

Briefing Paper



Forensic Samples

by

Marie Swain

No 022/95

Forensic Samples

by

Marie Swain

NSW PARLIAMENTARY LIBRARY RESEARCH SERVICE

Dr David Clune (230 2484) Manager

Dr Gareth Griffith (230 2356) Senior Research Officer, Politics and Government

Ms Vicki Mullen (230 2768) Research Officer, Law

Ms Jan Newby (230 2483) Senior Research Officer, Statistics

Mr Stewart Smith (230 3002) Research Officer, Environment/Science

Ms Marie Swain (230 2003) Research Officer, Law

Mr John Wilkinson (230 2006) Research Officer, Economics

ISSN 1321-2559

ISBN 0 7310 5915 8

© 1995

Except to the extent of the uses permitted under the *Copyright Act 1968*, no part of this document may be reproduced or transmitted in any form or by any means including information storage and retrieval systems, without the prior written consent from the Librarian, NSW Parliamentary Library, other than by Members of the NSW Parliament in the course of their official duties.

Should Members or their staff require further information about this publication, please contact the author.

June 1995

CONTENTS

INTRODUCTION 3

1 CURRENT SITUATION UNDER THE NSW *CRIMES ACT 1900* 3

2 PROVISIONS OF THE *CRIMINAL LEGISLATION (AMENDMENT) BILL 1995* 5

3 RELATED LEGISLATION 6

 (i) Australia 6

 (ii) United Kingdom 7

4 ARGUMENTS FOR AND AGAINST 8

 (i) Arguments for 8

 (ii) Arguments against 9

5 CONCLUSION 11

INTRODUCTION

This Briefing Paper is concerned with the proposed amendment to s353A of the New South Wales *Crimes Act 1900* which will widen the investigatory powers of police to permit forensic samples to be taken from an accused without consent. The first section examines the current situation under the *Crimes Act 1900*. The following section outlines the provisions of the *Criminal Legislation (Amendment) Bill 1995*. The third section looks at other legislation both in Australia and overseas which has similar provisions. Arguments in support of the proposal and those against it are outlined in section four.

1 CURRENT SITUATION UNDER THE NSW *CRIMES ACT 1900*

Section 353A(2) allows for a person who has been charged with a criminal offence and who is in custody to be medically examined if a police officer has reasonable grounds for believing that a medical examination will provide evidence of that offence. There are a number of elements which need to be made out for this section to be operative.

These are: the person to be examined needs to be in lawful custody; a criminal charge needs to have been laid; the police officer who orders the medical examination must be of or above the rank of sergeant; this officer must have reasonable grounds for believing such an examination will provide evidence of the offence with which the accused has been charged; and the examination must be carried out by a legally qualified medical practitioner.

These elements are retained under the proposed changes to section 353A.

However the fundamental question of what constitutes a 'medical examination' for the purposes of this section, is clarified by the proposed amendments. Until recently this section was seen as being capable of a broad interpretation, which would permit forensic material such as blood samples to be taken. Differing views on whether this is indeed the case have been offered.

In *R v Hass*¹ a police officer had taken swabs and fingernail scrapings pursuant to s353A and this was held to be lawful and in *R v McPhail*² Lee CJ referred to s353A and said that it was plain that the section gives an officer a very wide discretion as to whether particulars of identification can be required and that recently blood, hair and semen samples have become a feature of identification of persons charged with offences.³ However a contrary view was expressed by Lee J in June

¹ (1972) 1 NSWLR 589.

² (1988) 36 A Crim R 390.

³ Trevor Nyman in a paper entitled 'DNA Profiling - Legal Aspects' which was presented at a seminar run by the Continuing Legal Education Department of the College of Law, in Sydney on 26 March 1991, 91/24 at page 8.

1990 when he was sitting as the Royal Commissioner into the Blackburn affair. He said:

...I am of the opinion however that notwithstanding the cases decided on statutes in other States dealing with the subject matter of medical examinations and taking blood, the provisions of s353A of the Crimes Act 1900, as they are at present, would not permit the taking of blood in a syringe and that the investigating police cannot be criticized for declining to use force to take blood.⁴

The *Fernando* case

In the majority decision handed down by the Court of Appeal earlier this year in the *Fernando* case, it was held that the taking of blood samples or other forensic material was outside the scope of section 353A(2). In the view of the majority judges such action goes further than what would be done in a medical examination.

