

# BOOKS FOR THE MODERN DETECTIVE

Reviewed by Ted Bassingthwaighte

*The Australasian Coroner's Manual* by Hugh Dillon and Marie Hadley (Rrp \$99.00)

*Preventing Violence in Australia — Policy, Practice and Solutions* edited by Andrew Day and Ephrem Fernandez (Rrp \$69.90)

*Criminal Laws — Materials and Commentary on Criminal Law and Process of New South Wales* 6th edition by Brown, Farrier, Neal, Weisbrot (Rrp \$155.00)  
Published by The Federation Press

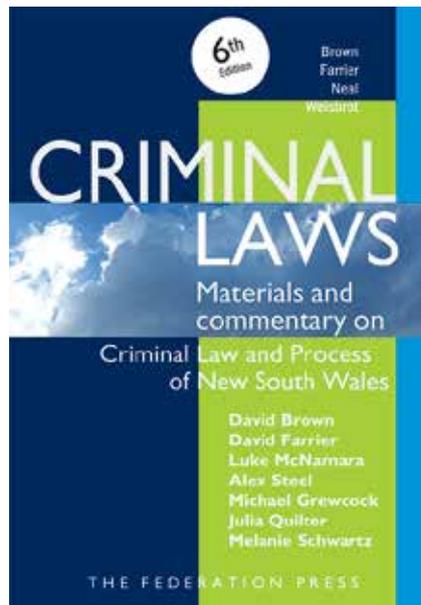
The 18<sup>th</sup> of October 1991 was one of the proudest days in my life. After four years and many obstacles I was officially designated a detective in the NSW Police Force. I'm sure the effort to attain this precious designation in the modern Police Force is far more circuitous than it was back in the day, but nonetheless as important to the individual as it is to the organisation.

There was no bachelor's degree to conquer, just six weeks of intensive lessons and partying at the Goulburn Police Academy. Surviving the 'D's' course in one piece was, in those days, an unwritten precursor to earning the handle. What I remember about that course though was the lack of resource material that may have made it easier or may have resulted in a better finishing mark.

The modern Detective and the uniformed police officer need to be across a universe of legal, procedural and process information when carrying out their sworn duty. So it is without hesitation that I recommend all of the following legal texts and manuals to police. Do not be deterred by the cost or the thickness of some of these books as I guarantee, if used properly and in a timely way during your investigations, you will save yourself time and possible embarrassment when you give evidence in a Court.

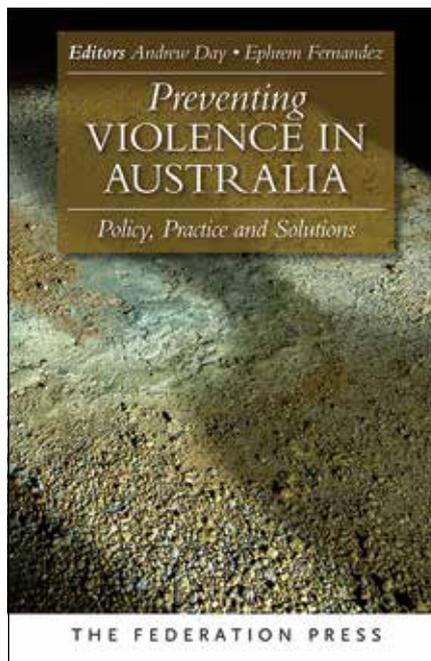
*Criminal Laws – Materials and Commentary on Criminal Law and Process of New South Wales* is a must have resource for any budding or made Detective. This book started in 1984 and is premised on some very important organising principles. The first of which elucidated a desire to challenge "many of the common assumptions about 'criminal law'". *Criminal Laws* has done this very well over the years.

Remember that the criminal law is a constantly gyrating beast influenced primarily by case law but also significantly by the many public policy considerations that play out in political battles between ideologies. One cannot deny that best practice law in New South Wales has, at times, been hostage to the law and order screeching of desperate political classes who successfully frighten the electorate into sublimely accepting harsh and often unworkable legislation. The recent changes to the *Bail Act* are a case in point.



*Laws* examines arrest, interrogation and searches."

