
The Parliament of the Commonwealth of Australia

Crime in the Community: victims, offenders and fear of crime

Volume One

House of Representatives
Standing Committee on Legal and Constitutional Affairs

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Foreword

On 21 May 2002 the Minister for Justice and Customs referred the Inquiry into Crime in the Community: victims, offenders and fear of crime to the House of Representatives Standing Committee on Legal and Constitutional Affairs. The Committee was pleased to receive this reference, given the importance of crime as an issue for Australians. Crime has an enormous impact on people's lives, on communities, and on the Australian economy, costing an estimated \$32 billion each year.

The Committee is cognisant that the Commonwealth has various heads of power and constitutional authority where it can legislate and act with respect to crime in Australia, even though crime is primarily the responsibility of the States and Territories. Thus, the Committee believes that the Commonwealth has an important role to play in ensuring that all Australians feel safe in their communities.

The Committee received evidence from across the breadth of the community, ranging from highly personal stories to comprehensive submissions outlining initiatives to combat crime. The Committee was struck both by the scope of the evidence and by the sincerity of those who went to considerable lengths to provide information.

A number of the more personal submissions related experiences of crime, and the Committee was impressed by the courage necessary to share these experiences. It became clear to the Committee over the course of the Inquiry that the personal impact of crime is always significant and often devastating. This is something that statistics cannot reflect.

The evidence also revealed the dedication of those who work tirelessly towards preventing crime and those who help victims of crime to move forward in their lives.

In this first Volume of the report, the Committee has considered the following key issues: fear of crime in the community, initiatives undertaken by local communities to reduce and prevent crime, and the measurement of crime across Australia. The Committee has made a number of recommendations in relation to these issues including further funding for the National Community Crime Prevention Programme, standardisation of crime data collection, and the gathering of more accurate information on the extent of crimes committed against women. The Committee is hopeful that its recommendations will contribute towards the reduction and prevention of crime in Australia.

In any discussion on crime and its prevention reference is made to the crime experience and methods used in comparable countries. Thus I took the opportunity in July 2003 to visit police and other crime fighting agencies in the United Kingdom and the United States of America.

The first point of call was New Scotland Yard where another Committee member, Mr Patrick Secker MP, was also able to attend.

Officers advised Mr Secker and me that a policy of '3 strikes (ie convictions) and you are in jail' has resulted in a reduction in burglary offences. We were also told that as a result of the Dunblane massacre a gun buy-back initiative resulted in the seizure of many firearms, including hand guns but it is judged not to have affected the use of hand guns in criminal acts.

We were also advised that DNA testing has made an enormous difference with charges being laid for cases as far back as 1987 and that police would like compulsory DNA testing at birth and the ability to use this information.

In the United States I met with a range of crime fighting agency heads and senior personnel in New York, Washington and Los Angeles.

In New York of particular importance were meetings with the former New York Mayor Rudy Guiliani and the current New York Police Commissioner Kelly.

The breadth and scope of reforms in New York under Mayor Guiliani are dramatic indeed. Most people associate the terms 'zero tolerance' and 'broken window' theory with these reforms but the message is more complex than these terms normally convey.

For me the message implicit in the reforms is transparency - taking the public into the confidence of the police and honestly publishing comprehensive up to date, indeed daily, crime statistics on the internet.

The software developed to map and record crime is called CompStat and forms the basis for rigorous weekly meetings to resolve the patterns of crime that emerge from the recording and mapping.

The immediate availability of comprehensive (not selective) statistical data was essential to the dramatic turn around in New York's crime rate. Such material in Australia across jurisdictions is simply not available in this way, but clearly is needed.

This volume, Volume One, of the Committee's deliberations deals with this issue and makes recommendations as to how Australia can benefit from a CompStat type system.

Scrutiny of offences shows that for the most part people who commit major crime are also those who commit minor crime. Thus by attacking minor crime dual benefits flow – that you will, when checking the record of an arrested person for minor crime be likely to pick up a major criminal and secondly by cleaning up minor street crime you effectively reduce the fear of crime and increase both the quality of life of a community and the economic activity of a town or city.

Evidence taken in Community Crime Forums¹ which the Committee conducted continually stressed that immediately cleaning off graffiti (ie the next day) increased the perceived quality of life for their communities. The ability to see an immediate change for the better, as emphasised by Mayor Guiliani, was certainly borne out by the evidence given to the Committee.

In Washington I met with senior personnel in the Department of Justice, FBI, Public Policy Researchers in the American Enterprise Institute, Drug Enforcement Agency and others. Of particular interest was the US Department of Justice's Community Oriented Policing (COPS) which has its origin in the Violent Crime Control and Law Enforcement Act of 1994. It is designed to advance community policing in jurisdictions across the United States. It has an important grants and grants monitoring function whereby the Federal Government makes grants which are strictly monitored for accountability to develop programs to assist and train law enforcement officers. The program reaches every aspect of law enforcement and provides grants to tribal, state and local law enforcement agencies to 'hire and train community policing professionals, acquire and deploy cutting-edge crime fighting technologies and develop and test innovative policing strategies.'²

There are 18,000 law enforcement agencies in the United States. COPS since 1994 has assisted nearly 13,000 jurisdictions through 27 grant programs and funded 116,573 community professionals across the country. I believe Australia could benefit from introducing similar policy initiatives here.