Priestley JA said:

... an examination of the person of someone in custody as permitted by subsection (2) would permit an external examination involving an examination by eye and by touch. The words of subsection (2) do not suggest to me an intention to make lawful the taking of some part of the body itself.⁵

In the *Fernando* case, two cousins had been arrested and charged with the murder of a nurse at Walgett on 9 December 1994. They were asked to provide blood samples and bodily fluids but refused. The matter went first to the Supreme Court where the police were arguing that they could require such samples as part of the 'examination of a person' under s353A(2). Counsel for the defendants argued that this section did not permit the police to obtain these samples without the defendants' consent. To proceed without consent, it was said, would constitute an assault. Justice Dunford dismissed the *Fernandos*' application on 16 December 1994 and they commenced proceedings in the Court of Appeal later that same day.⁶ As stated above the Court of Appeal dismissed Dunford J's findings and upheld the *Fernandos*' appeal.

Priestley JA also made the point that without express statutory authority to take forensic samples, such action would technically constitute an assault upon the person in custody. A clear example of where this statutory authority has been provided is the 1987 amendment to the *NSW Motor Traffic Act 1909*. Section 5AA(4) allows police, once a person has been arrested in relation to a drink driving matter, to

⁴ Cited by Priestley JA in *Fernando & Anor v Commissioner of Police & Anor* Court of Appeal 29 March 1995, unreported judgment, p25.

⁵ Priestley JA, *ibid*, p6.

⁶ Cindy Wockner, 'Blood tests denied', *Telegraph Mirror*, 29 March 1995.

require the arrested person to provide samples of blood and urine, whether or not the person consents to them being taken, in accordance with the directions of a medical practitioner.

In addition it was stated in *Fernando* that courts are wary of interpreting statutes in such a way that 'fundamental rights' (such as the right to bodily integrity in this situation) could be done away with unless this intention of the legislature is clearly manifested by unmistakable and unambiguous language.⁷

The *Criminal Legislation Further Amendment Bill 1995* introduced and read a second time by the Hon JW Shaw, QC, Attorney-General and Minister for Industrial Relations on 1 June 1995,⁸ is aimed at overcoming the deficiencies identified by the Court of Appeal. The former Attorney-General and Minister for Justice had foreshadowed similar amendments following the decision in *Fernando*.⁹

2 PROVISIONS OF THE CRIMINAL LEGISLATION (AMENDMENT) BILL 1995

The amendments proposed under this Bill are:

- to permit samples of blood, saliva and hair of a person in lawful custody to be taken as part of a medical examination carried out in accordance with s353A(2);
- however these samples are only to be used in proceedings related to the crime or offence for which they were taken;
- the samples are to be destroyed as soon as practicable after the conclusion of the proceedings;
- being in lawful custody is not limited to being in a police station. If a person is in some other place but is considered to be in lawful custody, the person in charge of that place has the same powers as the police would under this section;
- samples may be taken without the consent of the person in lawful custody.

⁷ *Fernando*, op.cit., pp9-10.

⁸ NSWPD, Legislative Council, 1 June 1995, p31.

⁹ Media Release, the Hon JP Hannaford, 'Crown examines High Court appeal on blood sampling case', 29 March 1995.

3 RELATED LEGISLATION

(i) *Australia*

While this Bill has been introduced in direct response to the *Fernando* decision, two other relevant factors should be mentioned.

Crimes Legislation (Further Amendment) Bill 1990

A number of similar provisions were contained in an earlier Bill, the *Crimes Legislation (Further Amendment) Bill 1990*, introduced by the then Attorney-General, the Hon J Dowd.¹⁰ This Bill contained detailed provisions relating to 'intimate examinations' and 'non-intimate examinations' and set out the circumstances in which these could occur. An 'intimate examination' would have required 'appropriate consent in writing' or an order made by an authorised justice; a 'non-intimate examination' could be made with the same appropriate consent in writing or in the absence of such consent, if authorised by a police officer of or above the rank of sergeant.

