

9.30am – Professor Julie Stubbs

Critical criminological research

Research and the critical analysis of the construction of knowledge are fundamental to what we do as criminologists and especially to the perspectives described as critical criminology. That crime is a moral and political construct that is not fixed in time or place, has profound theoretical and methodological implications.

Critical criminology/ies are diverse and subject to ongoing development influenced by borrowings from and dialogue with allied disciplines, and innovations generated by inter-disciplinary work. Common elements include an orientation *against* - the mainstream, official definitions and statistics, positivism etc - and an aspiration *towards* - social justice, human rights etc. Theory and research are typically understood as inherently linked; theorising and processes of knowledge formation are often subjects of critical inquiry. Critical criminology is reflexive and recognises the politics and political effects of research. Critical researchers use a diverse range of methods: it is methodology not method that designates an approach as critical. These characteristics offer tremendous opportunities for critical researchers but also generate real challenges. For instance, such research often engages individual, structural and historical levels of analysis and thus requires careful methodological attention. This paper considers both the opportunities and the pedagogical challenges of critical research.

Julie is a Professor of the Faculty of Law at the University of Sydney.

Since 1989 Julie Stubbs has taught criminology, including research methods, at the University of Sydney and has been actively involved in the Institute of Criminology. Her research interests include violence against women (battered woman syndrome, women as victims and offenders in homicide matters, violence against Filipino women in Australia, post separation violence and child contact, sexual assault) and restorative justice.

She is an international advisor to the British Journal of Criminology and a member of the editorial boards of Critical Criminology, Current Issues in Criminal Justice and was previously on the editorial board of Violence Against Women.

9.50am – Dr Mark Halsey

Explaining juvenile crime through the testimonies of young peoples

This paper examines the relationship between young people and crime and does so by drawing on the narratives of young men who have been involved in successive high speed pursuits. Beyond their reputedly addictive elements, or their association with personality types, I show that being pursued by police is an event marked by complex social and interactional aspects and that identifying these is essential to developing a better understanding of this type of crime. The paper proceeds in three parts. First, high speed pursuits are placed in the context of car crime and youth offending generally. Second, the dimensions of high speed pursuits are explicated using the concept of edgework. Here, I look specifically to the visceral and cultural aspects of being pursued by police in order to ground debate in the lived experience of key actors. Finally, I focus on the subjective conceptions of risk and safety evinced by young men in such circumstances in order to discuss the critical implications of offender narratives for policy and practice in this area.

Mark is a lecturer and the Coordinator of Master of Criminology at the University of Melbourne. He teaches From Graffiti to Terrorism and Qualitative Research Methods, and has a particular interest in young people and crime as well as cultural and criminological theory. He is the author of Deleuze and Environmental Damage: Violence of the Text (Ashgate, 2006) and has published in such journals as Angelaki, Punishment and Society, and Theoretical Criminology.

Mark is in the penultimate year of a five year interview based study of young men subject to repeat cycles of incarceration of release across juvenile and adult custodial spheres (funded initially by a Flinders University Small Grant and subsequently by an ARC Discovery Grant). He has completed numerous consultancies for state and local government on issues ranging from graffiti management, to respite foster care, to adult conferencing in the magistrates court.

10.10am – Dorothea Anthony

Challenging psychological explanations of crime

Can psychological explanations of crime account for, or help to explain, general patterns of crime committed by people who do not have a clinical disorder? This question is complex as it may involve conceptual problems, and also because there is not just one psychological explanation of crime but a variety of explanations depending on the particular psychological theory being utilised.

The paper introduces the phenomenon of psychologism, whereby crime is inappropriately reduced to psychological factors, and presents a range of models of crime based on psychological theories. It also looks at the attempt of the Frankfurt School of Social Research to combine psychological and sociological explanations of crime.

Dora Anthony is completing her research thesis in psychology examining the relationship between social consciousness and social personality as well as studying a Master of Law and Legal Practice at the University of Technology. She has received a Bachelor of Arts, majoring in psychology and philosophy, a Diploma of Science (Psychology) and the Wentworth Medal from the University of Sydney. Dora has given guest lectures in sociology at the University of Macquarie. She has also guest lectured in history and sociology, and was a tutor in psychology at the University of Sydney. Dora's academic interests include psychosocial studies, the philosophy of psychology and the philosophy of law.