As each of you will know, irregardless of the mountain of operational policy and procedures and legislation one must consider when making an arrest, the appropriate use of one's discretion is paramount. The 2002 NSW Supreme Court case of *DPP v Carr* is a must read for anyone struggling with their understanding of this aspect of policing. *Criminal Laws* 6<sup>th</sup> edition is an essential text in the library of any serious detective or legal professional.



There is so much content in *Criminal Laws*. You will find an answer or at least be guided onto the right path if you have this book in your legal library.

An interesting and new addition to the book is the chapter on Police and Criminal Process. This chapter introduces "... the theme of policing as a form of social control ... with reference to the exercise and regulation of police discretion. *Criminal*

Hardly a day goes past when one does not sit with jaw agape at the violence seeping out of the 6pm TV news broadcast. Unfortunately so much of the violence is domestic related. *Preventing Violence in Australia — Policy, Practice and Solutions* is for those who want to prevent this violence. One form of violence is endemic in Australia; it is no longer the elephant in the room.

I'm talking about domestic violence and the physical and psychological mayhem that this criminal act inflicts on all levels of society.

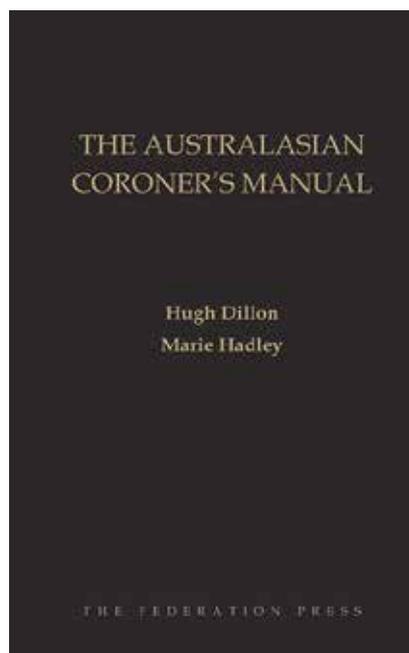
This book is a substantial discourse on the topic. There are 32 contributors to the book. Highly qualified people from across public health, medico/psych academia, and criminology and social work fields have produced a book that enhances our understanding of violence on every level. To best deal with this problem it is imperative that all the root causes are known and quantified before society can deal with it.

*Preventing Violence in Australia* discusses many prevention strategies that have proven to be effective. The knowledge and acceptance of the need for proven violence preventing strategies are essential for a professional police officer.

It is a given that even a very junior police officer will be confronted with a deceased person within weeks or days of their first shift. They may only be tasked with taking names and details at the entry to a crime scene but before long they must complete their first P79A.

Statistically the most likely form of death the young constable will confront is suicide by hanging. In 2012, 54.4% of suicides were by hanging according to the Australian Bureau of Statistics. As is so often the case this act of anguish by the deceased is done without leaving any clue as to why. It becomes the very important task of the investigating police officer to arrive at a hypothesis as to why so the Coroner can make a finding that offers some comfort to the grieving relatives.

The first reportable death investigation to be presented to a Coroner can be daunting if not done with a competent understanding of the legislation, policies and procedures pertaining to this type of investigation. *The Australasian Coroner's Manual* is the perfect manual for inexperienced police officers or budding young detectives.



The Coroner's Court, in the words of Hon. Justice Michael Wigney of the Federal Court of Australia is "... important because it fills a significant niche in our system of justice concerning ... the manner and cause of death of one of its citizens".

The Coroner's Court is a blend of the European inquisitorial legal system and our Westminster adversarial system. I was always drawn to the Coroners matters for this reason as at

times you felt a little less restrained by the evidentiary rules that hog-tie the prosecution in criminal court matters.

A small, dark brown and uninteresting-looking book, but don't be fooled by its appearance. *The Australasian Coroner's Manual* is essential reading for operational police officers and legal practitioners especially those who aspire for a better outcome for families and relatives following the untimely death of a loved one.

*Readers seeking support and information about suicide prevention can contact Lifeline on 13 11 14 or Suicide Call Back Service 100 659 467.*

The views expressed in this article are the author's own. |