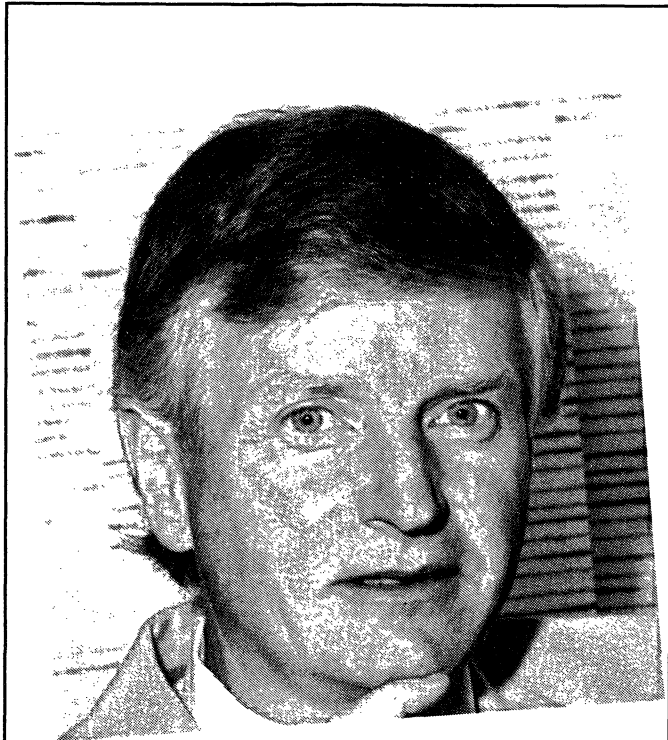


Approaches to Criminal Justice in Australian Colleges



Dr Peter Ling

Dr. Peter Ling is a graduate of the University of Melbourne. Until recently, he was head of the School of Community Studies at the Philip Institute of Technology. That school offers an Arts Degree in Criminal Justice. During 1988, Dr. Ling was visiting Professor in Criminal Justice at the University of Georgia. Since his return, he has taken up new duties as Manager of the Education Development Unit at the Philip Institute of Technology.

He has taught mainly in the areas of education and youth work. His major written work is "Education Policy in Australia, 1880-1914." He has also written articles for Australian and International Journals on Criminal Justice, Youth Affairs and Education. He was the founding President of the Australasian Association of Criminal Justice Educators and is currently the National Secretary of the Australian Crime Prevention Council.

We commend to you this article which examines alternative approaches and develops a rationale for a professionally oriented programme for the study of Criminal Justice.

TERTIARY EDUCATION COURSES RELATED TO CRIMINAL JUSTICE.

Studies in aspects of criminal justice, as distinct from studies in law, are a novelty in Australia. Where associate, baccalaureate, masters and Ph.D. programs in police science, criminal justice and criminology areas have been established in North America, burgeoning in the United States from the late 1960s, in Australia only associate diploma courses can claim better than a decade of history.

The last survey of courses and developments in Australia conducted by the National Association of Criminal Justice Educators in May 1987 indicates that six associate diploma courses operate currently, two of which are specifically designated police studies, and only one dedicated bachelor level course operates. A further five bachelor level courses containing a major study in the police or criminal justice area are proposed for introduction before 1990, while two further associate diplomas are proposed.

The range of programs available in North America and those being developed in Australia indicates a number of possible course titles in the broad field of study and presumably alternative focuses, purposes and perspectives. Titles include police science, police studies, corrections administration, court administration, justice administration, criminal justice administration, justice studies, criminal justice studies and criminology.

This paper is directed at those classed as criminal justice and as criminal justice administration, but an initial focus on the possible nature and role of the range of courses will help to uncover issues and dilemmas faced by these particular courses.