11.30am - Mike Grewcock

State crime: some conceptual issues

This paper examines some of the conceptual issues arising from attempts to develop a criminological paradigm of state crime. It considers the definition of state crime provided by Green and Ward, 'state organisational deviance involving the violation of human rights', and argues that while fundamental, the relationship between state deviance and human rights remains problematic. The paper raises a number of themes that students studying this subject have been asked to consider: the role of state force; the systemic nature of state crime; the transnational nature of state crime; the relationship between state crime and transnational policing; the role of history and tradition in legitimising state crime; and the universality of human rights.

Mike Grewcock is a PhD candidate in the Law Faculty at UNSW, where he also teaches courses on state and transnational crime. Prior to commencing his PhD, he worked as a solicitor in London for 13 years, including 3 years as the Legal Officer for the Howard League for Penal Reform. He has an MA in Refugee Studies from the University of East London.

11.50am – Elizabeth Stanley

Teaching torture as site for state crime and a violation of international criminal laws

The late twentieth century has marked a resurgence in the use of torture. Between 1997 and 2000, torture was inflicted in seventy countries by three quarters of the world's governments (Amnesty International, 2000). In more recent times, this ascendancy has been illustrated boldly in the treatment of prisoners held within United States-governed detention centres in Iraq, Afghanistan, Cuba, and elsewhere. The initial graphic depictions of detainees being subject to violations brought international attention and a military tribunal, which was an unusual response to torture events. In return, a vigorous legitimising discourse in support of torture has emerged within political, academic, legal and social spheres.

Torture has remained on the periphery of Criminology when, arguably, it should – for reasons of its violence, criminality and popularity – be an essential part of the criminological endeavour. Human rights violations like torture present a vital opportunity for criminologists to provide a fuller recognition of what constitutes crime. Examining torture can develop our analyses on how states build or retain power through violence, and how this violence can be made acceptable to wider populations. It may allow us to make connections between the structural, institutional, social and personal frames through which violence is undertaken and experienced. It can also deepen our understanding of, and responses to, violations in terms of victimisation and accountability debates.

Lizzy Stanley is a Senior lecturer at Victoria University in Wellington (NZ). She had previously spent five years as a Lecturer in Critical Criminology at the Centre for Studies in Crime and Social Justice, UK.

Lizzy's research interests are in the areas of state crime, human rights, transitional justice and social justice. She has undertaken studies on rights and detention in NZ and the UK, and her work in South Africa, Chile and Timor Leste has focused on truth commissions and court processes.

Elizabeth is a member of Editorial Board for Politics and Ethics Review; a member of the European Group for the Study of Deviance and Social Control, and a member of the Australian and New Zealand Society of Criminology. She was awarded the 2004 Australian and New Zealand Society of Criminology 'Young Scholar Prize'.

1.30pm – Professor John Pratt

Teaching Punishment from contemporary, historical and sociological perspectives

This paper argues that to understand and participate in contemporary penal debate and penal affairs, we have to recognise that the terms and parameters of these matters have changed dramatically over the last thirty years. The emphasis on rational arguments about reconviction rates, the cost effectiveness of penal sanctions and the need for humanitarian reform - which used to drive penal policy - has to a large extent been superseded by policy that is driven by populist common sense and emotion. To understand why this has happened, then we need to sociologically examine the changing nature of the axis of penal power in modern society and the way in which this has unleashed these forces.

John Pratt is Professor of Criminology at the Institute of Criminology, Victoria University of Wellington. He has taught and lectured at universities in the United Kingdom, continental Europe, North America and Australia. He has undertaken extensive research on the history and sociology of punishment in modern society. He has published four books including Punishment and Civilization (2002) and Penal Populism (2007). In addition, he has co-edited three, including The New Punitiveness (2005), and has also published more than one hundred journal articles and book chapters. He was Editor of the Australian and New Zealand Journal of Criminology from 1997 to 2005.

1.50pm – Associate Professor Jude McCulloch

Explaining the politics of policing

States and powerful actors like corporations commit far more serious and extensive crimes and harms than individuals or low status groups. Nevertheless criminology largely analyses crime and violence committed by individuals and low status groups with the result that crimes and harms committed by the state and the powerful are too frequently ignored. In western countries, where the military has been largely confined to dealing with external enemies, the police are the primary agents of state harms and crimes domestically. A focus on police violence and abuse of power is consistent with critical criminology's interest in state crime and crimes of the powerful. Analysing and understanding the genesis and impacts of police violence and abuse of power is also consistent with a broader critical focus on the way criminal justice systems work to mirror, maintain and reinforce social divisions and hierarchies based on 'race', ethnicity, class and gender.

Jude McCulloch is an Associate Professor in Criminology at Monash University. She has researched and published on topics including, police shootings, crime and the media, women and policing, family violence, policing dissent, paramilitary policing, counter-terrorism, globalization and the 'war on terror'. She published Blue Army: Paramilitary Policing in Australia in 2001.

