

INTRODUCTION

At a time when the administration of the prison system in Australia is burdened by problems of overcrowding, inadequate funds for rehabilitative programs and the terrifying spectre of the spread of HIV infection, it is appropriate for governments to initiate strategies which offer some prospect of success. The first three papers in this issue address some of those strategies. Other papers concern important issues of ethics and justice as applied in practice.

Richard Harding's paper on Prison Privatisation in Australia presents an optimistic view of a cautious and carefully monitored program of privatisation. Using Borallon, a privately operated prison in Queensland as a working model, Professor Harding debunks many of the myths surrounding privatisation. Ideological opposition is balanced against tangible benefits in the form of real cost savings and improved self-development programs for inmates. The paper addresses some controversial issues cited by opponents of privatisation and concludes that with careful monitoring, the obvious advantages in the system augur well for a further development into the 21st Century.

The next two papers both deal with HIV infection in prisons, sounding a warning bell to policy makers to base decisions on sound policy rather than votes.

Alex Wodak's expertise in the alcohol and drug related fields makes him eminently qualified to recommend viable options for the containment of the HIV epidemic within the prison population. Whilst acknowledging that some of the options may not meet with popular public approval, Dr Wodak argues that a failure to implement such strategies will result in dire consequences. Bearing in mind that the vast majority of prisoners will return to the community and resume either sexual relations and/or intravenous drug use, this problem is of universal import.

The paper by Hans Heilpern and Sandra Egger is based on six years of research in the area of HIV infection in prisons. Condom distribution, needle exchange, cell accommodation and other policies are examined critically. Whilst some States are more advanced than others in implementing prophylactic measures to control HIV infection, Australia generally lags behind other countries. The authors also suggest that politically motivated responses such as "truth in sentencing" legislation do little to provide an HIV-safe environment.

The fourth paper is a compelling examination of the ethics associated with the use of informants in law enforcement. Peter Grabosky poses difficult conundrums and hypotheticals. At what point does law enforcement cross over from seeking out criminals to creating criminals by inducement? Do the ends justify the means? What is the duty of the prosecutor with notice of illegitimate conduct by law enforcement agents? Dr Grabosky identifies problems and suggests sensible answers to a problem which should be of general concern.

Finally, Michael Rozenes QC and John Thornton provide a valuable insight into the way judges have tried to balance competing interests when dealing with s43(3) of the *Proceeds of Crime Act*. In deciding what constitutes a person's "reasonable legal expenses" which may be deducted from confiscated assets, judges have taken a conservative, case by case approach. The authors recommend a number of reforms in order to redress the balance, which, they say, presently works in favour of the defendant, to the detriment of the interest of preserving the assets.

The debate concerning the Battered Woman Syndrome (see Volume 3 Numbers 2 and 3) continues in the Contemporary Comment section. Stanley Yeo's analysis of the current Australian law regarding self-defence offers hope for battered women who kill but are unable to establish all the symptoms of the Battered Woman Syndrome.

This issue, unlike the previous three, is not concerned with a single theme, but covers different perspectives of diverse themes. The authors of the papers are to be commended for raising some thought-provoking and challenging ideas. It will be interesting to observe whether the authorities respond to the challenge by way of reform.

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CALL FOR PAPERS

Current Issues in Criminal Justice has recently undergone changes in content, away from an exclusive focus on papers from the Institute of Criminology's seminar series and towards diversification of themes through inclusion of other articles of interest to its readers.

Individuals interested in contributing articles are invited to submit material to the editorial committee (see back page of this issue for required format).

SUBMISSIONS FOR MONOGRAPHS

Contributions are also solicited for publication in the Institute's new Monograph Series, which aims, within the field of crime and criminal justice, to offer a range of quality publications in diverse aspects of this area. Format should be as for journal papers.

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