have been in dispute for decades over a small piece of land (1,500 square feet). Hindus claim they should own the land because they believe Lord Ram was born on it while Muslims consider it theirs as a mosque was built there during Muslim rule in India. Riots and killings have resulted from the dispute and in 1992 a Hindu mob destroyed the mosque. To avoid further religious or communal violence the Indian government asked the High Court to rule on the matter. In 2010, the High Court, without resolving ownership, divided that land and adjoining land between Hindus and Muslims. Unhappy with the decision, both sides have appealed to the Supreme Court of India. While the case is still pending, the Chief Justice has recently suggested the parties attempt to resolve the issue through mediation. This presentation will focus on the viability of the use of mediation to resolve this religious dispute and other related issues.

## Imagining future criminal law in Australia

**Dr Marcus Smith, Charles Sturt University**

The reform and development of future criminal law in Australia takes place through a number of processes. The Senate committee review process examines bills and significant issues, providing an opportunity for members of the community and key stakeholders to provide input on important issues that affect them. The Senate Legal and Constitutional Affairs Committee (SLCAC) deals with legislation and issues relating to federal criminal law. The SLCAC is one of a number of institutions that contribute to criminal law reform. Others include the Australian Law Reform Commission, the Australian Human Rights Commission, Royal Commissions, the High Court, and the Commonwealth Attorney-General's Department. These institutions differ in terms of the volume of inquiries or the approach they take to contribute to criminal law reform. A discussion of the contribution of the SLCAC and a comparison with other approaches will be presented, discussing examples of its previous criminal law inquiries.

## Reintegration outside of the lens of rehabilitation: A community sector analysis of services funded to reduce reoffending

### Mindy Sotiri, The Community Restorative Centre

In 2016 the New South Wales government announced it would spend \$237 million over four years to reduce reoffending across the state. The raft of programs announced in August last year included multiple new projects focused on the provision of community based reintegration and diversion programs. At the time of writing, the state has committed over \$40 million to the community sector for the purpose of delivering programs to reduce recidivism and divert high-risk offenders from the criminal justice system. This is an unprecedented investment in programs to support people at risk of recidivism and certainly an unprecedented injection of justice funds into the community sector. While a great deal of attention has been paid to this investment and some optimistic claims made about the expected outcomes, very little attention has been paid to the nuts and bolts of exactly what these services are funded to do. This presentation explores the limitations of the new funded services in terms of their implementation, and argues that a more thoughtful and holistic approach to building pathways out of the criminal justice system is required if real change in reoffending and recidivism patterns is to be achieved.

## **Child sexual abuse among indigenous populations: Distinctions in abuse patterns and institutional response**

**Paul D Steele, Native American Children’s Alliance, National Center for Adoption and Permanency and University of New Mexico, United States**

Indigenous children are at great risk of sexual abuse, and they are less likely to receive equitable treatment from institutions mandated to protect children and to promote justice. Although child sexual abuse is a serious crime, we have little systematic information concerning abuse episodes involving indigenous children, or the processes and outcomes in their countries’ justice systems. This presentation discusses the distinctions in abuse patterns between indigenous and majority populations and in their engagement with justice agencies, with special attention to native and non-native populations in the United States. The presentation is based on quantitative analyses comparing 459 investigations of incidents involving indigenous children in federally-designated Indian Country, 237 of children outside of Indian Country, and 3,818 of non-native children off Indian lands. Significant differences exist in indigenous victim-offender relations, and government agencies more often conclude that indigenous families cannot protect their children. Indigenous cases are less likely to result in investigation and prosecution.

## **Twenty-five years post the Royal Commission into Aboriginal Deaths in Custody, and the nation’s shame continues**

**Una Stone, RMIT University**

Aboriginal and Torres Strait Islander women are the most disadvantaged and fastest growing prison population in Australia. Approximately 80 percent of these imprisoned women are mothers who are responsible not only for their own children but for those of others in their communities. The impact of their imprisonment has an enduring effect on their communities, weakening them rather than strengthening them, and undermining their goal of self-determination.

Twenty-five years ago, the royal commission tabled 339 recommendations to address the over-representation of Aboriginal and Torres Strait Islander peoples in custody. The sad reality is that to this day most of the recommendations remain unimplemented. Meanwhile, shamefully, the imprisonment rate for Aboriginal and Torres Strait Islander women has grown by 248 percent, which is higher than that of Aboriginal and Torres Strait Islander men. This presentation examines the reasons behind the failure of existing strategies, and explores possible ways to reduce their incarceration rate.

## **Why haven't innocence projects in Australia been successful?**

**Gregory Stratton and Michele Ruyters, RMIT University**

Despite the overwhelming number of wrongful convictions identified by innocence projects in the United States, Australian innocence projects have had minimal success since the first project launched in 2001. Recent wrongful conviction outcomes in cases such as Gene Gibson and Josephine Greensill demonstrate that catastrophic errors occur in the Australian criminal justice system. This presentation explores why Australian innocence projects have not been able to progress cases as significant as these. It considers the political-legal context and system limitations that impact on the investigation of wrongful conviction cases and explores alternatives and solutions. Finally, the presentation proposes an Australian approach to address an Australian issue.

## **Framing surveillance: Photo elicitation and young people's experience of everyday surveillance**

**Emmeline Taylor, City University of London**  
**Clare Southerton, Australian National University**

From birth to adulthood, young people now find themselves navigating a network of devices that attempt to identify, quantify, sort and track their thoughts, movements and actions. Based on the findings from a study using photo elicitation, the presentation reflects on the use of visual methods to enable participants to excavate the initial thoughts and responses to pervasive surveillance before they become normalised. The 'empirical jolting' reported by participants as the active documentation of surveillance momentarily provided a glimpse past the façade of mundanity that otherwise washes over surveillance practices, inviting them to question the immateriality of the vast networks of data flows they are increasingly immersed in. 'If you have nothing to hide, you have nothing to fear' has become a tedious leitmotif in response to waves of new surveillance technologies but the catalogue of ruptures reported by the participants and the discomfort it generated suggests otherwise.