With the Federal Government providing a minimum of 50 per cent of State government budgets (including the GST) I believe this problem of vertical fiscal

1 Geraldton and Gosnells in Western Australia, Raymond Terrace and Forster in New South Wales, Wadeye and Nguiu (Bathurst Island) in the Northern Territory.

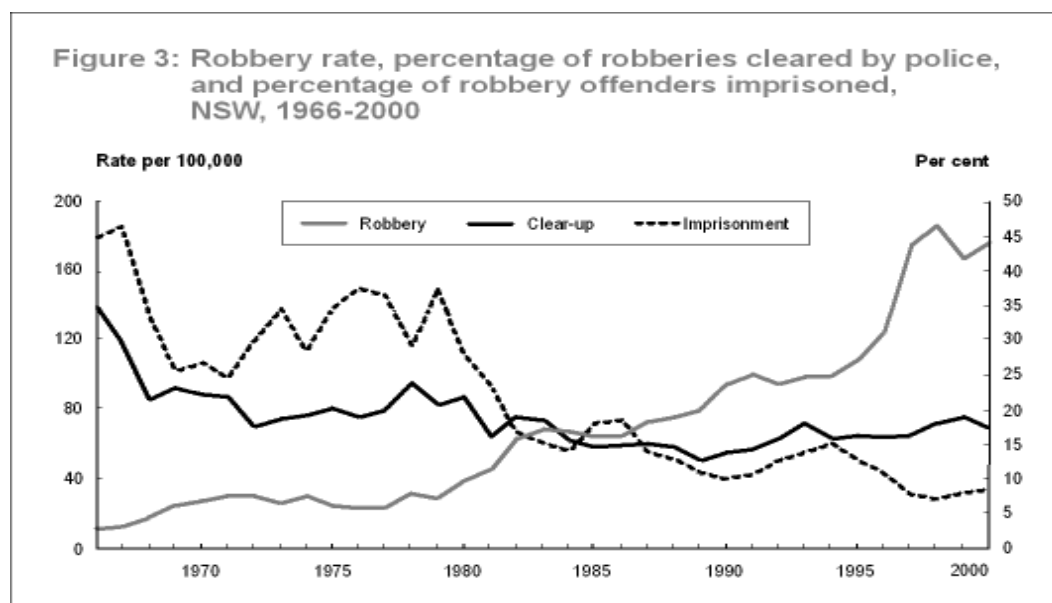
2 Background notes provided to the Chairman.

imbalance can begin to be tackled by better targeting section 96 (of the Constitution) and other grants to States to improve our Federal system. This program could form part of that new framework.

In Los Angeles I met with a variety of agencies including the Sheriff's Office which uses its retiring officers on a continuing part-time basis to answer demand. Officers remain sworn which allows an effective supplementary enforcement back-up.

Los Angeles is a city with a major gang problem which uses aerial surveillance with helicopters backing up on-the-ground police. The District Attorney's Office has a Hardcore Gang Division for the County of Los Angeles. The message from Los Angeles is 'don't let gangs become entrenched' and realises that taking a major criminal figure off the streets by obtaining a conviction makes a difference to the amount of crime on the streets.

Similarly, in the Australian context, research by the NSW Bureau of Crime Statistics and Research shows that there is a strong correlation between the clear-up rate and imprisonment for robbery. This research shows that between 1966 and 2000 'clear-up rates [in NSW] declined over the period during which robbery rates were rising' and 'The likelihood of imprisonment for a robbery offence ... also declined over the period during which robbery rates were rising'. The research concludes 'The salient point for our purposes ... is that the fall in rates of clear-up and imprisonment for robbery could have contributed to the growth in robbery.'³



Source Marilyn Chilvers and Don Weatherburn (2003). *The impact of heroin dependence on long-term robbery trends*. Crime and Justice Bulletin No. 79. NSW Bureau of Crime Statistics and Research.

3 NSW Bureau of Crime Statistics and Research, *Crime and Justice Bulletin*, Number 79, October 2003, p. 3.

Volume One of the Committee's Report presents a national perspective of how Australian communities experience and respond to crime and fear of crime. It also deals with how crime is measured across Australia. The extensive nature of the Inquiry and the submissions received by the Committee reveal just how aware the community is of the need for a proper functioning justice system. This Committee believes the reference should be renewed in the next Parliament.

