

## *Book Reviews*

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Grabosky, P. and Sutton, A. (eds) *Stains on a White Collar: Fourteen Studies in Corporate Crime or Corporate Harm* (1989) Federation Press, Sydney

Chappell, D. and Wilson, P. (eds) *Australian Policing: Contemporary Issues* (1989) Butterworths, Sydney

These two collections reveal much about the often thankless task of selecting, editing and publishing essays in criminology. Since the early seventies in Australia, publishers have shown a courageous, some might say foolhardy, commitment to the production of essay collections on crime and criminal justice. With several notable exceptions, the buying public has not been kind to these endeavours. And yet the anthology remains a significant format for the presentation of criminology within Australia.

The reasons for this might as much reflect the limited aspirations of researchers and writers, as they do the perceived need which such collections are intended to satisfy. And the convenience of cost-sharing, and conference "spin-offs" has meant that some publishers have plugged gaps in their catalogues with relatively little risk or effort involved.

The first challenge facing such a collection is to focus on a theme which will provide some apparent cohesion throughout the collection, and will excite the reader's interest. The generalist approach, such as that taken by the editors of *Australian Policing*, has least chance of achieving either.

Next it is necessary to identify topics, and contributors capable of realising the potential suggested in the table of contents. A consistency of standard, and constancy of critical analysis is essential. Neither collection manages this, although to be fair, very few contributors can manage this within the confines of their own argument.

A contemporary issues collection has less chance of turning over the shells of old chestnuts. By selecting *Stains on a White Collar* as the catching theme for their collection. Grabosky and Sutton perpetrate what Dwight Smith has identified as an unhelpful paradigm of business-centred and "blue collar" criminality.

Chappell and Wilson face the generalists' challenge to be both contemporary and issue oriented. Some of their selections are unclear in their claims to either. Others deal with their chosen topics with such ubiquity as to avoid many pressing "issues" entirely. Papers like that of Rick Sarre, which attempts an interesting synthesis between consent policing and community accountability, highlights such deficiencies by the comparative trenchancy of his argument.

The "contemporary issues" model invites at least two other levels of assessment. How complete is its coverage of what are the current concerns for policing, and what's new that's said about them. On the latter score one might say very little. Some authors

chose to overview their own well-exercised positions. Others borrowed the views of others without taking them very much further. James and Polk at least put out some ideas for further debate regarding the marginalising effect of police policy towards young people. Grabosky floats some provocative observations on police efficiency measures.

As for coverage, I was left searching for the papers on specialisation, policing aboriginal people, police corruption, cop culture, police and the media, police intelligence and information technology etc, etc. It is always an editor's burden to face criticisms of preferred taste, but within this collection there are some very contemporary issues glaringly omitted.

*Stains on a White Collar* is comprehensive while at the same time presenting a menu of specific case studies which confront tax evasion, land fraud, product-tampering, health and safety, pollution, and corporate neglect. It might be a comment on the complexity of business crime issues which do not lend them to essay length analysis, or simply the predispositions of contributors, that over half the papers would sit equally well in a collection of essays on industrial safety science.

The foreword to this collection declares that "Australia can no longer afford the lazy greed of the corporate criminal", and the editors say that Australian companies "are capable of performing good works, and doing great evil". Unfortunately the collection does not leave the realm of case study for much broader theoretical examination of corporate liability, or the difficulties associated with the application of criminal justice solutions to business deviance.

Belying its publication date, this collection is a window on certain aspects of business greed and neglect between the mid 1970s and the early eighties.

The anthology of essays is a relatively immediate, and important publishing format for emerging disciplines in a limited market. It is to be hoped that future efforts will build on the success, and learn from the mistakes of these two examples.

*Mark Findlay*

Gale, F., Bailey-Harris, R. and Wundersitz, J., *Aboriginal Youth and the Criminal Justice System*, Cambridge University Press, Cambridge, 1990

This book is the culmination of many years empirical research by the authors into the operation of the South Australian juvenile justice system in relation to Aboriginal youth. It is easily the most substantial contribution in Australia to our knowledge of how that system impacts upon Aboriginal young people.

The effect of the juvenile justice system on Aboriginal youth is a problem which has come into national focus. Throughout Australia, Aboriginal children and juveniles constitute extraordinary proportions of those who are sentenced or remanded in detention centres. For instance in NSW Aboriginal juveniles constitute less than 2 per cent of the State's juvenile population yet comprise a quarter of those in custody; in Western Australia Aboriginal juveniles are less than 5 per cent of the State's juvenile population

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yet comprise around 75 per cent of the young people in the State's detention centres.

The importance of Gale, Bailey-Harris and Wundersitz' book is that they carefully analyse from a statistical base the formal processing of Aboriginal children in the juvenile justice system. They present a picture of Aboriginal youth being massively disadvantaged at every stage of the South Australian juvenile justice system where discretionary decisions are made. Aboriginal youth were more likely to be arrested rather than receive a summons by police. After being charged with a criminal offence, juveniles in South Australia appear before a screening panel to assess whether the youth should receive a diversionary option to a Children's Aid Panel or should appear before the Children's Court. Aboriginal juveniles were less likely than non-Aboriginal juveniles to receive the diversionary option, instead being referred to a formal court appearance.

At court, Aboriginal juveniles were more likely to receive a custodial sentence to one of the State's detention centres than were non-Aboriginal juveniles. The authors note that because Aboriginal juveniles receive harsher outcomes at each discretionary point in the system, the level of their disadvantage also increases the more deeply they move into the juvenile justice system. Thus while Aboriginal youth were 6.5 times over-represented at the point of being charged with a criminal offence, they were 23.4 times over-represented for those who were sentenced to detention centres.

As the authors note, such a level of institutional disadvantage occurs *despite* the fact that South Australia has traditionally had a progressive approach to dealing with juvenile offenders, particularly in the area of diversionary schemes.

One focus of the author's research is on the decision of police officers to arrest rather than 'report' (or summons) young people. The authors found that irrespective of the nature of the offence or the individual's prior record, police were more likely to arrest juveniles who were unemployed, living in single parent or other 'non-nuclear family' households and who came from poor residential areas. These factors influenced decisions despite the fact that the same offences may have been allegedly committed by juveniles from more respectable backgrounds. In other words, the dynamics of class played a role in discretionary decisions. Because of the class position of Aboriginal juveniles they were particularly vulnerable to decisions made along such lines.

The results of Gale, Bailey-Harris and Wundersitz' research cause us to question some of the basic assumptions underpinning the administration of justice. They write:

Australia's adoption of British legal systems led to the false impression that justice would be administered in an equitable manner to all Australians. Yet the position of Aborigines before the law does not support this belief. In fact it casts doubt on many aspects of the judicial system as it operates in the lives of deprived or disadvantaged persons generally.

The book makes a significant contribution not only to our knowledge of how Aboriginal juveniles are treated by the juvenile justice system, but also more generally about how the system itself operates.

*Chris Cunneen*