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Speech presented by Adam Graycar, Director,  
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"Crime control"

at the Brisbane Institute, Brisbane, 30 July 2002

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**Brisbane Institute**  
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Being a simple bureaucrat I don't lecture politicians - I just say "yes, Minister"

We all want to reduce crime, and the reduction of crime is a laudable objective embraced by all. Every MP will have constituents spelling out what should be done, every talkback radio host will have callers proposing solutions, and every citizen will have a view. The views will range from nurturing the un-nurtured and understanding the misunderstood, to strengthening families and communities, to building bigger walls and getting stronger locks, to policing more aggressively, to imposing severe sentences and throwing away the key, to inflicting cruel and unusual punishments - flogging, castration, lobotomising, dismembering, and worse!

In very few areas of public policy does **everybody** consider themselves an expert - we leave defence policy to defence experts, health policy, transport policy, economic policy, communications policy, etc to appropriate experts, but on crime reduction policy everybody has a "they oughta" story.

There are three issues I want to canvass, and how we answer these might shape our approach to crime control.

- Has crime changed over the years?
- Do we have a law and order problem?
- Is there a sufficient level of trust and confidence in our criminal justice system?

### **Has crime changed over the years?**

The one question the media always ask me is, is the crime rate up or down? Its not a helpful question - How long is a piece of string? Are tomatoes better than cauliflowers?

Every generation will tell their young that it was better in the old days - when you could leave your doors unlocked, sleep with your windows open, and leave your keys in your car (that's not going back too many generations). My colleague Peter Grabosky published a book entitled *Sydney in Ferment* on crime in colonial Sydney, and showed it was a lot more dangerous in its early days than it is today. But although most of Australia is comparatively safe, the incidence of crime is much greater than it was 20 years ago. Criminal activity hurts and outrages people, and costs the community billions of dollars.

What mattered 100 years ago and what happens today are very different. One hundred years ago there was great concern about drunkenness, gambling, "Chinese opium dens", whereas crimes such as superannuation fraud, health insurance fraud, theft of telecommunications services, electronic vandalism and varieties of computer hacking, credit card fraud, internet child pornography, electronic funds transfer crime and electronic money laundering were not on the criminal horizon 100 years ago. Nor was there any motor vehicle theft! However, nude or even topless bathing, or homosexual acts between consenting adults brought criminal

sanctions, and public drunkenness comprised more than half of all offences brought before the magistrates' courts in the early years of the twentieth century, and this persisted until the 1950s.

On a per capita basis considerably fewer people today appear before the courts than 100 years ago. Of those who do, fewer go to jail. Today, women who appear topless on the beach don't find themselves before the court, men who have sex with other consenting men don't find themselves before the court, but they did a generation ago. But men who bashed their wives and/ or children a generation ago did not find themselves before the court, but they do today. A generation ago crimes like Medicare Fraud, credit card fraud, hacking, were not part of the criminological lexicon.

Why do we have the crime we do?

Ideologically polar positions produce their own explanations for increases in crime. One view blames permissiveness, bankrupt moral values, contempt for authority, inadequate penalties, while at the other end of the spectrum some blame poor social conditions, unemployment, lack of life chances, poverty traps, deprivation, limited educational opportunities etc.

Viewed from a different perspective, there are probably many many more opportunities than ever before for criminal behaviour, and one view is to argue that much crime may be the price we pay for living in a world which offers high material benefits and a very mobile lifestyle. Put that against a context of tremendous social and technological change, and we have a complex set of ingredients that don't seem to fit any of the standard explanations.

How do we reduce it?

In essence there are two main challenges in crime reduction. One is to reduce the supply of motivated offenders, the other is to make crime more difficult to commit.

### **Do we have a law and order problem?**

I could rattle off statistics till the cows come home - the handout shows the picture of recorded crime in recent years

These data are police data, aggregated and worked by the ABS into uniform national crime statistics. But not all crimes are reported to the police, not all that are reported are recorded, not all that are recorded are acted upon, not all that are acted upon result in an apprehension, not all apprehensions lead to a court appearance, not all court appearances lead to a trial, not all trials lead to a conviction, not all convictions lead to a penalty.

Crime has certainly increased recently.

Australia is a less violent society today than it was 100 years ago, but more violent than 20 years ago, though today's rates of property crime appear higher than 100 years ago.