Although the Bill passed through all stages in the Legislative Assembly it lapsed in June 1990. It was reactivated in March 1991 but again did not proceed.¹¹

Model Bill for Forensic Procedures

The Model Criminal Code Officers Committee (MCCOC) has prepared a Model Bill for Forensic Procedures as part of the package to achieve federal and uniform criminal legislation. In essence this Bill would allow federal police officers greater latitude in taking forensic samples from people suspected of crime. It would be possible under this Bill to take samples where consent was withheld and prior to a person being arrested and charged.¹² In January 1995 the MCCOC circulated an amended Bill reflecting 'the preferred position of the Commonwealth' with final submissions to be made by 3 February 1995. The ultimate form of the Bill will be determined by the Standing Committee of Attorneys-General later this year.¹³

¹⁰ NSWPD, Legislative Assembly, 8 May 1990, p2532.

¹¹ The provisions of this Bill are discussed in the Bills Digest '*Crimes (Detention After Arrest) Amendment Bill 1994*' by Gareth Griffith, No 025/94. This Bill passed through all stages in the Legislative Council but did not progress further than the second reading stage in the Legislative Assembly. The restriction in the *Crimes Legislation (Further Amendment) Bill 1990* that medical examinations could only be carried out after the person has been charged would have been set aside by the *Crimes (Detention After Arrest) Amendment Bill 1994*.

¹² Natasha Bitá, 'Forced blood tests plan', *The Australian*, 9 January 1995.

¹³ Bev Schurr, 'Contemporary Comment - Forensic Procedures - An Update', *Criminal Law Journal*, Vol 19, pp87-89.

Other jurisdictions

All jurisdictions within Australia have legislative provisions in place which permit, to a greater or lesser degree, forensic samples to be taken.¹⁴ However only the Northern Territory, South Australia, Tasmania and Victoria make specific reference to taking of genetic material. The remaining legislation uses wording similar to that used in the NSW Crimes Act section 353A.

Some of the more notable features of the specific legislation are:

- In the Victorian legislation there is explicit power for the compulsory taking of blood samples from persons in custody - Sections 464S to 464ZD. Both intimate and non-intimate sampling are permitted.
- The Tasmanian legislation differentiates between intimate body sampling in relation to the offence with which the person in custody has been charged and in relation to other offences with which the police believe him or her to have been involved - Sections 6 and 7. Consent of a magistrate is required for the second category.
- Section 145 of the Northern Territory legislation gives the widest powers in Australia for police to compel intimate body sampling. Northern Territory legislation also allows police to arrest a person for one offence and then, of right, compel the giving of blood or other samples in relation to their suspicions of the commission of another offence.
- Nowhere can police officers force members of the public of whom they are suspicious to provide such samples.¹⁵

(ii) United Kingdom

Similar issues are addressed in the United Kingdom in the *Police and Criminal Evidence Act 1984* (PACE). However certain differences exist.

Under this Act:

- samples can be taken from a person in police detention. Unlike the current Australian position it is not necessary to have arrested and charged the person before such action can be taken. All that is required is that there is a

¹⁴ NT - *Police Administration Act 1978* - Section 145(3); Qld - *Criminal Code Act 1989* - Section 259; Tas - *Criminal Process (Identification and Search Procedures) Act 1976* - Section 6(5); Vic - *Crimes Act 1958* - Sections 464 - 464ZJ. However SA - *Summary Offences Act - 1953* - Section 81; WA - *The Criminal Code* - Section 236 and the ACT *Crimes Act 1900* - Section 353A are all in similar terms to that of NSW.

¹⁵ These last three points were made by Ian Freckleton in 'DNA Profiling: Forensic Science under the Microscope', in *DNA and Criminal Justice*, Conference proceedings edited by Julia Vernon and Ben Selinger, Australian Institute of Criminology, held on 30-31 October 1989.

reasonable belief that the sample will tend to confirm or disprove involvement. While it is true that this may facilitate a person being found guilty if the samples match, it is also the case that a person's non-involvement will be ascertained more quickly.

