

Vale Dr Sandra Egger

David Brown

Prominent law reformer, policy advisor, researcher, criminologist, academic and administrator, Dr Sandra Egger, died of cancer in April 2013, aged 65, leaving a major legacy of law reform in criminal justice.

Sandra Egger was born in Western Australia in September 1947. She was an outstanding student, first at Perth Modern, then at the University of Western Australia, where she gained a Commonwealth Scholarship and graduated with First Class Honours in psychology, followed by a PhD.

Sandra began work in Sydney in 1980 as Deputy Director of the New South Wales Bureau of Crime Statistics and Research, where she very quickly established herself as a major force for law reform, in the process displaying a number of key characteristics. These were a rigorous commitment to work; toughness and courage; a commitment to high standards in policy formulation, research, management, teaching and learning; privacy and discretion; and a deep-seated commitment to social justice.

She dedicated herself to work and was disciplined and single minded in the pursuit of law reform and social justice ends. To take New South Wales Government Task Forces in the 1980s alone, Sandra was a member of the Domestic Violence Task Force 1983; the Intoxicated Persons Task Force 1983; the Child Sexual Assault Task Force 1984; Women in Prison Task Force 1984; and the Personal and Family Violence Task Force 1987. This was in the halcyon days of the Wran government, when progressive law reform was on the agenda, as evidenced in the decriminalisation of offences such as begging and vagrancy, reforms to public order offences, prostitution, bail, domestic violence, sexual assault, child sexual assault, drugs, and sentencing. Sandra had an influential hand in all of this, particularly in the period (1985–88) when she was handpicked by Premier Wran as Special Legal Policy Advisor to the New South Wales Premier. Later, under Premier Unsworth, Sandra was highly influential in developing reforms to gun control laws. During this period women's issues, for so long marginalised, came into the centre of government. Neville Wran had the Women's Coordination Unit, headed by Helen L'Orange, in the Premier's Department, where it enjoyed an unsurpassed period of influence and policy success in promoting women's issues and interests.

Rather than an approach to policy dictated by politics or morality, Sandra favoured the applied ethics of approaches like harm minimisation, in areas such as prostitution, drugs and HIV, focusing not on abstract moral positions or on perceived political advantage, but on practical issues of the health and safety of the people involved. Nowhere was this clearer than in the field of prostitution, where her work and that of Chris Harcourt, her sister-in-law, contributed significantly to the success story of legal governance of prostitution in New South Wales, as compared with other Australian states. This included the removal of prostitution as an area of the massive police corruption evident in earlier decades, along with significant improvements in health and safety in the industry, and the promotion of the political agency and control of the workers themselves.

Sandra's toughness was manifested in her role, first as Associate Dean of UNSW Law Faculty from 2002–04, and then as Head of School between 2004–07, a difficult period

when both federal government and University Central Managements were tightening the screws in the continuing neoliberal reconfiguration of the university sector in the direction of casualisation of teaching staff, increased student numbers, promotion of a 'business model' and the general commodification of teaching, learning and knowledge production. As a member of the National Tertiary Education Union, Sandra brought a strong trade union perspective to her managerial roles and saw her primary loyalty as being to academic staff and students. In addition to trying to mitigate some of the effects of the new 'business' approach to education, Sandra quietly gave enormous help to individual members of staff in all sorts of ways.

Sandra's first degree and her PhD in psychology instilled in her a lifelong commitment to social scientific methodology, to rigorous research and to the development of protocols for ethical research. In 1994, Sandra established the first National Health and Medical Research Council-recognised Human Research Ethics Committee in Australia that dealt with health research and prisoners. Her efforts were acknowledged in 2007 when Sandra was awarded the inaugural NHMRC Ethics Award for her outstanding contribution and achievements in health and medical research and health ethics.

Sandra had a deep-seated respect for learning and for students. She was an excellent teacher, and inspired in many of her legions of students a deep interest in criminal law, criminal justice and criminology. Since her death, numerous messages of condolence from former students have poured in, with former students now in the legal profession, in government, the public service, and academia attributing their interest in criminal justice to her teaching. Sandra treated students, as she did others, with respect, and deplored any reduction in standards, believing students deserved the best of what was on offer. Sandra fought hard, with others, successfully, to defend the benchmark UNSW criminal law course, with its nationally regarded contextual, process, critical and social justice orientation, from recent attempts to cut it back. She did much to contribute to the reputation of UNSW as Australia's premier 'social justice' law school.