However most places have no crime, and most crime is highly concentrated in a relatively small number of places. Some shops have no robberies, while a few have lots. A few entertainment venues have a lot of problems, most have none. Even in high burglary neighbourhoods most residences have no burglaries, while a few suffer from repeat burglaries

It will come as no surprise to note that crime is not an equal opportunity predator – that is who you are, where you live, and who you know and who you hang around with affect your chances of victimisation.

On the International Crime Victimization survey conducted by the Australian Institute of Criminology, Australia ranks poorly against similar wealthy countries - we topped in burglary and assault, came second in motor vehicle theft and third in personal theft. Sexual assault is a hard one to categorise, as we are more likely to report than most countries, but we are quite low on homicide, where the rate is the same as it was 100 years ago.

### **Is there a sufficient level of trust and confidence in our criminal justice system?**

We do fairly well here in Australia compared with most other countries. Notwithstanding the occasional concerns about corruption in policing - Western Australia is having its turn now to have a Royal Commission - Queensland was first, then NSW, and now there is pressure in Victoria.

More police don't necessarily reduce crime, but more good cops can have an impact. The criminal justice system is much more than the police, however.

A lot depends on what happens to people who break the law, and how the general public reacts.

Over the century the criminal justice system has become much more complex. In 1900 people confronting the system faced one of four types of sanctions: absolute or conditional discharges, fines, imprisonment, or execution. At the beginning of the century executions took place in our prisons (there were 55 executions in the first decade of the twentieth century). The last execution in Australia was in 1967. Today there is a multiplicity of sentence types and diversion processes. This causes some people consternation.

Not everybody is happy with the range of options.

One interesting option is the whole process of restorative justice and conferencing. Kathy Daly may talk about this - she wrote an excellent chapter on this in the *Cambridge Handbook of Australian Criminology*.

So then what advice would I offer to politicians?

My **first** bit of advice is to stick to the evidence of crime reduction. We need better data than we now have - data driven policy puts Ministers on the front foot. There is a substantial body of evidence - rigorously developed, and often replicable. Of course, things that are shown to work in Balmain, Birmingham or Barcelona may not necessarily work in Brisbane.

There is a lot more evidence to be gathered, and this is part of the task ahead. Tied in here is a process which involves laying the basis for evaluation so that there is consensus about evidence. We would however, be extremely naive if we were to believe that political decisions are made on the basis of scientific evidence alone. Having the good sense to see

where science is tempered by political realities is part of the policy package in crime reduction.

My **second** thought is always to remember the old saying “if a piece of string has one end, then it has another end” We often focus only on one end. Too often those with whom we interact focus on the other end. Sometimes the bit in the middle gets a bit frayed, and sometimes there are impossible knots. In crime prevention the work of the criminal justice system alone will not achieve all the results we desire - we will need co-operative thinking to work policies and programs with those responsible for health, housing, education, employment, as well as with communities, professionals, voluntary agencies, social groups, victims, and so on. In thinking about the string we have to think about inter-agency activities, partnerships, and the boundaries that challenge us all.

**Third** we need conceptual clarity on the type of crime we wish to see reduced. There are activities that offend people, and there are activities that hurt people, and crimes that change the way people live. There are a bundle of different reduction strategies for each of these, and there are some common crime prevention strategies. It is the activities that offend, that cause a lot of difficulties - a bunch of boys on a street corner making suggestive comments to the girls walking by; a group of kids smoking a joint behind a tree; the public use of disrespectful and obscene language, family altercations etc. The key here is having sense of when this sort of behaviour might get out of hand. The policy issue at stake is developing a public commitment to **civility**, trying to make this spill over into private behaviour, while not intruding into private behaviour, and having the state being an undesirable thought controller.

One of the important things to note is that criminal justice agencies are not the best agencies to prevent crime - crime prevention is an important by-product of many activities in education, health, urban planning etc., but it is not the core activity of these policy and program areas.

Crime prevention is something that requires good conceptual thinking and a vision way beyond police, courts and prisons - a multi faceted policy and practice approach in which all of us have a role to play, as citizens, as parents, as consumers, and thinkers.

We all have a role to play in assembling the evidence and in building the partnerships to meet the emerging challenges. The safest communities are not those with the most police and prisons but those with the strongest community structures, including socialising institutions, families, and economic opportunities.

Those opportunities exist and can be moulded. Human beings, who are almost unique in having the ability to learn from the experience of others, are also remarkable for their apparent disinclination to do so, but I am sure that does not apply to those of us here today.