## **Women and gender in Australian drug policy: A critical policy analysis**

**Natalie Thomas, University of New England**  
**Melissa Bull, Griffith University**

Contemporary research on gender differences in drug use patterns, experiences, and treatment needs suggests that the design and provision of gender-responsive drug policy is an important issue. This presentation reports on findings from a project investigating whether and how Australian drug policy documents address issues of gender, and in particular how they represent women and their drug use. Based upon a policy audit and critical analysis of Australian national, state and territory drug policy documents, the presentation analyses two key, inter-related styles of problematising women's drug use in policy: (1) drug use and its effect on women's reproductive role, and (2) drug use and its relationship to women's vulnerability to harm. The presentation identifies areas of policy neglect, and discusses the implications of these findings for addressing gender and social justice in Australian drug policy.

## Folksonomies of misogyny: 'Creepshots', social tagging and networked misogyny

**Chrissy Thompson and Mark Wood, University of Melbourne**

A technologically armed peeping Tom, the 'creeper' is the most recent incarnation of the video voyeur of the late 1990s, disseminating and sharing non-consensual sexual photographs via the internet. Alongside upskirting, 'creepshots' are a recent and harmful iteration of sexual images that are captured and distributed without consent online. This presentation examines how the twenty-first century discourse network of computational and mobile media has transformed the storage, classification, retrieval and consumption of non-consensual sexual photographs of women. Through incorporating collective social tagging systems, we argue that creepshot websites have generated folksonomies of misogyny: multi-user tagging practices that function to tag content in a way that fosters harmful sexist attitudes. Such folksonomies of misogyny, the researchers argue, not only offer a barometer of the vocabulary used to objectify women, but also represent an entirely new gendered regime of visibility where women's bodies are recorded, tagged, fragmented, and aggregated for consumption.

## Building effective throughcare strategies for Indigenous offenders

**Hilde Tubex, University of Western Australia**

Aboriginal over-representation in the criminal justice system is a longstanding characteristic of the Australian penal landscape. The high Indigenous imprisonment rate is strongly related to the high rate of recidivism of Indigenous offenders, and therefore the transition of Indigenous people after release back into the community is crucial. This contribution reflects on the findings of a research project on how to develop effective throughcare strategies for Indigenous offenders, starting from a community-led approach, conducted by Associate Professor Tubex (UWA), Associate Professor Rynne (Griffith University), and Professor Blagg (UWA). The research is based on interviews with men and women in communities in the Kimberley, Darwin, the Tiwi Islands and Alice Springs, as well as with their service providers. The interviews were transcribed, analysed with NVivo and consulted on with Indigenous peoples. This presentation describes the main findings of the research and offers recommendations for developing effective throughcare strategies.

## Pocketing the proceeds of crime: Recent legislation in a criminological perspective

**Hilde Tubex, Natalie Skead, Sarah Murray and Tamara Tulich, University of Western Australia**

Organised and drug-related crime and terrorism represent considerable economic, political and social threats to Australian society. Legislation confiscating the proceeds of crime is an increasingly important tool in the global fight against these crimes, and in the current political climate there is a strong appetite for robust confiscation legislation. However, there are concerns about the implications of the wide net such robust legislation inevitably casts, in many instances violating civil liberties and disregarding due process, natural justice and fairness. This project starts from a comparative criminological and legal analysis of Australian proceeds of crime legislation in three Australian jurisdictions: New South Wales, Queensland and Western Australia. The contribution will present both perspectives on recent legislation and the broader context in which it was introduced and currently operates.

## The relevance of political motivations to sentencing

**Jamie Walvisch, Monash University**

While an offender's motivations are largely irrelevant to the question of criminal liability, they frequently play a key role in the sentencing determination. However, it is not clear how a sentencing judge is supposed to evaluate the reprehensibility of various motives—what exactly is it that makes one motive more reprehensible than another? This is a largely untheorised area of law. Sentencing judges tend to simply assert that some motives are 'worse' than others, and should be punished more severely.

While in many cases this will not pose a problem, in some cases the courts' failure to spell out the process for assessing motives assumes central importance. One such case is that of politically motivated offenders — offenders who commit offences in order to influence, or show discontent about, public policy or the structure of the political system. It is not clear whether the fact that an offence is committed for political purposes should be considered mitigating, aggravating or neutral.

This presentation analyses the Australian case law on the relevance of political motivations to sentencing. It reveals two distinct approaches that have been taken to this issue: the ‘champions of justice’ approach, which holds that politically motivated offenders should be respected for having stood by their principles and fought for their beliefs, and the ‘threat to civilised society’ approach, which views politically motivated offenders as dangerous individuals who deliberately undermine legitimate laws in pursuit of their own idea of justice. It explores the factors that influence sentencing judges’ adoption of a particular perspective, and argues for the development of a principled approach to this complex issue.

## **Criminalising the political: The liberal state, dissent and the problem of legitimacy**

**Rob Watts, RMIT University**

Against a backdrop of worldwide public dissent since 2001 in pro-democracy, anti-war and anti-austerity campaigns, this presentation highlights the way so many liberal states have criminalised political dissent and asks why this has happened. It proposes a novel interpretative framework drawing on empirical and historical research, and legal, political and ethical theory to establish why liberal states (like America, Britain, Canada and Australia) do this and why it is bad for democracy when repressing dissent involves criminalising the political. The presentation argues that notwithstanding their self-portrait depicting commitment to constitutionality, rights and the rule of law, these liberal states illustrate a longstanding disposition to privilege security over freedom. This tendency, though it is not well understood or acknowledged, explains the increasing willingness of liberal states to criminalise political dissent. It locates this trend in a broader criminalisation process, itself part of the ‘punitive turn’ seen in any number of neoliberal states.