- both intimate and non-intimate samples can be taken from a person in police detention where there is authorisation by an officer of at least the rank of superintendent and with the consent of the suspect. Reasonable grounds must exist for the authorisation and both it and the relevant consent must be furnished in writing.
- non-intimate samples are defined in the Act and include hair other than pubic hair, sample taken from a nail or under a nail, a swab from any part of a person's body other than a body orifice. These can be taken without consent.
- intimate samples are defined in the Act and include blood, semen, saliva and pubic hair. Such samples (other than urine or saliva) may only be taken by a registered medical practitioner.
- however a request to a suspect for samples has to be accompanied by a form of caution under the Code of Practice for Identification of Persons by Police Officers. The suspect is told that he or she can refuse to provide the samples. However if refusal occurs, the request and refusal will be given in evidence at his or her trial and that an adverse inference will follow. Statistics show that very few suspects in the UK refuse.¹⁶

Some argue that if a similar provision is incorporated into the NSW legislation it would obviate the need for force to be used to compel a suspect to provide forensic samples.¹⁷ It would be a matter for the accused to weigh up the cost of providing the samples and the cost of not providing them and having an adverse inference follow. Civil liberties groups are not in favour of this proposal as they see the choice presented to a suspect as being 'coercive' rather than a choice freely made.

4 ARGUMENTS FOR AND AGAINST THE INTRODUCTION OF SUCH MEASURES

(i) Arguments for

The essential arguments put forward when the *Criminal Legislation (Further Amendment) Bill 1990* was introduced and in support of the Model Bill for Forensic Procedures, apply equally in this case.

¹⁶ These points from a paper 'A view from the Bench' presented by John Phillips a Judge of the Supreme Court of Victoria at the *DNA and Criminal Justice Conference*, op.cit., pp17-26.

¹⁷ Steve Ireland, 'What authority should police have to detain suspects to take samples', Police Planning and Evaluation Branch NSW, *DNA and Criminal Justice Conference*, p77.

These are:

- having increased flexibility to investigate would greatly assist police in expediting inquiries;
- samples would only be taken from those who police already had grounds for reasonably believing were involved in a particular offence and who had, on this basis, been arrested and charged;
- early elimination of suspects would enable police to concentrate their resources on appropriate suspects;
- early elimination would spare suspects the anxiety of prolonged investigation and court proceedings;
- it would help reduce court delay if suspects are identified early on in the proceedings;
- police practice and criminal justice should keep pace with scientific and technological advances.
- these measures help balance the civil liberties of the individual with the requirement for the police to have adequate investigative powers.¹⁸

(ii) *Arguments against*

At a general level concerns of a civil libertarian nature have been expressed regarding all of the proposals mentioned in the paragraph above. In relation to the Model Bill for Forensic Procedures, the Chairman of the NSW Privacy Committee has said:

The difficulties that we have with this Bill have been that there is a general principle about intruding into people's bodies without their consent. Once the State starts to legislate so that your own physical body can be penetrated or invaded by the authority of the State then I think you get in to some very difficult areas.¹⁹

The introduction of these measures is seen as:

- a breach of the right to privacy;
- a denial of the presumption of innocence;

¹⁸ Hon Duncan Kerr, Federal Minister for Justice, in an article by Janet Fife-Yeomans, 'Bodies of Evidence', *The Australian*, 30 January 1995.

¹⁹ Ibid..

- a breach of the privilege against self-incrimination (although it would seem firmly established that this only applies in respect of oral evidence given by an accused and not to tangible or real evidence such as blood samples and the like)²⁰;
- even if privilege against self-incrimination cannot be relied upon, there is still a fundamental principle in our legal system that the prosecution has to prove its case;
- such measures could constitute a breach of Australia's obligations under the International Covenant on Civil and Political Rights to ensure that persons under arrest are treated with humanity and with respect for human dignity, and to ensure that they are not subjected to cruel, inhuman or degrading treatment;
- lack of safeguards in the Bill;
 - there is no right to challenge the taking of forensic samples in court;
 - the accused does not have a right to call or cross-examine witnesses;
 - the degree of force which can be used in taking a sample when consent has not been given is not defined;
 - there are no accountability measures to ensure that police do not abuse these extended powers²¹;
 - different procedures and guidelines should be in place for the taking of intimate and non-intimate samples; and
 - although Section 353AA of the current legislation deals with photographing and fingerprinting children under 14 years of age, no special provision seems to be made in relation to juveniles regarding the taking of bodily samples. Likewise no mention is made of how these amendments may impact on people with an intellectual disability or people of non-English speaking background who may experience linguistic or cultural difficulties.

