

26 October 2016

To: The Committee Secretary
Senate Legal and Constitutional Affairs Committee
PO Box 6100, Parliament House, Canberra ACT 2600

Re: Submission to the Senate Legal and Constitutional Affairs Committee Inquiry regarding the Australian Crime Commission Amendment (Criminology Research) Bill 2016 [Provisions]

Dear Sir/Madam

Thank you for the opportunity to make this submission.

With respect to the proposed Bill, there are a number of issues facing the Committee. The most critical of these is to what extent the planned incorporation of the Australian Institute of Criminology (AIC) within the Australian Criminal Intelligence Commission (ACIC) significantly weakens the capacity of the AIC to provide reliable and *independent* advice to government on criminal justice issues.

As a former employee of the AIC (2002-2014), I wish to draw to the attention of the Committee just one contemporary example of the AIC's research and its profound impact on matters of national significance. Specifically, I refer to the research conducted by the AIC and their investigation into the violent and property crime victimisation of international students here in Australia. Members of the Committee might recall the significant national (and later, international) concern which emerged regarding the potential racial targeting and victimisation of international students from India; concerns which were publically aired by government officials from India and which had the potential to significantly and adversely affect the international student intake from that country. I am reminded by the AIC's report that the international student market was, in 2009, Australia's third largest export industry, generating approximately \$18.3b per annum. India was the largest source country.

At the time, there was no national or state-level data source capable of examining the prevalence and overrepresentation of Indian international students as the victims of crime. Yet, to meet the ongoing concerns of government officials in India, it was essential for Australia to undertake a credible, methodologically robust, and (most importantly) *independent* empirical analysis of this issue. As an independent statutory agency, the AIC was uniquely placed to undertake this research. Its long-held position of trust with state and territory police agencies made possible the complex data matching and extraction processes. This, coupled with its position of independence, was critical to securing the information and data necessary to examine the issues with the transparency and breadth demanded by the Indian government.

Of course, this is but one example of the excellent work conducted by the AIC, though it should serve as a reminder to the Committee of the critical importance of maintaining the AIC as an independent statutory research agency with expertise in national and state-level criminal justice issues. Importantly, it is my view that no other academic institution would have been able to execute this project as quickly, as cost-effectively, or as comprehensively as the AIC. Similarly, no other data collection agency (for example the ABS) possesses the necessary criminal justice expertise or

relationships to navigate the complexity of the data that was required to complete this task. Finally, and most importantly, no research produced under the auspices of an intelligence agency (as proposed by the Bill) would have had the level of independence necessary to assure the Australian and international community of our commitment to openly and transparently investigate issues concerning the safety of its citizens and visitors.

On the question of cost effectiveness, the Committee should also be reminded that the impact of the aforementioned study on the return of confidence to the international student education market would have justified the AICs annual appropriation many, many times over. Of course, the argument here is not what the AIC has done in the past, but what administrative and legislative arrangements best meets our needs today and into the future. Not only does the AIC continue to contribute significantly to the evidence-base in crime reduction and prevention, but it is perfectly placed to quickly, efficiently, and with independence, respond to emerging issues of national importance. The proposed Bill removes the AIC statutory independence and significantly weakens the credibility and transparency of its advice to government and to the community.