## Reducing Indigenous imprisonment: The role of intimidation

**Don Weatherburn, NSW Bureau of Crime Statistics and Research**

This presentation builds on work published earlier this year examining the factors behind recent growth in the rate of Indigenous imprisonment in New South Wales. It focuses on the growth in Indigenous arrest and imprisonment for the offence of intimidation/stalking, drawing attention to the way in which demands for a tougher response to domestic and personal violence can thwart the achievement of other important social objectives. The presentation concludes by discussing the role that alternatives to custody might have in dealing with the offence of intimidation/stalking.

## Risk classification tools: A snapshot of insights from a literature scoping exercise

**Harriet Westcott, Jessica Anderson, Garner Clancey and Roman Marchant, University of Sydney**

Risk assessment and management tools have proliferated in recent years and now permeate the criminal justice space. Further, risk tools and assessments for young people and adults are increasingly refined (eg Bonta and Andrews 2007). This presentation reports on two areas. Firstly, it shows the findings from a literature scoping exercise of risk classification tools and risk management. Returns yielded from a systematic search of 216 search parameters in two key databases provide insights about risk discourses in the Australian and international literature. Some terms such as 'risk' and 'offender' were numerous, while others appeared infrequently, or never. Overall, returns were voluminous, suggesting this is a burgeoning area.

Secondly, the presentation provides a snapshot of risk classification tools predominating over the past five years to commentate the myriad variations in implementation, context, population, and purpose. While having many tools available can offer practitioners choice and specialisation, navigating this variety can also be complex.

## An eco-centric approach to the sentencing of environmental offences

**Rob White, University of Tasmania**

This presentation examines the way in which the New South Wales Land and Environment Court approaches the task of determining proximate criminal sentences for offenders who breach environmental laws involving non-human environmental entities such as flora and fauna. The focus is on the nature and scope of specialist knowledge used in sentencing with a view to determining how the methodology used by the court, in formulating an appropriate sentence, reflects an eco-centric standpoint.

The presentation addresses two major questions—namely: how does this court identify, assess and quantify harm in regards to non-human environmental entities such as trees, landscapes and animals in matters where the harm is deemed serious enough to be prosecuted under criminal law, and how does this court apportion sentence as part of its role in future deterrence and thereby respond to the damage to, death of, or destruction or degradation of the non-human environmental entity? Interpretations of and responses to seriousness of harm and seriousness of offence are fundamentally shaped by the eco-philosophy demonstrated by judicial officers.

## Victimisation experiences and their association with informal social control actions

**Rebecca Wickes, Monash University**

**Lisa Broidy, Griffith University**

**Kathryn Benier, Monash University**

Victims of crime can experience significant declines in physical, financial and emotional wellbeing. Studies also demonstrate that interpersonal relationships may suffer in the wake of victimisation and victims report heightened fear of crime after their experience. However, victimisation may also prompt actions that serve to benefit the broader community. Indeed, it is possible that doing something in response to local problems may reduce strains associated with the victimisation experience. This presentation argues that victims who remain in the neighbourhood after a victimisation experience may be especially effective agents of informal social control.

This study assesses whether victimisation influences informal social control actions for different types of neighbourhood problems: graffiti, young people getting into trouble, traffic problems and drug problems. The research draws on two waves of data from the Australian Community Capacity Study to compare the exercise of informal social control across four groups: individuals with no victimisation experiences in their current neighbourhood, those who have experienced multiple victimisation, those who experienced victimisation only recently and those who experienced victimisation several years prior. The findings show that, compared to non-victims, victims with more than one victimisation experience are more likely to engage in informal social control actions for all problem types. This relationship holds even after controlling for a range of individual and neighbourhood level variables. The researchers conclude that agency in the post-victimisation period may have important socio-emotional health benefits for some victims of crime.

## Women and welfare fraud in Australia

**Scarlet Wilcock, University of Wollongong**

Women, and particularly single mothers, are more likely to be convicted of welfare fraud offences than men. Where criminal justice institutions are overwhelmingly focused on men and boys, in the context of social security fraud, women have become the more frequent targets of policing and surveillance and are twice as likely to be prosecuted compared to men. Drawing on interview research with fraud investigators from the Department of Human Services (DHS) as well as analysis of documentary and statistical data, this presentation explores women and welfare fraud in Australia. It begins by outlining the specific context of women's social security offending. It then turns to an examination social security detection and investigation strategies, and the gendered assumptions that shape the deployment and effects of these strategies. Ultimately, this presentation argues that the number of women prosecuted for welfare fraud has more to do with the DHS's investigation strategies than with the offending patterns of women on welfare.

## Neighbourhood Watch 2.0: Community crime prevention meets social media

**Mark Wood and Chrissy Thompson, University of Melbourne**

Through providing platforms for many-to-many information sharing, social media have helped foster a resurgence in local grassroots crime prevention initiatives. Harnessing crowdsourcing and distributed intelligence to prevent and investigate local crime, social media-facilitated crime prevention groups offer a digitised Neighbourhood Watch for the network society. One such group is Crime Prevention Manningham, which, as of June 2017, has accumulated over 10,000 members hailing from the City of Manningham, Victoria.

Drawing on a 10-month netnography of Crime Prevention Manningham, this presentation examines both the potentials and the pitfalls of Facebook-facilitated community crime prevention. While the 'hive mind' collective intelligence of such groups represents a truly innovative form of crime prevention, it can, as observations of Crime Prevention Manningham suggest, generate an atmosphere buzzing with suspicion, alarm and popular punitiveness. This research discovered that Crime Prevention Manningham was as much, if not more, a space for victims of property crime to discuss their experiences, as it was a platform for facilitating tangible crime prevention initiatives. In the group, anecdote, tabloid news, and a rhetoric of responsibilisation and exclusion combined to create a rolling feed of fear and distrust within an otherwise promising crime prevention initiative.

