

BOOK REVIEWS

The Police and the Public in Australia and New Zealand, by D. CHAPPELL and P. R. WILSON. (University of Queensland Press, Australia, 1969), pp. i-x, 1-214. Price: \$3.95.

This book is a welcome attempt to establish 'objectively and authoritatively both what the Australasian public think of the police and what the police think about the public' (p. vii). It includes as well much information, not easily accessible elsewhere, on the organisation and structure of the Australasian police forces.

Public attitudes to the police in the Australian States and in New Zealand were ascertained by interview. Unfortunately it was not possible to complete the survey of Australasian police attitudes to the public. Chappell and Wilson were refused permission to conduct a pilot study by questionnaire in the Australian Capital Territory. Victoria and Western Australia refused the authors permission to interview a cross-section of policemen in those States. In New South Wales a more reflective attitude prevailed. The request was 'considered' for two years before the authors reluctantly decided not to pursue the matter further with police in that State. They conclude that 'Australian criminologists, and other social scientists, are confronted with serious difficulties in seeking to conduct any form of research involving police co-operation' (p. 58).

Of the public in Australia 64% of the sample professed 'great respect' for the police. No more than 2% felt 'little respect' for them. By comparison 72% of the New Zealand public held the police in great respect whilst 6% said that they had little respect for them. Chappell and Wilson conclude that 'anti-police attitudes are not as virulent or widespread in the Antipodes as previous writers have suggested' (p. 54). In view of the mere 2% of the sample who had little respect for Australian police it might be suggested that anti-police attitudes here are minimal. The 29% of the Australian sample who had 'mixed feelings' about the police may have been cautious, judicious or merely indifferent. But they can hardly be said to have shown anti-police attitudes. Australian anti-authoritarianism, if it ever existed, appears to have subsided.

In fact the statistics relating to general levels of respect for the police are unhelpful as guides for change. In the United States a Gallup Poll taken in 1965 for the President's Commission on Law Enforcement and the Administration of Justice showed that 70% of the American public had a 'great deal' of respect for the police, 20% had 'some' respect, whilst only 4% said they had 'hardly any' respect for them. The compilers of the Task Force Report on the police noted the misleading effect of such statistics:

Studies might seem to suggest that there is no widespread police-community relations problem. And, if the persons showing greatest scepticism toward the police were evenly distributed through all kinds of communities and neighbourhoods, this would be true. In fact, however, this is not so.¹

In Australia respect for the police was found to be highest in South Australia (76%), lowest in Queensland. It was lowest in the 16-25 age group, highest in the group aged 46 and over. The more highly educated in each age group were less likely to express great respect for the police. The police responded by showing a strong anti-intellectual, anti-educational bias. Respect for the police was higher among non-motorists than motorists. It is to be regretted that the authors did not extend their enquiries to discover the attitudes of Aborigines and migrants. Police in Queensland

¹ P. 146 Task Force Report.

tended to single out Aborigines as antagonistic to them. In South Australia, on the other hand, police detected no antagonism among Aborigines. But migrants, whether from the United Kingdom or from other parts of Europe, were characterised as antagonistic by a substantial proportion of policemen.

Chappell and Wilson advance sensible, detailed suggestions for decreasing conflict between police and public. What is lacking, however, is discussion of the ways in which changes in the content of the criminal law might reduce antagonism to the police. Among students the chaotic state and repressive character of the law relating to public assemblies aggravates hostility to the police. The prevalence of laws intended to buttress morality rather than to prevent tangible harms — the law against abortion provides a ready example — tends to increase the risk of police corruption. It is notable that 64% of the Australian public considered that the police sometimes accepted bribes. The law of arrest and search and seizure of evidence allows considerable and often arbitrarily exercised discretion to the police. What is required in these and other problem areas is thorough and systematic analysis of the process of law enforcement.

The final chapters present a blueprint for internal reform of the Australasian police forces. The remedies advanced are not new: salary increases, raised educational standards, provision for promotion on grounds of ability rather than seniority and a lessened emphasis on physical requirements for entry to the police force. But the suggestions are detailed and appear feasible.

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The Pattern of Law Reform in Australia, by K. C. T. SUTTON, B.A., LL.M. (N.Z.), PH.D. (MELB.), Dean of the Faculty of Law, University of Queensland, (University of Queensland Press, Australia, 1970), pp. i-ii, 3-22 Price 75 cents.

This is Professor Sutton's inaugural lecture as Dean, delivered at the University of Queensland in August 1969, and now published in pamphlet form. It concerns itself with past and extant patterns of law reform both in England and in the various Australian jurisdictions.

Although there are in each Australian state (but not on the federal level) various bodies and institutions specifically concerned with the task of law reform, Professor Sutton is hardly guilty of overstatement in concluding that 'there is no organization which measures up to the standards set by the English Law Commission' (p. 13). He calls accordingly for the establishment of such organizations in each state, as well as of a central 'National Institute of Law Reform' to provide for the necessary process of co-ordination and co-operation at the national level. His insistence that all these bodies should be full-time, adequately staffed and funded, and subject to public scrutiny, can hardly be quarrelled with: 'law reform, if it is to be done properly, is a slow, complex, and time-consuming business, involving major research' (pp. 14-5), and cannot be done on the cheap.

What hope is there of Professor Sutton's advice being heeded in the reasonably near future? Any estimate here depends in the first place, of course, on a just discernment of the causes underlying the present depressing state of affairs. In Professor Sutton's words, 'why is it that in the common law world Australia has such a sorry record in the field of law reform?' (p. 16) — so much so as to be vastly overshadowed even by our equally antipodean neighbour, New Zealand? Right as he is in raising this question, Professor Sutton can however be accused, I think, of pussy-footing a little in his treatment of it. The answer, he says, 'lies in the fact that no one in Australia has been vitally concerned with law reform in the past. . . There has been no tradition of reform, and the public has remained uneducated as to the great need for reform, and therefore inarticulate' (p. 18). But this, so far from being an answer, is just another way of putting the issue.

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