

The History of Australian Corrections

by Sean O'Toole

University of New South Wales Press, 2006, 236 pages

The establishment and development of Australia's post-transportation correctional systems is a worthy topic of investigation, given the centrality of the prison to punishment throughout Australia for the last 150 years or so. Until now, these systems have generally been studied separately. Sean O'Toole's book represents the first nationwide historical examination of correctional systems in Australia. It is the work of a correctional systems practitioner. O'Toole has worked in a variety of state and federal criminal justice agencies, including a period as a designated detective with the Australian Federal Police. He is currently the Director of Learning and Development for the New South Wales Department of Community Services. His interest in the professional development of public service practitioners is evident in the sort of history he has written.

The book is divided into two parts, Part 1 being a discussion of what O'Toole identifies as the 'key issues and themes' of his subject and Part 2 being a chronological history of the 'development of corrections in Australian states and territories'. Subheadings are used throughout the book, as is boxed material — often short biographies of people named in the text. A glossary and a timeline are also included. The structure and layout of the book suggest that it is aimed at a general, non-scholarly readership or to be marketed as an introductory university textbook, among students of Australian history and criminology. O'Toole, though, has been poorly served in regard to the editing and proofreading of the work. Typing mistakes and grammatical errors abound and in several places it would appear that incorrect words have been used. For example, at the bottom of page 51, I would suggest that the phrase should read 'nor has any modern nation been founded from such an *unpromising* beginning', rather than an '*uncompromising* beginning'.

O'Toole's list of key issues and themes is a comprehensive one, tracing the development of the prison as a form of punishment from ancient times to the present. He considers the role of architecture and design. The imprisonment of specific groups within the population — Indigenous people, juveniles and the mentally ill, as well as women — is also discussed. So, too, is the issue of reform of correctional institutions. However, while O'Toole's list is comprehensive, his coverage of the topics, even given the constraints of the framework of the book, is not. The inclusion of Chapters 1 and 2 in the study (Chapter 1 — 'Punishment in the Ancient World' —

being particularly misnamed, given that it covers the period to the mid-16th century) has resulted in the publication of material that is so brief in its coverage as to be superficial.

Other topics are particularly poorly dealt with, such as capital punishment, covered in three short pages of confused argument in Chapter 10. The chapter includes almost no discussion of the extensive theoretical debates about the death penalty as a form of punishment. And while O'Toole raises the issue of the possibility of the re-introduction of the death penalty into Australian criminal codes, there is very little analysis of the long campaign to have capital punishment removed as a penalty across Australia. In detailing the case of Ronald Ryan, the last man to be hanged, in 1967, O'Toole simply concludes that 'the controversy surrounding the matter brought an end to capital punishment in this country' (107). This assessment belies the dates of the removal of the death penalty from the criminal codes of each state and territory, which O'Toole includes in a table within the chapter. While Tasmania removed the penalty in 1968, it was not until 1984, some 17 years after Ryan's death, that Western Australia finally removed the penalty from its code, being the last of the states and territories to do so.

In the second part of the book, O'Toole's decision to adopt the same organising schema for each colony/state chapter creates an unevenness of coverage in these studies. For instance, at least two of the three time periods into which O'Toole divides his material in these chapters — 1800 to 1900 and 1900 to 1960 — are of little historical validity. The dates of the granting of responsible government to each of the colonies would probably have made a more useful starting point for these chapters. The year 1900 is a similarly unhelpful dividing date, with the turn of the century and the establishment of the Commonwealth of Australia having little direct effect on the development of correctional systems across the country.

O'Toole's study, as a work of history, disappoints in many ways. It is, at most, a synthesis of previously published histories of the separate colonial, later state-based correctional systems. Many of these histories are solid, insightful works. Some are of less academic value, having been produced for professional development purposes within government departments of corrective services — such as Mark Robertson's *The History of Corrections*, upon which O'Toole relies heavily. (See Robertson M *The History of Corrections*, Centre for Professional Development, Southern Cross University, Lismore, 1993.) O'Toole's reliance on such work results in a somewhat presentist interpretation of the history of Australian correctional systems. Likewise, his discussion of the trajectory of the development of correctional systems throughout Australia is a highly teleological

one. It would seem that such material, created for professional development purposes, has sought to explain why correctional systems are as they are now, rather than seeking, as historians might do, to understand why they were as they were in the past.

Thus, the emphasis given to John Morony's interpretation of the legacy of Alexander Maconochie above those of published historians such as John Barry (see Morony J *The More Things Change — A History of Corrections in New South Wales* (private distribution) New South Wales Corrective Services, Sydney, 1988 and Barry J *Captain Maconochie of Norfolk Island* Oxford University Press, Melbourne, 1958) is, from a historian's point of view, misplaced. O'Toole's study of Maconochie would have benefited from a consideration of more recent assessments of him by historians such as Alan Atkinson and John Gascoigne. Worrying, too, from a historian's perspective, are the scant references to any sort of contemporary (that is, historical) sources, perhaps made most evident in the absence of a separate listing of contemporary sources in the bibliography. The sparseness of O'Toole's references, as well as the decision to use the Harvard system of referencing, limits the usefulness of the work for further historical research. It is also, generally, an uncritical account, perhaps because it was produced with the support of the New South Wales Department of Corrective Services.

O'Toole's book, as the publishers note, can be considered as a companion to histories of welfare organisations and other social welfare institutions. Perhaps one of the most useful points O'Toole makes is to remind us of the similarities between prisons and other government-run custodial institutions such as mental hospitals, orphanages and juvenile detention facilities. There were similarities in architecture and design, as well as in the daily regimes enforced in these institutions. And many inmates of correctional institutions had been inmates of orphanages or juvenile detention facilities or mental hospitals.

It is, it must be admitted, easy to criticise overview histories — such as O'Toole's — of particular topics or institutions which attempt a nationwide, 200-plus-year account, as being too general in their coverage and analysis and too reliant on secondary sources. But there are successful examples of the genre, including studies which focus on similar material to O'Toole's, most notably perhaps Mark Finnane's very useful survey history of punishment in Australia. (See Finnane M *Punishment in Australian Society*, Oxford University Press, Melbourne, 1997.)

The title of O'Toole's book is a straightforward one. I would, however, suggest that O'Toole has written *a* history of correctional systems throughout Australia, rather

than *the* (definitive) history. As the publishers note, Australia's post-transportation 'justice and punishment systems ... as well as Australia's prison and correctional systems have scarcely been documented'. O'Toole's study suggests many areas which warrant further, more detailed historical analysis. ●

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