## Networked offending: Street crime meets the internet's space of flows

**Mark Wood and William Arpke-Wales, University of Melbourne**

There is now considerable literature on how criminal collectives such as street gangs use social media. Much of this research, however, treats social media primarily as a tool used by offenders, and in doing so adopts an instrumental conception of technology. While such research is valuable, this presentation contends that there is a need for additional criminological research concerned with how social media may generate new forms of criminal sociality. Analysis of the techno-social practices of Melbourne's Apex 'gang' suggests one such form of criminal sociality: networked offending. Drawing on Castells' sociological theory, this presentation sketches out a theory of networked offending that accounts for the role social media plays in facilitating 'person-to-person' rather than 'place-to-place'-driven co-offending. Brought about by rapid changes to information and communication technology, networked offending describes assemblages of geographically dispersed, yet loosely networked offenders coming together in shifting configurations to commit terrestrial crimes. Networked offending, the researchers argues, represents a departure from traditional spatially grounded theories of co-offending, and highlights the potential for social media to influence the structure and practices of co-offending networks.

## **Sexism, racism, homophobia and intolerance towards 'difference' within British police**

**Irene Zempi, Nottingham Trent University, United Kingdom**

Since the Macpherson Report, there has been pressure on the police to increase diversity of police staff. Although British police have recently recruited greater numbers of minority police officers, they still remain vastly outnumbered by their white, heterosexual male counterparts. Drawing on data from qualitative interviews with 20 participants based in a force in the UK, this research examined police officers' experiences of hostility, discrimination and exclusion internally in the police (Mawby & Zempi 2016). Although there is a lot of research focusing on police officers' experiences of racism in the police, other aspects of their identity remain under-researched. This study employed intersectionality (the presence of multiple aspects of identity) in order to examine police officers' experiences of bias, prejudice and 'hate' perpetrated by work colleagues and supervisors. The findings show widespread hostility, discrimination and exclusion towards minority police officers, especially those with multiple and intersecting personal identities.

# Thematic panels

## Out with the old, in with the new? Contemporary scholars review articles from the early days of *Australian and New Zealand Journal of Criminology*: 50th Anniversary special panel (Part 2)

### **Russell G Smith, Australian Institute of Criminology (Panel chair)**

This panel includes the presentation of four reviews and commentaries on a selection of articles originally published in the Australian and New Zealand Journal of Criminology. The founding editor of the Journal, Dr Allen A Bartholomew, had many hopes and expectations for the Journal envisaging ‘... a systematic study of all the measures to be taken in the spheres of prevention...of legislation, of the enforcement of criminal law, of punishments and other methods of treatment’. For the 50th Anniversary of the establishment of ANZSOC, eight contemporary scholars have been asked to review one article per person published in the first five years of the journal that falls within their academic research interests. They will consider: how the article reads today compared with when it was published; how has research and knowledge in this particular area of criminology in Australia and New Zealand advanced since the article was first published; are the issues and problems originally identified still relevant today, and has criminology abandoned these topics and epistemologies, and if so, why? The panel will assess whether Dr Bartholomew’s hopes and expectations have materialised and in what ways the study of crime and its prevention has evolved over the years. Part one of the panel was presented at the 2016 ANZSOC conference in Hobart in 2016, and the present panel includes four further presentations.

\* Attendees at this panel are asked to pre-read each of the original articles that can be downloaded in the abstracts below

## Review of 'The criminal law cannot stand still'

**Jonathan Clough, Monash University**

This presentation provides a review and commentary of the article by G. Sawyer '[The criminal law cannot stand still](#)' published in (1972) *Australian and New Zealand Journal of Criminology* 5(5), 137-145. The article concerns 'the ability or lack of ability of the courts to develop, mould and adapt the law, as expressed in a form binding on them, to the changing circumstances of society'. It considers 'a choice between certainty and uncertainty in the form of the law has an analogy with the distinction between general principle and specific rule, or between general rule and individual decision, or between fixity and development, or between rule and discretion'. This is one of eight articles published in the early years of the Journal that eight contemporary scholars have been asked to review to mark the 50th anniversary of the establishment of the Journal.

## Review of 'An action-orientation approach to the study of occupational crime'

**Clinton Free, University of New South Wales**

This presentation provides a review and commentary of the article by John C Meyer '[An action-orientation approach to the study of occupational crime](#)' published in (1972) *Australian and New Zealand Journal of Criminology* 5, 35-48. This is one of eight articles published in the early years of the Journal that eight contemporary scholars have been asked to review to mark the 50th anniversary of the establishment of the Journal.

## Review of 'Alcoholism and crime'

**Belinda Lloyd, Turning Point, Monash University**

This presentation provides a review and commentary of the article by Allen Austin Bartholomew '[Alcoholism and crime](#)' published in (1968) *Australian and New Zealand Journal of Criminology* 1(2), 70-99. The article examines the issue of the extent to which the consumption of liquor is a significant factor in causing crime. This is one of eight articles published in the early years of the Journal that eight contemporary scholars have been asked to review to mark the 50th anniversary of the establishment of the Journal.

## What's new Mr Robson? Reviewing 45 years of crime policy in New Zealand (1971-2016)

**Antje Deckert, Auckland University of Technology, New Zealand**

This presentation provides a review and commentary of the article by J. L. Robson '[Penal policy in New Zealand](#)' published in (1971) *Australian and New Zealand Journal of Criminology* 4(4), 195-206. This is one of eight articles published in the early years of the Journal that eight contemporary scholars have been asked to review to mark the 50th anniversary of the establishment of the Journal.

## Crime and justice in digital society

Digital technologies have had profound effects on our day-to-day lives, and on day-to-day issues of crime and justice. Yet arguably much conventional 'cyber' criminology has examined selected issues such as fraud, theft, security, terrorism, and child sexual exploitation, and focused foremost on analyzing the legal and law enforcement implications of these crimes. By comparison, there is less criminological research that engages with the broader question, 'how are the injustices and social inequalities that underpin many crime and justice issues changed, amplified and/or challenged in a digital society?' In this themed panel three presentations will discuss injustices, informal justice practices and justice activism in digital society. The presenters will explore some challenges and opportunities for addressing the harms experienced by marginalized groups, as well as the role of criminologists in advancing equality and justice, in the context of a digital society.