²⁰ *R v Carr* (1972) 1 NSWLR 608.

²¹ For example, Sections 55(14-16) of PACE require the police annual report to contain information on intimate searches including: the total number of searches; the number of searches conducted by way of examination by a suitably qualified person; the number of searches not so conducted but conducted in the presence of such a person and the result of the searches carried out. Bev Schurr, *op.cit.*, p36.

Other concerns are:

- the ethical problems doctors may face if asked to conduct non-consensual medical procedures on suspects for a purpose other than the interests of their health.²²
- while it is now accepted that the reliability of the actual scientific evidence itself is probably beyond doubt, there is still room for human error to occur in the procedural aspects of collecting and storing samples. Standardised laboratory procedures should be put in place.
- unlike certain other jurisdictions, there is no provision for the accused to choose his or her own medical practitioner, as provided for, for example, by Section 81 of the South Australian *Summary Offences Act*;
- the provisions apply to a person in 'lawful custody' and although this term has been defined to apply to places other than a police station the exact scope of the phrase is unclear. Moreover it would appear that forensic samples could be taken at any point during the time in which a person is in lawful custody - from arrest up until the day before trial. The effect of this wording potentially means that anyone in lawful custody, when this amendment is passed, could be subject to having forensic samples taken from them.

5 CONCLUSION

It is beyond doubt that advances in science and technology should be utilised to ensure that the criminal justice system operates as efficiently and effectively as possible and that processes which facilitate the dispensation of justice and help to reduce court delays should be encouraged. It is equally important to ensure that individual civil rights and liberties are not sacrificed unnecessarily. To this end it is important for safeguards to be in place and for the balance between the competing interests to be found when legislating in areas such as this.

²² Neil McLeod, 'Legal impediments to a national DNA databank', *Australian Journal of Forensic Sciences*, Vol 23 No 3 & 4, 1991, pp21-28.

(A)
(E)
(C)
(D)

List of NSW Parliamentary



*To identify and fulfil the information needs of Members
of Parliament and the Parliamentary Institution.*

[Library Mission Statement]

- (A) BACKGROUND PAPER
- (B) BILLS DIGEST
- (C) BRIEFING PAPER
- (D) STATISTICS

(A) BACKGROUND PAPER

TITLE	NUMBER
<i>Sydney's Transport: Contemporary Issues, 1988-1992</i> by John Black and Peter Rimmer	1992/1
<i>Capital Punishment in New South Wales</i> by Catherine Gilbert	1993/1
<i>Women's Refuges</i> by Jaleen Caples	1993/2
<i>Censorship: Law and Administration</i> by Gareth Griffith	1993/3
<i>Lead</i> by Rebekah Jenkin	1993/4
<i>Cannabis: The Contemporary Debate</i> by Gareth Griffith and Rebekah Jenkin	1994/1
<i>NSW Elections 1984 to 1991: A Comparative Analysis</i> by Antony Green	1994/2
<i>Breast Cancer</i> by Rebekah Jenkin	1994/3
<i>Women's Health Policy in Australia</i> by Sharon Rose	1994/4
<i>The Rural Sector: A Changing Economy</i> by John Wilkinson	1994/5
<i>1991 New South Wales Legislative Assembly Election: Estimated Two-Candidate Preferred Results by Polling Place</i> by Antony Green	1994/6
<i>Comparisons of 1991 Census Characteristics: State Electoral Districts</i> by Jan Newby	1995/1
<i>Electing the New South Wales Legislative Council 1978 to 1995: Past Results and Future Prospects</i> by Antony Green	1995/2