POSSIBILITIES AND ISSUES FOR TERTIARY PROGRAMS IN CRIMINAL JUSTICE

One of the first considerations in selection of title is the breadth of the academic and, where applicable, vocational orientation of programs. Titles such as 'policing' 'police studies' or 'correctional administration' specify a narrow vocational focus (though courses developed under these headings may incorporate a broad span of academic disciplines whose rationales for inclusion range from pragmatism to ideal), while 'criminal justice' implies a broader span and 'justice' defies attempts to draw boundaries.

Having addressed the question of span, developers of programs in criminal justice face the question of whether they are proposing a liberal or a vocational study.

A LIBERAL APPROACH

A course in criminal justice may not be liberal in the classical sense of constituting a polite intellectual exercise for the stimulation of the mental faculties, but may be liberal in the sense of constituting a disciplined and detached analysis of criminal justice for the sake of enhancing appreciation of an aspect of social environment.

This raises questions of whether a liberal study of criminal justice may be seen as a discipline in itself and of its relationship to criminology.

To first address the relationship to criminology there are two issues, the breadth of the field of study of criminology and of criminal justice, and the possible socio-educational functions of the two approaches.

On the issue of breadth, if criminology is, as seen by G.M. Sykes (*Criminology*, 1978, p.6), a study of the origins of criminal law, the administration of justice, the causes of criminal behaviour, the prevention and control of crime, and the rehabilitation and modification of the social environment, then there is no distinction. If, however, a narrower definition of criminology is adopted, such as that of S. Hurwitz and K.O. Christiansen (*Criminology*, 1983, p.1.) which confines criminology to the exploration of criminal behaviour and the social factors associated with crime and criminals, then a study of criminal justice may incorporate a study of criminology, but must extend beyond that to a critical study of the nature and components of the criminal justice systems, their role and modes of operation, and of other matters which may impinge on criminal justice, but which do not necessarily impinge on criminal behaviour.

On the issue of socio-educational function, Richard Quinney (*Class, State and Crime*, Second Edition, 1980, pp. 9-15) identifies the introduction of criminal justice programs in United States' colleges and universities with a "state-supported effort to rationalize mechanisms of social control... to secure a capitalist order that is in grave crisis". He contrasts it to criminology courses taught in sociology departments which consider crime in the context of broad studies of society, including class structures and social control. Criminal justice, from this perspective, deals with the effectiveness of criminal justice systems and, at its most liberal with micro-level issues of equity within the system, distracting from broader critiques. If one accepts the concept of a liberal study, and accepts that as an educational approach it may be applied to criminal justice, then there is no inherent reason why criminal justice cannot address macro-social issues and indeed there is an obligation to do so. Insofar as it takes a liberal approach, criminal justice is not a tool of the system. While a liberal study in criminal justice may attract, and is likely to attract, people with an interest in working in the field, neither its areas of study nor its approach can be dictated by representatives of the field without compromising the essential requirements of a liberal study.

In Australia it is difficult to represent the introduction of criminal justice to colleges as a conspiracy of the capitalist state in the way in which Quinney claims it was such a conspiracy in the United States. Courses in Australia have arisen from the initiatives of colleges, and indeed from departments and

individuals within them, rather than from the state or from criminal justice agencies. The state has provided funding, as it does for all approved tertiary education courses, but its role has been merely permissive.

The question of constituting a separate discipline cannot be addressed in any detail here, save to say that the case against criminology as a discipline distinct from sociology is bound to be encountered when considering criminal justice as a discipline. On the other hand, one of the defenses of criminology as a discipline can be employed; namely, that it involves understandings of law, legal systems and individual behaviour outside the realm of sociology and that it is, therefore, an entity rather than a subset of sociology. This defence is based on the notion of developing a new area of study by drawing on components of established disciplines (and in this sense the more disciplines which attack the new entity, claiming it as merely a facet of their own discipline, the stronger the case the new entity may make for its peculiarity).