### **I'll take that as hate speech: Gendered contentions, Pauline Hanson and #qanda**

**Dr Robin Cameron, RMIT University**

This paper examines the contested gendered narratives in response to the appearance of Pauline Hanson on ABC's Q&A. The ABC promotes the show and the accompanying online dialogue via Twitter as a means for public participation in political debate on key topical issues. The appearance of Pauline Hanson provides insight into complex intersecting discussions around gender, race and class. The use of Twitter hashtag '#qanda' as an identifier of this discussion enables a range of analyses to be performed. A key word search of the 'user bio' field highlights a cross section of users whose self-described beliefs and worldviews are at least anti-social, if not outright extremist. Comparing this group with the wider group reveals a distinct discourse of what can be described as 'heroic and salvational masculinity' in their comments about Pauline Hanson and other female participants on the Q&A discussion panel.

## Following #JillMeagher: Participatory 'justice' and collective meaning-making in digital society

**Dr Anastasia Powell, RMIT University**

In the early morning of Saturday 22 September 2012 an Australian woman, Gillian 'Jill' Meagher, was reported missing after spending an evening out with work colleagues in suburban Brunswick (Melbourne, Victoria). Thousands of Australians followed the crime event as it unfolded via the mainstream news and online. This presentation focuses on the social media narrative constructions of this crime: from Jill's initial disappearance, to the identification of her alleged killer and discovery of her body, through to the street march held in her memory on Sunday 30 September 2012. Through a qualitative analysis of a Twitter dataset comprising over 7000 original tweets, the paper explores meta-narratives of sexual victimisation, 'risk' and 'safety', as well as 'digilantism' and activism that characterised Australian Twitter users' responses to this violent crime. In doing so, the presentation reflects on collective practices of meaning-making and participatory justice in response to public crime events that are enabled in a digital society.

## What happens next? Do digital activists achieve their goals in the digital society

**Dr Gregory Stratton, RMIT University**

Digital activism has become an opportunity for victims, advocates, and the public to elicit immediate engagement with criminal justice issues. The combination of ubiquitous and portable technologies with social networking sites represent critical tools in the formation and maintenance of justice movements. Despite digital activism offering increased engagement with justice issues, social media also has the potential to create an environment in which the engagement can be temporal or superficial and, in turn, influence how informal justice is achieved and perceived. By recognising the outcomes of high-profile incidents, this paper explores the effect and impact of clicktivism and slacktivism on justice movements, informal justice through online communities, and social justice in the digital society. An analysis of interviews conducted with organisers and members of high-profile activist movements provides insight into how the digital activism occurs and how the aims of such movements compare with outcomes in response to criminal justice issues.

## Surveillance technologies: Perspectives and perceptions of police detainees

This panel session explores the perspectives and behaviours of police detainees in response to visual surveillance technologies—police body worn video and Closed-circuit television (CCTV). The international research into police body worn cameras (BWC) has thus far largely focused on police experiences, or the perspectives of the general public. Similarly, there has not been any published research on police detainees’ awareness, experience and perceptions of CCTV in Australia. The panel draws on research from a Criminology Research Grant funded project undertaken in tandem with the Drug Use Monitoring in Australia research program. The first presentation focuses on BWC, while the second focuses on CCTV. The third presentation explores the methodologies of secondary analysis of the BWC data.

### Being held to account: Police detainees and body worn cameras

**Murray Lee, University of Sydney**

**Emmeline Taylor, City University of London, United Kingdom**

**Matthew Willis, Australian Institute of Criminology**

Police organisations across the world are embracing body worn cameras (BWC) technology in an attempt to increase public trust in police, transparency in policing activity, increase police accountability, and to provide a police perspective of incidents and events. However, the corpus of research into the effects and practicalities of police use of BWC is in its infancy, and the majority of this deals with evaluations from the perspective of police. This presentation explores BWC from the perspective of police detainees. Its focus is on BWCs capacity to deliver increased levels of accountability in policing. The article draws on research interviews with over 907 police detainees across Australian jurisdictions. Responses from detainees indicated their belief that BWC could deliver increased levels of police (and citizen) accountability echoing the rhetoric of police management. The presentation explores these responses and asks the question as to whether police BWC can live up to such expectations? The presentation concludes by suggesting that there are still a number of impediments between BWC’s clear capacity to provide a ‘new visibility’ and achieving a new level of accountability promised by advocates and expected by the respondents.

## Police detainee perspectives on CCTV

**Matthew Willis, Australian Institute of Criminology**  
**Emmeline Taylor, City University of London, United Kingdom**  
**Murray Lee, University of Sydney**  
**Alexandra Gannoni, Australian Institute of Criminology**

Surveillance technologies have been playing an increasingly important role in crime prevention and detection, particularly with cost-effective improvements in resolution and mobility. There remains mixed evidence on the effectiveness of this technology for deterrence and detection and whether use results in displacement. In this study, 899 adult police detainees were interviewed about their views and experiences of CCTV through an addendum to the Drug Use Monitoring in Australia program. Police detainees tended to regard CCTV as effective in reducing crime, particularly violent crime, but a significant number felt it would not prevent any crime. Nonetheless, for some the presence of CCTV deterred them from committing crime, although detainees were more likely to carry out their intended behaviours regardless of CCTV. Detainees identified a range of simple strategies for avoiding surveillance cameras, such as covering their face or turning away from the cameras. The findings have implications for the continued use of CCTV as a crime prevention and reduction tool.