(B) BILLS DIGEST

TITLE	NUMBER
<i>Legal Aid Commission (Amendment) Bill 1994</i> by Gareth Griffith	001/94
<i>Maritime Services (Offshore Boating) Amendment Bill 1994</i> by Sharon Rose	002/94
<i>Gaming and Betting (Race Meetings) Amendment Bill 1994</i> by Sharon Rose	003/94
<i>Lotteries and Art Unions (Amendment) Bill 1994</i> by Gareth Griffith	004/94
<i>Occupational Health and Safety Legislation (Amendment) Bill 1993</i> by Jan Newby	005/94
<i>Workers Compensation Legislation (Miscellaneous Amendments) Bill 1993</i> by Jan Newby	006/94
<i>Property, Stock and Business Agents (Amendment) Bill 1994</i> by John Wilkinson	007/94
<i>Crimes Legislation (Unsworn Evidence) Amendment Bill 1994</i> by Gareth Griffith	008/94
<i>Bush Fires (Amendment) Bill 1994</i> by Rebekah Jenkin	009/94

<i>State Emergency and Rescue Management (Amendment) Bill 1994</i>	
by Rebekah Jenkin	010/94
<i>Police Service (Complaints) Amendment Bill 1994</i> by Sharon Rose	011/94
<i>Timber Industry (Interim Protection) Amendment Bill</i> by Rebekah Jenkin	012/94
<i>Privacy and Data Protection Bill 1994</i> by Gareth Griffith	013/94
<i>Health Legislation (Miscellaneous Amendments) Bill 1994</i> by Jan Newby	014/94
<i>Retail Leases Bill 1994</i> by Gareth Griffith	015/94
<i>Environmental Planning and Assessment (Amendment) Bill 1994</i>	
by Rebekah Jenkin	016/94
<i>Mental Health (Amendment) Bill 1994</i> by Sharon Rose	017/94
<i>Crimes Legislation (Dangerous Articles) Amendment Bill 1994</i> by Sharon Rose	018/94
<i>Native Title (New South Wales) Bill 1994</i> by Rebekah Jenkin & Gareth Griffith	019/94
<i>Rural Lands Protection (Amendment) Bill 1994</i> by Rebekah Jenkin	020/94
<i>Motor Accidents (Amendment) Bill 1994</i> by Rebekah Jenkin	021/94
<i>Protected Disclosures Bill 1994</i> by Gareth Griffith	022/94
<i>Film and Video Tape Classification (Amendment) Bill 1994</i> by Gareth Griffith	023/94
<i>Constitution Further Amendment (Referendum) Amendment Bill 1994</i>	
by John Wilkinson	024/94
<i>Crimes (Detention After Arrest) Amendment Bill 1994</i> by Gareth Griffith	025/94
<i>Courts Legislation (Mediation And Evaluation) Amendment Bill 1994</i>	
by Rebekah Jenkin	026/94
<i>Criminal Procedure (Indictable Offences) Amendment Bill 1994</i>	
by Gareth Griffith	027/94
<i>Courts Legislation (Civil Procedure) Amendment Bill 1994</i> by Rebekah Jenkin	028/94
<i>Professional Standards Bill 1994</i> by Vicki Mullen	029/94
<i>Water Board (Corporatisation) Bill 1994</i> by Vicki Mullen	030/94
<i>Traffic (Penalty Defaults) Amendment Bill 1994</i> by Gareth Griffith	031/94
<i>State Bank (Privatisation) Bill 1994</i> by Vicki Mullen	032/94
<i>Tree Plantations (Harvest Security) Bill 1994</i> by Gareth Griffith	033/94
<i>Crimes (Prohibited Material) Amendment Bill 1994</i> by Gareth Griffith	034/94
<i>Community Protection Bill 1994</i> by Gareth Griffith	035/94
<i>Electricity Transmission Authority Bill 1994</i> by Vicki Mullen	036/94
<i>Forestry (Environmental and Fauna Impact Assessment) Bill 1994</i>	
by Stewart Smith	037/94
<i>Crimes (Dangerous Driving Offences) Amendment Bill 1994</i>	
and <i>Traffic (Negligent Driving Offences) Amendment Bill 1994</i> by Marie Swain	038/94
<i>Crimes (Home Invasion) Amendment Bill 1994</i> by Gareth Griffith	039/94
<i>Crimes (Threats and Stalking) Amendment Bill 1994</i> by Vicki Mullen	040/94
<i>National Environment Protection Council (New South Wales) Bill 1995</i> by Stewart Smith	001/95
<i>State Owned Corporations Amendment Bill 1995</i> by Vicki Mullen	002/95