Jude is currently part of a four person research team investigating Community Policing and Culturally Diverse Communities as part of an Australian Research Council Linkage grant with the Victoria Police.

Jude is also leading a team of researchers funded through the Australian Research Council Discovery grant program investigating legislation and measures relating to the Suppression of Financing of Terrorism.

2.10pm – Professor David Brown

Critical penology, prisoners and citizenship: in the genre of gonzo: a road trip to the cauldron for the *Roach* case

Rather than rehearse the chapter for the Critical Criminology collection this conference paper will come at some of the key issues in a slightly different way. A Thompsonesque (Hunter rather than EP) road trip to Canberra (without Hunter's drug arsenal) to attend the *Roach* case in which a Victorian Indigenous woman prisoner is challenging the Commonwealth government's 2006 legislation totally disenfranchising serving prisoners, serves as a gonzo vehicle through which to examine the High Court clash as a fixture between a modernity under challenge and a resurgent feudalism. A playful account of the two day fixture highlights some of the game plans and constitutional moves and arguments around who constitutes 'the people' and whether excluding prisoners from the suffrage infringes the implied rights to freedom of political communication and political participation. Approached in this way, some of the key themes of critical penology such as the alliances forged between academics and students and prisoners and prisoner movement activists and organisations; the importance of access to media and to democratic representative structures; and the struggles of prisoners for 'discursive citizenship', emerge.

David Brown is a professor in the Law Faculty at the University of NSW where he has been teaching since 1974 in the area of criminal law, criminal justice and criminology. Over the years he has been involved in numerous social movements and campaigns around criminal justice issues and is a regular media commentator. His research work has been published widely in journals and books in Australia and internationally. He is co-author with Russell Hogg of Rethinking Law and Order (1998); co-author with George Zdenkowski of The Prison Struggle (1981); and co-author of the influential Criminal Laws in four editions (1990) (1996) (2000) (2006) which has become the leading criminal law teaching text in NSW. He was a co-editor of The Judgments of Justice Lionel Murphy (1986); Death in the Hands of the State (1988); Prisoners as Citizens (2002); and The New Punitiveness (2005).

2.30pm – Dr Bree Carlton

Understanding Prisoner Resistance: Re-Opening a Critical Space for Subjective Exploration of the Prison Experience

This paper advocates the theorisation of prisoner resistance as vital to teaching critical understandings and accounts of the prison experience in historical and contemporary contexts. By documenting and analysing prisoner voices and experiences of resistance this paper argues it is possible to illuminate subjective accounts of power, visibility, suffering and survival in high-security prisons, an institution traditionally shrouded from public view. Moreover, the development of critical frameworks to analyse and understand prisoner resistance, regardless of its form, as products of a system, provides a vital counter-discourse to the predominant official focus on individual prisoner dangerousness, risk and violence that underpins the retributive push towards coercive control and prison securitisation.

Bree Carlton is a lecturer in Criminology, Monash University. Her areas of interest include histories of punishment, particularly high-security and supermax and the impacts of criminal justice institutions and state practices on individuals and communities. Her forthcoming book, Imprisoning Resistance: Unlocking Accounts of State Power in the Jika Jika High-Security Unit, will be published by the Sydney Institute of Criminology Series in 2007.

3.45pm – Professor Chris Cunneen

Chris Cunneen is the NewSouth Global Chair in Criminology in the Faculty of Law of the University of New South Wales.

Until 2005, Professor Cunneen was the Director for the Institute of Criminology at the University of Sydney, a position held since 1995. He has been teaching Criminology at the University of Sydney Law School since 1990. Previously he held research positions with the Indigenous Law Centre at UNSW and the NSW Bureau of Crime Statistics and Research.

Professor Cunneen is the Chairperson of the Juvenile Justice Advisory Council which advises the Minister on juvenile justice matters. He is a member of the Attorney-Generals Taskforce on Child Sexual Assault in Aboriginal Communities. He is a member of the Editorial Boards of the Australian Indigenous Law Reporter (since 1997), Current Issues in Criminal Justice (since 1991) and Youth Justice (since 2005). He is also a Series Editor of the Institute of Criminology Monograph Series.

Professor Cunneen has published widely in the area of juvenile justice, policing, restorative justice and Indigenous issues including reports for the Federal Race Discrimination Commissioner and a number of books on issues such as juvenile justice; Indigenous legal issues; hate crime, and policing. He has also contributed articles to many journals.