## Quantitative analysis of the perceptions of police body worn cameras

**David Kohn, Murray Lee, and Roman Marchant, University of Sydney**  
**Emmeline Taylor, City University of London, United Kingdom**

Body worn cameras (BWC) are increasingly used by police forces across the world and Australia. The research community has specific interests in understanding the peoples' perceptions of this new technology. The current study presents a quantitative analysis of offenders' perceptions of BWC. To achieve this, we analyse survey data which contains several questions related to the perception of individuals towards police wearing cameras. The raw data and explanatory variables are extracted from the Drug Use Monitoring in Australia survey, conducted across Australia's main cities during July, August, October and November 2015. The analysis includes cross-correlation analysis and multi-variate statistical models that learn patterns from the data. The results present a ranking of factors related to the individuals' attitude towards BWC, such as transparency, accountability and safety.

## Gender violence in Australia: Historical perspectives

**Alana Piper, Griffith University (Panel chair)**

This panel will examine how historical knowledge about gender violence in Australia can enhance contemporary understandings of this widespread social problem. Presenters will assess the prevalence and devastating impact of different forms of gender-based violence in Australia across the nineteenth and twentieth centuries. The papers will also reflect on recent re-evaluations of the types of behaviour that fall under the rubric of gender violence, and a widening understanding of the different types of victims and perpetrators that it can involve. The panel will thus provide insight into the historical nature of, and attitudes towards, gender violence in its various permutations. Presenters will seek to explicitly link such historical examples of gender violence to current concerns and problems. In doing so, the papers will address not just changes but continuities in the legal, social, and political factors that have produced different forms of gender violence, in order to show how the past has led us to the current crisis in Australia.

### The 'protection of women in lonely situations': Rape offences and sentencing practices in colonial New South Wales in the 1850s

**Wendy Kukulies-Smith, Australian National University**

This presentation will examine the offence of rape against the backdrop of the uncertainty about the development of the criminal law of New South Wales in the mid nineteenth century. With the passage of the *Punishment of Death, etc. Act (1832)*, the Imperial Parliament commenced the process of removing the death sentence for certain offences in Great Britain. The death sentence was abolished for rape in 1841. This gave rise to discussions within New South Wales as to whether similar changes should be enacted in the colony. While reforms were proposed in 1845, the Attorney-General withdrew the clause abolishing capital punishment for rape from an Amending Bill having formed the view that the change was 'not appropriate to the peculiar circumstances of the colony.' This presentation will explore the reasons for this against a close examination of reported rape cases and sentencing practices in New South Wales in the 1850s.

## The role of economic abuse in domestic violence across the nineteenth and twentieth century

**Alana Piper, Griffith University**

Until recently, economic abuse was a relatively unknown or unrecognised form of domestic violence. This does not mean, however, that it was not historically present or that examples of it cannot be found in the historical record. This paper details the ways in which men used financial power to keep women within abusive relationships during the nineteenth and early twentieth century. It also explores how money matters often acted as an excuse or rationale for physical violence in abusive relations; a situation encouraged by the significant legal and social restrictions placed upon women's property rights and economic participation. The impact of women's class, ethnicity, and able-bodiedness on their experiences of economic forms of violence will be considered and connected to current challenges in family law policy.

## 'I wanted to protect Mum': Prosecuting children who killed violent men, 1900-1956

**Lisa Durnian, Griffith University**

Domestic homicide is the most extreme act of domestic violence. There were 200 domestic homicides in Australia between 2012 and 2014, mostly involving intimate partner homicides. The domestic homicide literature focuses mostly on criminal justice system responses to abused women who commit domestic homicide in self-defence, however 11 per cent of domestic homicides involve children killing their parents (parricide). Although contemporary research acknowledges that 'battered children' sometimes commit parricide in self-defence, little research focuses on the criminal prosecution of children who kill in the context of family violence. Current statutory concerns around privacy limit the media's publication of criminal prosecutions involving children, but historical newspapers faced fewer restrictions. This paper analyses cases prosecuted in Australian courts between 1900 and 1956 involving defendants charged with the deaths of their violent fathers, step-fathers or mothers' boyfriends. Findings suggest that juries and courts extended more leniency than we might otherwise presume to adolescent and adult children who killed violent men to protect their mothers, their siblings, and often themselves.

## Exploring views on offence seriousness, sentencing factors and sentence severity: The jury study findings

**Kate Warner, University of Tasmania**

In this panel session, we present some of the key and interesting findings emerging from two Australian Research Council funded projects: the Victorian jury study and the national jury study. These studies build on the original Tasmanian jury study both in terms of study design and in exploring new and emerging issues on sentencing from the perspective of jurors who have been involved in a real criminal trial. The Victorian jury study invited jurors from all criminal trials returning a guilty verdict in the County Court of Victoria to participate in a series of three surveys and an interview. The national jury study recruited ‘controls’ who were not empanelled in a jury during the period of recruitment and received a vignette as well as jurors specifically from sex offence and grievous bodily harm trials. We will present these key and interesting findings through three consecutive presentations. Firstly, Kate Warner will present a paper titled ‘Factors mitigating sentence: How do the views of judges and jurors compare?’. Next Lynne Roberts will present her paper titled ‘Public perceptions of the relative seriousness of sex offences’. Finally, Caroline Spiranovic will present a paper titled ‘Why the gap: Explaining inconsistency in public opinions on sentencing in situation-specific and general contexts’.

## Factors mitigating sentence: How do the views of judges and jurors compare?

**Kate Warner, University of Tasmania**

**Julia Davis, University of South Australia**

**Arie Freiberg, Monash University**

**Caroline Spiranovic and Helen Cockburn, University of Tasmania**

Public perceptions of aggravating and mitigating circumstances that justify harsher or more lenient sentences are under-researched. Asking jurors about sentencing in the Victorian Jury Sentencing Project provided an opportunity to compare the views of judges and jurors with respect to the relevance and weight of aggravating and mitigating sentencing factors that are commonly relied upon by the courts. With respect to mitigating factors it was found that jurors were less likely than judges to give weight to a range of mitigating factors such as an absence of prior convictions, good character, old age and delay.