A VOCATIONAL APPROACH

An alternative to criminal justice as a liberal study per se is to define the objectives of the program in vocational terms. Where programs are seen as courses in the administration of criminal justice rather than about criminal justice some further issues arise. While it is not conceptually difficult to devise vocational education programs for criminal justice workers (that is courses in the administration of criminal justice), placing such courses in a college generates a delicate task not confronted when offering criminal justice as a liberal study. These courses require a rationale which allows them at once to be "vocational", to relate to the whole area of criminal justice, and in their nature to constitute tertiary education.

Professionally oriented criminal justice programs may take a liberal approach, but unlike criminology they cannot rely entirely on a liberal studies rationale. They exist for pragmatic purposes, and they, therefore, face the dilemma of tertiary education courses which take vocational fields and their related institutions as an area of study. If they are related tightly to occupational knowledge and skills, are they genuinely tertiary education programs; if they are not are they vocationally valuable?

If it were just a matter of providing tertiary education, then a liberal studies course or an engineering or a medical course would meet vocational needs in the criminal justice area as well as would any other course.

If it is a matter of specific vocational preparation, then occupational skills and knowledge are required which could be provided by in-service training in criminal justice agencies or by contacting the specific programs to an educational institution. The imperative for a college education would be lacking.

DEVELOPING A RATIONALE FOR A PROFESSIONAL COLLEGE PROGRAM IN CRIMINAL JUSTICE

A professionally oriented college program is only justified if an academic and detached education is seen as a

requirement of at least some of the personnel in the field. While the justification for offering in colleges a professional program in criminal justice studies (or in criminal justice administration) cannot be advanced in exclusively liberal terms, such a program could be expected, as an element of tertiary education, to share much of the distinctive characteristics of liberal studies. In particular, it should provide a disciplined, detached and critical analysis of criminal justice systems and their modes of administration, which will include an examination of their social function. The full educational programs with which such studies are associated might also include some elements incorporated solely for their liberal education value.

It could be argued that an agency with suitable access to educational resources might well provide such a program on an in-house basis. The question of access to suitable educational resources, however, is a critical one. Agencies may, due to the small scale of programs or through lack of educational personnel, facilities or materials, have difficulties in offering programs which provide a breadth of understanding which allows personnel to make operational decisions with a full appreciation of context, options and implications. Some may lack a tradition of a critical, analytical approach or may be constrained in approach by institutional policy and practice and/or may lack personnel with curriculum design and teaching skills. For one reason or another, then, the tertiary education is likely to be appropriate for at least some aspects of professional education. In this, criminal justice occupations might follow the examples of teaching and nursing (occupations with elaborate in-house pre-service and in-service educational programs).

If the argument for a professional tertiary education program is accepted, a professional program in criminal justice still confronts the dilemma raised previously of whether a narrow vocationally-oriented program can be tertiary in nature and whether, on the other hand, a broader academic framework is vocationally useful.

To address the first aspect, if it is conceded that the advantages of tertiary programs suggest that at least some aspects of professional development for at least some criminal justice personnel might best be provided in tertiary institutions, the question remains of how vocationally-specific such courses should be. It could be argued that the educational needs of criminal justice agencies can be met, particularly at management and policy levels, by exposing personnel to the experience of tertiary education and that the specific area of study is of little importance. Here it is worth noting that engineers are not prepared with degrees in language or in medicine or in law. If administering a system of justice requires more than common sense and the development of intellectual ability; if it requires an understanding of the mechanics of the system's, of its developing and changing role in society and its possibilities, and of the personnel's effect on individuals in contact with and in conflict with the system, then some specific preparation will provide a framework for

response not provided by general studies, by detached liberal studies or by alternative areas of vocational study.

If programs are to be vocationally-specific, how vocationally-specific? There is no one best answer. Different degrees of vocational specificity have different advantages and disadvantages. Vocationally specific courses such as police studies or corrections administration programs can provide more directly for the operational requirements of agencies and do not have the difficulty of balancing the requirements of various professional sectors.