(C) BRIEFING PAPER

TITLE	NUMBER
<i>National Competition Policy: Report by the Independent Committee of Inquiry (The Hilmer Report)</i> by Jan Newby	001/94
<i>Unsworn Statements of Accused Persons: The Case For and Against Abolition</i> by Gareth Griffith	002/94
<i>Female Genital Mutilation</i> by Sharon Rose	003/94
<i>Victims Compensation: Summary of the Review of the Victims Compensation Act (The Brahe Report)</i> by Gareth Griffith	004/94
<i>Gatt Uruguay Round: Summary of the Federal Department of Foreign Affairs and Trade Paper 'Uruguay Round, Outcomes for Australia'</i> by Jan Newby	005/94
<i>Heritage Conservation in NSW: The Legal Position</i> by Rebekah Jenkin	006/94
<i>Fisheries Management in NSW: The Fisheries Management Bill 1994</i> by John Wilkinson	007/94
<i>Bush Fire Control in NSW: Commentary on the Cabinet Committee on Bush Fire Management and Control Interim Report</i> by Rebekah Jenkin	008/94
<i>Vocational Education in NSW: Commentary on the Board of Vocational Education and Training Bill 1994</i> by Sharon Rose	009/94
<i>Commentary on the Building Services Corporation (Amendment) Bill 1994</i> by Sharon Rose	010/94
<i>Irrigation in Southern NSW: The Irrigation Corporations Bill 1994</i> by John Wilkinson	011/94
<i>The Regulation of Agricultural and Veterinary Chemicals: The Agricultural and Veterinary Chemicals (New South Wales) Bill 1994</i> by John Wilkinson	012/94
<i>The Proposed Privatisation of the State Bank of NSW: Background Issues</i> by Jan Newby	013/94
<i>Corporatisation of the Water Board</i> by Sharon Rose	014/94
<i>Sentencing Guidelines and Judicial Discretion</i> by Gareth Griffith	015/94
<i>Rural Assistance Schemes and Programs</i> by John Wilkinson	016/94
<i>Resource Security</i> by Rebekah Jenkin	017/94
<i>The Independent Commission Against Corruption: An Overview</i> by Marie Swain	018/94
<i>The Habitual Criminals Act 1957: A Commentary on Issues Relating to Persistent and Dangerous Offenders</i> by Gareth Griffith	019/94
<i>Drought in New South Wales</i> by John Wilkinson	020/94
<i>The Olympic Games: Past History and Present Expectations</i> by John Wilkinson	021/94
<i>Commentary on the Proposal to Provide for a Balanced Budget in the New South Wales Constitution</i> by Gareth Griffith	022/94
<i>Reform of Evidence Laws in NSW</i> by Vicki Mullen	023/94
<i>The Outlook for Agricultural Marketing Boards</i> by John Wilkinson	024/94