## Public perceptions of the relative seriousness of sex offences

**Lynne Roberts, Curtin University**

**Caroline Spiranovic, University of Tasmania**

Determining public perceptions of the relative seriousness of offences has received considerable research attention. However, to date limited research has assessed public perceptions of the relative seriousness of different types of sex offences. An online survey was conducted with a representative sample of 300 Western Australian adults. Participants were asked to rank order eight sex offences (sexual penetration with a young person aged 12-16, sexual penetration with a child under 12, rape, attempted rape, sexual penetration with a child aged 12-16 under care/supervision, indecent act with child under 16, Indecent assault, production of child pornography) in order of severity. In a separate question participants were also asked to rank order five offences, including one sexual offence (rape), designed to situate the seriousness of sexual offences rank ordering within the broader context of all offences. We will present and discuss the rank-ordering of sexual offences, and their location within general offences.

## Why the gap: Explaining inconsistency in public opinions on sentencing in situation-specific and general contexts

**Caroline Spiranovic, University of Tasmania**  
**Kate Warner, University of Tasmania**

Research into public opinion about sentencing has demonstrated an inconsistency in responses to questions about sentencing, which we refer to here as the perception gap. The perception gap is demonstrated by the consistent observation in survey research that approximately two-thirds of respondents indicate sentencing in general is too lenient yet these same respondents often suggest a sentence in a specific case or scenario that is close to or even more lenient than the sentence imposed by the judge. In the Victorian jury study, we investigated possible explanations for jurors demonstrating the perception gap (i.e. jurors who provided a more lenient sentence than the judge yet indicated sentencing in general was too lenient) including fundamental attribution error, perceptions of offender redeemability, situational and trait empathy, non-crime related anxiety and general punitiveness. In this presentation, the results will be presented and unpacked.

## Understanding and preventing harmful sexual behaviour by youth

### Understanding and preventing the onset of child sexual abuse in adolescence and adulthood

**Nadine McKillop, University of the Sunshine Coast and Griffith Criminology Institute**

**Susan Rayment-McHugh, Stephen Smallbone and Zoe Bromham, Griffith Criminology Institute**

Few attempts have been made to examine the similarities and differences in circumstances of adolescence-and adulthood-onset child sexual abuse. Our project aimed to identify common and unique factors associated with adolescence-onset and adulthood-onset sexual abuse offending as well as determine what responses are therefore required to effectively reduce and prevent its occurrence during these two life-stages. Findings suggest opportunities for prevention may differ between adult and adolescent onset offenders and approaches should be tailored accordingly. Emphasis should be placed on primary and secondary prevention efforts that are currently less developed in Australia, compared to tertiary responses.

## **A comparison of Australian Indigenous and non-Indigenous males who commit sexual offences**

**Dimity Adams, Griffith Criminology Institute**

**Nadine McKillop, University of the Sunshine Coast and Griffith Criminology Institute**

**Stephen Smallbone, Griffith Criminology Institute**

This presentation will disseminate recent findings on developmental histories and onset sexual offense characteristics of Indigenous and non-Indigenous Australian male youth adjudicated for sexual offences. Compared to non-Indigenous youth, Indigenous youth were exposed to more systemic risks (e.g., family, peer, school and community-level) prior to the onset of their sexual offending; their onset sexual offence characteristics also differed (e.g., substance use, co-offending, victim-type, location and use of force/weapons). Theoretical and practice implications will be discussed from local, community-level primary and secondary prevention efforts to tertiary-level initiatives (i.e., assessment and treatment of Indigenous youth).

## Can systemic interventions designed to reduce reoffending by youth also reduce their victimisation?

**Nadine McKillop, University of the Sunshine Coast and Griffith Criminology Institute**

**Sarah Brown, Coventry University, United Kingdom**

**Ingibjörg Johnson, Maastricht University, Netherlands**

**Stephen Smallbone and James M. Ogilvie, Griffith Criminology Institute**

In a group of youth adjudicated for sexual offences we examined whether a specialist treatment program designed to address risk factors associated with sexual and violent recidivism can also be successful in reducing boys' own victimisation vulnerability. Boys who received 'treatment as usual' (TAU) were compared with similarly adjudicated boys who completed a specialist treatment program on their histories of contact with police (as offenders or victims). Despite their higher rates of pre-intervention victimisation, the specialist treatment group were victimised less frequently post-intervention than the TAU group. These findings suggest that offending and victimisation share common risk factors that may be addressed simultaneously within offence-focussed treatment.

# Parole and public opinion

## Parole, populism and penal policy

**Arie Freiberg, Monash University**

**Lorana Bartels, University of Canberra**

**Robin Fitzgerald, Adrian Cherney and Shannon Buglar, University of Queensland**

Since Jill Meagher was murdered by parolee Adrian Bayley in Melbourne in 2012, there have been a number of reviews of parole and extensive changes to parole laws, especially in Victoria, New South Wales and Queensland. In this paper, we examine the most recent changes in Australian parole laws, policies and practices in the context of the changing relations between the legislatures, courts and parole authorities. We argue that legislatures, purportedly reflecting public opinion, have become less willing to trust either the courts or parole boards and have eroded their authority, powers and discretion. We provide examples of legislative changes that have altered the purposes of parole and introduced mandatory or presumptive non-parole periods, as well as overriding, by-passing and restricting parole. We conclude with some observations about public opinion and parole, drawing on our data from the National Study of Community Views on Parole.

## **Damnation or redemption? Public attitudes toward parole in the era of 'forfeiture' punishment**

**Robin Fitzgerald, University of Queensland**

**Arie Freiberg, Monash University**

**Lorana Bartels, University of Canberra**

Public confidence in parole systems has become a central concern for Australian legislatures. The recent flurry of reforms following high-profile parole violations are premised on a supposed public desire for greater restrictions on the use of parole. We argue that these changes reflect legislatures' tendency to play to the notion that offenders should not be given second chances, or 'forfeiture'. However, our research suggests that the general public may be moved by a belief that all people can change. In this paper, we consider the extent to which recent restrictions are based on a sound reading of public opinion about parole. We draw on both survey and in-depth interview data from our national project on parole, which show that the Australian public holds diverse views on parole, and suggests that widely-held beliefs in redemption may be the most effective way to raise public confidence in parole systems.