Her many publications and her numerous reports for governments and other agencies (including in 2005 a major research report for UNICEF on Juvenile Justice in Cambodia) were always rigorously researched, conceptually strong and elegantly written, clarifying the policy implications and indicating directions for reform. Sandra worked on a range of major government consultancies in the criminal justice area. These included research and preparation of a research report on HIV/AIDS in Prisons for the Commonwealth Department of Health (1989); a report on New South Wales prostitution laws for the Queensland Criminal Justice Commission (1991–92); a research report on alcohol and domestic violence for the Commonwealth Department of Health (1993–94); research and preparation of reports on the effectiveness of domestic violence orders and their portability across state borders for the National Committee on Violence Against Women, Office of the Status of Women (1993); and a report for the Independent Commission against Corruption on the Wood Royal Commission Report into Police Corruption (1994).

Sandra's policy expertise was much sought after and she served on many boards. She was Director of the Board of Justice Health and Chair of the Justice Health Human Research Ethics Committee (1994–2012); a member of the Management Board of the NSW DPP (2001–12); a member of the Board of the Centre for Health Research in Criminal Justice, Justice Health (2003–12); a member of the Premier's Council on Crime Prevention (1998–2010); a member of the NSW Police Board (1995–96); a member of the Police Education Advisory Council (1991–96); a member of the Safer Australia Board (1995–96); a member of the Steering Committee, Gender Bias and the Law (Criminal Law), Ministry for the

Status and Advancement of Women (1994–95); a member of the Campaigns Sub-Committee of the NSW Council on Violence Against Women (1991–96); a member of the Editorial Board of the *Criminal Law Journal* (1991–96); a member of the Criminal Law Specialist Accreditation Committee of the Law Society of NSW (1992–2011); and a consultant to the Australian Law Reform Commission on the Police Complaints reference, among others. She was a research grant assessor for the Criminology Research Council, ARC and NHMRC.

She became a co-author of Brown et al, *Criminal Laws: Materials and Commentary on Criminal Law and Process in New South Wales* (Federation Press) for the third to fifth editions, bringing her particular talents and research strengths to bear in the chapters on assault/sexual assault, defences, and drugs, and the subchapter on prostitution. Her conceptual capacity, knowledge of, and facility with, medical literature enabled Sandra to conceptualise and critique the way that legal regimes impacted on public health and safety issues, a skill apparent in her treatment of mental defences, the legal regulation of drugs and responses to prostitution and the HIV epidemic.

Sandra was an intensely private and discreet person. One consequence of this was that many people did not realise the extent of her contribution to criminal justice research and reform. She was the conceptual thinker, diligent and committed researcher, policy advisor, drafter of legislation, negotiator and advisor, in the background, providing the research evidence and the policy formulations. Sandra's lifelong championing of law reform had its roots in a deeply based sense of social justice. She had a strong grasp of the fact that, while nominally criminal, much personal violence, especially domestic and sexual, is socially tolerated, its victims marginalised, hidden and discounted. And that historically, criminal law has been aimed at crime in the streets, and not crime in the suites.

Sandra Egger was a lifelong supporter of the Australian Labor Party and, while deeply dismayed by the state of current political debate, she nevertheless retained a commitment to the progressive potential of ALP politics, and a hope that it might be rejuvenated. In her last major published work, her chapter 'Law and Order' in Cline and Smith (eds), *From Carr to Keneally: Labor in Office in NSW 1995–2011*, Sandra offered a typically critical assessment (p 160): 'Most developments in the Carr to Keneally period resulted in an intensification of penal repression. The political debate was dominated by the language of punishment and retribution.'

Sandra leaves behind her a major legacy of critical criminological and criminal justice research, policy, activism, reform, teaching and administration which provides an alternative to the approach adopted by the NSW ALP over the last two decades, of which she was so highly critical.