<i>The Uniform Consumer Credit Code</i> by Marie Swain	025/94
<i>Stock Disease in New South Wales: The Stock Diseases (Amendment) Bill 1994</i> by John Wilkinson	026/94
<i>Federal-State Borrowing Arrangements in Australia: The Financial Agreement Bill 1994</i> by John Wilkinson	027/94
<i>Reform of Defamation Law in New South Wales</i> by Vicki Mullen	028/94
<i>Waste Management in the Sydney Metropolitan Area</i> by Stewart Smith	029/94
<i>Sentence Indication Hearings Pilot Scheme</i> by Marie Swain	030/94
<i>The Western Division of New South Wales: The Western Lands (Land Purchase) Amendment Bill 1994</i> by John Wilkinson	031/94
<i>Residential Tenancies in Caravan Parks and Manufactured Home Estates</i> by Gareth Griffith	032/94
<i>Stormwater Quality and Urban Living</i> by Stewart Smith	033/94
<i>Commentary on the Children (Parental Responsibility) Bill 1994 and Summary Offences and Other Legislation (Graffiti) Amendment Bill 1994</i> by Marie Swain	034/94
<i>Maritime Services in NSW: Issues for Reform</i> by Vicki Mullen	001/95
<i>Water Resources and Water Strategies</i> by John Wilkinson	002/95
<i>Fixed Term Parliaments, with a commentary on the Constitution (Fixed Term Parliaments) Amendment Bill 1992</i> by Gareth Griffith	003/95
<i>Water Quality in NSW - An Overview</i> by Stewart Smith	004/95
<i>Enterprise Bargaining in New South Wales: An Overview</i> by Vicki Mullen	005/95
<i>International Treaties</i> by Marie Swain	006/95
<i>Victim Impact Statements</i> by Gareth Griffith	007/95
<i>Recycling in NSW</i> by Stewart Smith	008/95
<i>The Independence of the Judiciary: commentary on the proposal to amend the NSW Constitution</i> by Vicki Mullen and Gareth Griffith	009/95
<i>Coal Production in New South Wales</i> by John Wilkinson	010/95
<i>The Greenhouse Effect: Ramifications for New South Wales</i> by Stewart Smith	011/95
<i>Urban Consolidation and Dual Occupancy Development</i> by Marie Swain	012/95
<i>Selecting a Presiding Officer: methods of election and the concept of independence</i> by Gareth Griffith	013/95
<i>The Individual's Right to Privacy: Protection of Personal Information in New South Wales</i> by Vicki Mullen	014/95
<i>Regional Development in New South Wales</i> by John Wilkinson	015/95
<i>Update on the Hilmer Report</i> by Jan Newby	016/95
<i>Sydney, Transport and Ecologically Sustainable Development</i> by Stewart Smith	017/95
<i>Domestic Violence: An Overview of the Legislative Changes in NSW</i> by Gareth Griffith	018/95
<i>Women in Parliament</i> by Marie Swain	019/95
<i>Commentary on the Electricity Legislation Amendment Bill 1995</i> by Vicki Mullen and Stewart Smith	020/95

Sydney City Council: Moving Boundaries and a Changing Franchise by Gareth Griffith
Forensic Samples by Marie Swain

021/95
 022/95

(D) STATISTICS

TITLE	NUMBER
<i>Quarterly Statistical Bulletin</i> by Jan Newby	Vol 1 No 1 October 1993
	Vol 1 No 2 March 1994
	Vol 1 No 3 May 1994
	Vol 1 No 4 August 1994
	Vol 2 No 1 November 1994
	Vol 2 No 2 February 1995
	Vol 2 No 3 May 1995

TITLE

Electorate Profile - <i>Parramatta</i> No 001/94	by Jan Newby
Electorate Profile - <i>Maitland</i> No 002/94	by Jan Newby
Electorate Profile - <i>Manly</i> No 003/94	by Jan Newby
Electorate Profile - <i>Coogee</i> No 004/94	by Jan Newby
Electorate Profile - <i>Cabramatta</i> No 005/94	by Jan Newby
Electorate Profile - <i>Camden</i> No 006/94	by Jan Newby
Electorate Profile - <i>Badgerys Creek</i> No 007/94	by Jan Newby
Electorate Profile - <i>Blue Mountains</i> No 008/94	by Jan Newby
Electorate Profile - <i>Gladesville</i> No 009/94	by Jan Newby
Electorate Profile - <i>Sutherland</i> No 010/94	by Jan Newby
Electorate Profile - <i>Murwillumbah</i> No 001/95	by Jan Newby
Electorate Profile - <i>Kogarah</i> No 002/95	by Jan Newby
Electorate Profile - <i>Drummoyne</i> No 003/95	by Jan Newby
Electorate Profile - <i>Moorebank</i> No 004/95	by Jan Newby
Electorate Profile - <i>Cessnock</i> No 005/95	by Jan Newby
Electorate Profile - <i>Hurstville</i> No 006/95	by Jan Newby
Electorate Profile - <i>Penrith</i> No 007/95	by Jan Newby
Electorate Profile - <i>The Entrance</i> No 008/95	by Jan Newby
Electorate Profile - <i>Bathurst</i> No 009/95	by Jan Newby
Electorate Profile - <i>Orange</i> No 010/95	by Jan Newby
Electorate Profile - <i>Bligh</i> No 011/95	by Jan Newby