## The punitive woman? Gender differences in public attitudes toward parole

**Shannon Buglar and Robin Fitzgerald, University of Queensland**  
**Arie Freiberg, Monash University**  
**Lorana Bartels, University of Canberra**

Studies indicate that men are more punitive than women when it comes to capital punishment and sentencing. However, at the point of releasing prisoners back to the community, this gender gap may be reversed (at least in the US), with women more likely to oppose prisoners' release on parole. No research has explored whether the same is true in Australia, where recent crimes by parolees have reportedly shaken public faith in this criminal justice process. Drawing on data from the national project on parole, this study examines gender differences in public support for parole. The findings demonstrate that Australian women are significantly more likely to oppose parole than men, and that this relationship is relatively unaffected by other factors, including fear and fundamental beliefs about offenders. The implications for the Australian context, where the number of female legislators, policymakers, judges and parole board members is increasing steadily, will be discussed.

# The intersection of out-of-home care and criminal justice: Historical perspectives, consequences and future directions

**Emma Colvin, Charles Sturt University (Panel chair)**

## **A problem yet to be acknowledged: The ‘systems abuse’ of children in out-of-home-care and the criminal justice system in Australia**

**Kath McFarlane, Charles Sturt University**

This presentation explores the involvement of children in out-of-home care in the criminal justice system in Australia, with a specific focus on the role and consequences of systems abuse—such as ‘care-specific trauma’ and ‘care-criminalisation’—in turning children from vulnerable adolescents into criminals.

## **From child in need to adult offender: The intersection of out-of-home care and criminal justice in New Zealand**

**Elizabeth Stanley, Victoria University of Wellington**

This presentation explores the longer-term consequences of out-of-home care involvement in the criminal justice system, including the legal and policy implications of the State’s historical failure to recognise its role in the creation of criminals.

## **What we are doing about out-of-home care: Addressing the intersection of out-of-home care and the criminal justice systems in the United Kingdom**

**Claire Fitzpatrick, University of Lancaster**

The final presentation in this series builds on previous presentations to examine the measures recently adopted in the UK to address the intersection of the out-of-home care and juvenile and adult criminal justice systems.

# Roundtables

## Sexual violence in a digital age

**Anastasia Powell, Nicola Henry, Georgina Heydon, Marg Liddell and Tully O’Neill, RMIT University**

With the rapid uptake of internet-enabled devices such as computers, phones and tablets, as well as digital communications services such as social media networks and social applications, it is perhaps unsurprising that digital technologies might also be used as tools to facilitate sexually based harms. Today, barely a day goes by without a news story on yet another incident of the circulation of images of sexual assault, of ‘revenge pornography’, of rape threats directed towards women in both public and private life, of child exploitation material, or of online abuse directed at victim-survivors of sexual violence. As disturbing as such individual cases may be, when we examine them collectively we can begin to understand the full nature and extent of the problem: these all-too-common experiences for women and girls online, are in fact a reflection and extension of everyday sexual harassment and violations experienced throughout society. This Roundtable Session discusses such examples and situates their analysis within broader criminological and technofeminist research. Panelists will also discuss the pursuit of ‘digital’ or ‘informal’ justice, such as through informal reporting and online support communities, in response to sexual violence. The Roundtable Session thus poses the question of how to challenge the gendered inequalities and misrecognition at the heart of sexual violence in a digital age and ‘rape culture’ more broadly.

## The research, policy and practice nexus: Future directions for criminology

**Anika Dell, Department of Justice and Regulation, Victoria**  
**Garner Clancey, University of Sydney**  
**Andrew Goldsmith, Flinders University**  
**Tessa Boyd-Caine, Health Justice Australia**

Most criminology academic researchers would like to think that their research has some influence on crime and justice policy. The best criminal justice outcomes generally result from policymaking grounded in rigorous research evidence. However there often seems an insurmountable gap between research and policy, between academics, policy makers in government, and industry practitioners. There are many tangible effects of this divide. Academics may be left feeling disappointed when their findings are politicised or aspects of their research cherry-picked and inappropriately applied. Government and industry may become frustrated with the inability of academic researchers to meet the deadlines required in a fast-paced policymaking environment. Frontline practitioners may find academic reports inaccessible and impractical, leading to a lack of engagement with the most recent research findings and missed opportunities for employing evidence-based practice. Despite the substantial opportunities for government and industry funding of academic expertise, existing systems and processes often inhibit collaborative opportunities, reducing the scope for the translation of research into sound policy and practice outcomes.

This roundtable session will explore the barriers to and possibilities of closer academic and government/industry collaboration in the crime and criminal justice space, and offer a vision for a future criminological research and policy nexus.

## **Transnational crime in Australia and New Zealand across the decades: Its changing nature, threat and mitigation**

**Professor Rob McCusker, De Montfort University, United Kingdom**

Australia and New Zealand have always, by dint of their respective locations and population size relative to land mass, been key focal points for organised crime in a regional context, organised crime in a national context and transnational crime in a global context. Thus, for example, it has always been possible to speak of State-centric organised crime such as drug markets in Victoria, national organised crime such as that perpetrated by Outlaw Motorcycle Gangs and transnational organised crime in terms of traditional organised crime groups utilising each jurisdiction as logistical transshipment points and/or as burgeoning markets for the ever-increasing range of transnational crime activity and for the dispersal of illicit financial funds garnered in consequence. Added to those interesting points of intersection are the constantly evolving threat dynamics of the crime types and methodologies experienced elsewhere in the world which are also reflected in the Australia and New Zealand contexts.