Hon Bronwyn Bishop MP
Chairman



Membership of the Committee

Chair Hon Bronwyn Bishop MP

Deputy Chair Mr John Murphy MP
(until 03/08/04)

Members Hon Julie Bishop MP
(until 07/11/03)

Hon Alexander Somlyay MP
(from 07/11/03)

Hon Alan Cadman MP

Hon Duncan Kerr MP
(until 03/08/04)

Mr Daryl Melham MP
(until 11/08/03)

Mr Robert McClelland MP
(from 11/08/03 to 03/08/04)

Ms Sophie Panopoulos MP

Hon Con Sciacca MP
(until 03/08/04)

Mr Patrick Secker MP

Dr Mal Washer MP

Committee Secretariat

Secretary	Ms Gillian Gould Ms Julia Thoener (acting from 29 March 2004 to 7 May 2004)
Inquiry Secretary	Ms Julia Thoener
Research Officers	Ms Frances Gant (until July 2003) Mr Muzammil Ali (from October 2003) Dr Nicholas Horne (from June 2004)
Administrative Officer	Ms Frances Wilson



Terms of reference

The Committee shall inquire into the extent and impact and fear of crime within the Australian community and effective measures for the Commonwealth in countering and preventing crime. The Committee's inquiry shall consider but not be limited to:

- (a) the types of crimes committed against Australians
- (b) perpetrators of crime and motives
- (c) fear of crime in the community
- (d) the impact of being a victim of crime and fear of crime
- (e) strategies to support victims and reduce crime
- (f) apprehension rates
- (g) effectiveness of sentencing
- (h) community safety and policing

The inquiry was referred to the Committee on 21 May 2002 by the Minister for Justice and Customs, Senator the Hon Chris Ellison.



List of recommendations

1 Introduction

Recommendation 1 (paragraph 1.42)

The Committee recommends that the Inquiry into Crime in the Community: victims, offenders and fear of crime be re-referred to the House of Representatives Standing Committee on Legal and Constitutional Affairs in the 41st Parliament.

2 Fear of Crime

Recommendation 2 (paragraph 2.101)

The Committee recommends that State and Territory Governments be encouraged to work more closely with organisations representing the elderly to collect more accurate data on the extent of unreported crimes committed against older Australians.

Recommendation 3 (paragraph 2.104)

The Committee recommends that State and Territory Governments be encouraged to work more closely with women's centres and refuges to collect more accurate data on the extent of unreported crimes committed against women.

Recommendation 4 (paragraph 2.121)

The Committee recommends that State and Territory police forces further recruit from ethnic groups that are involved in significant crime, with the aim of promoting greater cultural understanding and thereby over time reducing ethnic-based crime, including organised crime, and the fear of crime within ethnic communities.

Recommendation 5 (paragraph 2.141)

The Committee recommends that accurate information regarding levels of crime be published in order to reduce fear of crime within the community.

Recommendation 6 (paragraph 2.144)

The Committee applauds the National Community Crime Prevention Programme because it allocates funding directly from the Commonwealth to local community initiatives, and recommends that further funding be made available under this program.

3 Crime Reduction and Prevention Initiatives within Local Communities

Recommendation 7 (paragraph 3.27)

The Committee recommends that the Commonwealth work with State and Territory governments to investigate ways to institute a program comparable to the City of Gosnells Safer Seniors program on a national basis.

Recommendation 8 (paragraph 3.43)

The Committee recommends that the Australian Institute of Criminology conduct a comparative study of the effectiveness of local council initiatives for the reduction and prevention of crime.

Recommendation 9 (paragraph 3.55)

The Committee recommends that the Commonwealth Government facilitate the development of a database by local councils and local non-government organisations and individuals detailing successful strategies for the reduction and prevention of crime in local communities. The Committee envisages that this could be done as an extension of the National Community Crime Prevention Program.

Recommendation 10 (paragraph 3.58)

The Committee recommends that a greater level of resources be made available to police servicing local communities, with the Commonwealth seeking a commitment from the States and Territories at the relevant Council of Australian Governments meeting.

4 Measuring Crime in Australia

Recommendation 11 (paragraph 4.28)

The Committee recommends that the Australian Federal Police, as a national body, assume a coordinating and leadership role in the process of establishing a consistent national police data collection method.

Recommendation 12 (paragraph 4.37)

The Committee recommends that State and Territory police forces work with the Australian Bureau of Statistics and State and Territory justice departments to develop more consistent methods of recording and releasing statistical information to enable more effective research, program implementation and evaluation. This would also allow for the early identification of national, State and Territory crime trends.

Recommendation 13 (paragraph 4.49)

The Committee recommends that either the Australian Crime Commission or the Australian Federal Police work with State and Territory police forces to establish a common data recording system such as that used by the New York Police Department. Such a system would work in the following way:

- Local police commands would process crime data within their command daily which would allow for more efficient allocation of resources.
- The data would be used to pinpoint crime trends and localities to allow resources to be dispatched to manage crime outbreaks.
- Daily crime data would be forwarded to either the Australian Crime Commission or Australian Federal Police which would then publish the data daily, thereby providing transparency.

Recommendation 14 (paragraph 4.53)

The Committee recommends that data resulting from research be collected centrally and be made available to others (including agencies and individual researchers) for further research.

Recommendation 15 (paragraph 4.58)

Recognising the value of longitudinal research, the Committee recommends that funding be made available accordingly.

Recommendation 16 (paragraph 4.63)

The Committee recommends that compulsory evaluation procedures are built into requirements for crime prevention grant funding.