4.00pm – Dr Barbara Ann Hocking and Dr Scott Guy

Dean Man Working?: Future Issues For Critical Criminology

Violence and criminal victimisation both feature prominently in the Australian criminological academic literature. However, we argue in this paper that the workplace has until recently been disregarded as a site for violence in the mainstream Australian criminological literature. Academic analyses on criminal victimisation have generally been confined to more traditional acts of violence, such as homicide, rape and robbery. We suggest that violence in the workplace crosses several traditionally distinct boundaries in criminology: its concern with individual behaviour as the subject of study, and its concern with matters that end up being the subject of criminal law. Workplace violence is an extremely elusive concept of criminal law, and violence in the workplace ranges across both direct, as well as more subtle and (more) insidious, acts such as threats of violence, sexual harassment and (workplace) bullying. We argue that in order to bring this extensively harmful conduct within the rubric of critical criminology, there is an increasing need for empirical analyses to document the pervasive and entrenched nature of workplace violence and how incidences of workplace violence are closely associated with organisational and management practices, as well as wider government economic and social policy.

This paper first seeks to canvass the various definitions of workplace violence. It then classifies the types of workplace violence and examines the various legislative and policy instruments that can be used to respond to workplace violence. The paper then reviews the contemporary literature on critical criminology and examines how this can assist in understanding the causes of workplace violence.

Barbara Ann Hocking is a Senior Lecturer in Law, Faculty of Law at the Queensland University of Technology.

*Before joining QUT in 1995, Barbara Hocking worked as a researcher with the Australian Law Reform Commission, Sydney University Faculty of Law, the Queensland Law Society and the Queensland Teachers Union. Most recently, Barbara worked as an academic at Griffith University from 1989 to 1994. Barbara was the holder of a Lionel Murphy Foundation Scholarship in 1988 and 1989. She has completed her PhD studies with the Faculty of Law at the University of Queensland. Her PhD topic was *The Uses of Criminal Conspiracy*. From 2002-2003, Dr Hocking was the Assistant Dean, Research with QUT's Faculty of Law. Barbara is also President, Association for Canadian Studies in Australia and New Zealand.*

Scott Guy B.A. (Hons.), LL.B. (Hons.), Grad. Dip. Legal Prac., Ph.D. Lecturer in Law, Faculty of Business, Griffith University.

4.20pm – Professor Mark Findlay

Transcending teachings of risk, security and governance from the local to the international arena

The paper presents a comparative/analytical framework for positioning risk and governance in the specific context of international crime (organised crime and terrorism in particular) and control, as essential features of the ‘new’ globalisation. Risk and security responses have become ingredients of global governance wherein crime/risk and control/security are essentially conflated within the context of international criminal justice. This has tended to compromise the critical role expected of justice institutions and processes in liberal democratic ‘separation of powers’ paradigms.

Global governance is now reliant on risk and security balances. The legitimacy of global governance depends in no small part on tackling the risk posed by a politicised crime agenda. The discourse of global governance abounds with concern for security through the neutralisation of crime risk. The partiality of the new ‘globalisation’ rests on a particular interpretation of risk and what are legitimate control responses. The ‘risk society’ has replaced modernisation as the organising framework of a globalised world. Security is the aspiration for global governance and globalised crime and control are key ingredients in the risk/security nexus. Terrorism and organised crime provide specific ‘criminalisation and control’ contexts for the new globalisation. The security focus has produced para-justice responses to terrorism regionally and globally. Now dominant international political alliances, as well as para-political enterprises have become reliant on transactions of violence for governance in a risk/security context.

All this challenges the teacher and student to consider the analytical potency of globalisation in understanding the connections between crime, control and governance.

Mark Findlay is a Professor in the Faculty of Law at the University of Sydney and the Deputy Director of the Institute of Criminology. Previously Head of Department of the Law School in 1998-1999, and Pro Dean in 1999, Mark currently holds a research Chair at Nottingham Law School. He is also a Senior Associate Research Fellow at the Institute of Advanced Legal Studies, University of London.

An experienced socio-legal researcher, Mark has worked as a research consultant for international agencies, governments and private consortia in many jurisdictions. He has recently undertaken consultancy work for AusAID, reviewing the law and justice sector in PNG. Professor Findlay is the joint chair of the International Criminal Trial Project, which is helping shape the face of international criminal justice. His new book Transforming International Criminal Justice is contributing to the reconciliation of retributive and restorative justice paradigms internationally.

Mark serves a number of significant state and national policy committees, including till recently, the Premier's Crime Prevention Council. He was appointed to the National Research Priorities Review Committee, Department of Education, Science and Training.