The advantages of a broad criminal justice education on the other hand are that:

- (i) it provides not only the range of contextual studies which typify tertiary programs, but through studies of criminology and of criminal justice systems, the means to place particular criminal justice occupations in perspective, providing a better informed basis for operational decision making;
- (ii) it confronts students with discontinuities and conflicts in practice, procedures, and underlying philosophies which occur between sectors in the criminal justice system, and provides the opportunity for better understanding and development of a system, so better serving those in contact with criminal justice agencies.

The second aspect of the dilemma is the actual and perceived utility of college courses. Colleges face difficulties in offering courses which deal with specific educational requirements of agencies such as police, corrections, or courts administration to the satisfaction of agencies:

- (i) such courses (as opposed to in-house courses) place a further step in the communication chain between the establishment of the educational objectives of service agencies and the delivery of educational programs;
- (ii) the service agencies lose direct control; and
- (iii) the educational objectives imposed by the tertiary institutions may not be identical with those of service agencies and may in some respects be contrary to them.

The advantages of tertiary provision, however, arise both from their educational expertise and from the very fact that they do distance themselves from agency requirements in that:

- (i) the institutions involved are specifically established and resourced to provide education and are experienced in its provision;
- (ii) they have a tradition of critical and detached appraisal. They also have a tendency to place practices and issues in broad administrative, social, political, economic, psychological and philosophical contexts. These attributes provide for the development of personnel able to play a critical, innovative and developmental role in an organisation; and
- (iii) they have the resources and experience to integrate into a program a wide range of contextual, complementary and supplementary studies.

COMPONENTS OF A CRIMINAL JUSTICE PROGRAM

The definition of a professional criminal justice program has so far been merely implicit. The identification of the distinguishing features of criminal justice programs and the rationale for their inclusion in tertiary education provides the base for expounding this.

A criminal justice program, as a course oriented to the occupations which facilitate criminal justice, must at a minimum provide:

- (i) concepts of criminality, including legal, sociological and psychological facets;
- (ii) concepts of criminal justice and understanding of the systems devised for its implementation; and
- (iii) principles of policy analysis, management, and policy development, with particular reference to the public sector.

As a tertiary program, it should also provide:

- (i) sociological and behavioural studies which provide an understanding of the context of the administration of criminal justice; and
- (ii) an appreciation of social research, together with some research skills

It might also provide:

- (i) some liberal studies *per se*; and
- (ii) some vocational studies specific to particular sectors of the criminal justice system.

THE FIELD OF STUDY OF A CRIMINAL JUSTICE PROGRAM

A concluding consideration in addressing the nature and role of criminal justice programs is their location within tertiary education and within the organisational structures of tertiary institutions. On this matter, there has been a variety of practices.

Criminal justice programs have been located in arts, social science, applied science, business and law faculties. As programs which draw at the least on sociology, psychology,

law and management, they can fit more or less comfortably or uncomfortably in the fields of arts, social science, business or law. While a case might be made to incorporate a course in police studies in applied science on the grounds that policing is a science (rather than an art or a business enterprise) the normal academic bounds of applied science need to be stretched uncomfortably to accommodate criminal justice as distinct from police science programs. There is a difficulty, though not insurmountable, in operating in a law faculty. The legal system represents only one aspect of the criminal justice system and it might be preferable to operate in territory seen as more neutral by other components of the criminal justice system (specifically police and corrections), especially if the discontinuities between sectors in policy and in operational modes referred to earlier are significant. Insofar as the *raison d'etre* for business and the criminal justice system are distinct (if not antithetical), criminal justice programs might best be housed elsewhere, though it should be acknowledged that programs specifically in criminal justice administration may share in their subject matter and purpose a good deal with management studies. The most comfortable location, with exception immediately above, is in the field of arts or social science from which criminal justice programs draw their behavioural and sociological bases and their liberal studies methodology.

DR. PETER LING
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