

Dear Legal and Constitutional Affairs Legislation Committee

In response to an invitation to submit to the Australian Crime Commission Amendment Bill please find a submission below on behalf of the Griffith Criminology Institute, Griffith University, QLD.

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The Griffith Criminology Institute is the largest concentration of criminological researchers in Australia and one of the largest in the world. We have over 70 faculty researching issues to do with crime, justice and crime prevention, along with 70+ PhD scholars. We have a very keen interest in criminological research and research capacity in Australia. The 2015 Excellence in Research for Australia process ranked Griffith criminology research to be 'well above world standard' and is one of only two institutions in Australia to achieve a top rated 5 in that review process.

In 2015 we provided a submission to the original bill that outlined a number of concerns about the proposed merger of the Australian Institute of Criminology (AIC) and the Australian Crime Commission (ACC) - many of which echoed those expressed by the Australia and New Zealand Society of Criminology (ANZSOC). At that time we expressed how we felt the current form of the AIC provided good service to the criminology community in Australia but, as importantly, also did so to the citizens of Australia as a body that helped take the lead in and help shape relevant and credible criminological research. It was further acknowledged that the broad criminological focus of the AIC, informed by both a critical, criminologically informed, stance and an understanding of the complex causes and effects of crime was a particular strength. It was suggested that this is not necessarily or even normally a strength of intelligence based approaches or knowledge cultures.

Our main concerns centered around the extent to which a merger would reduce the independence of the work undertaken by those engaged in credible criminological research in the newly formed body; the continued provision of specific services currently provided to the Australian research community (data sets/library/research funding grants) , and the effect on decision making structures determining the type of research undertaken. Broadly, the extent to which the AIC would effectively become subsumed under the narrower objectives, bolder culture and decision making of the much larger organisation of the ACC was implicit in the concerns.

I will not rehash the specifics of those concerns in this submission as the original papers are also to be included in this review. In our view the concerns raised along with other issues were effectively teased out in the examination of initial bill by the Acting Chair, Senator Jacinta Collins and in particular we, like the Senator, felt that the key matter relating to academic independence (and expertise) was insufficiently addressed.

Another important issue that was arguably understated in the deliberations on the original bill relates to *perceptions of academic independence* and thus the *perceived* credibility of outputs/research. When an organisation produces data that, depending on how they are presented, it can benefit from it is not seen as independent. The police already suffer from having even the barest of descriptive statistics produced internally subjected to critique because of assumed bias and thus there is an almost inherent lack of credibility built into any analysis it carries out. Governments suffer from the same

problem when producing evidence in-house. It matters not that the police or government departments might be using exemplary standards comparable to independent researchers - the research will often be *perceived* to not be credible because it is produced by those that may benefit from it. A merged organisation would inevitably suffer from this perception.

The amended bill obviously goes some considerable distance to assuage many of the perceived shortcomings of the critiques offered against the original bill but in our opinion the fundamentally key issue of academic independence cannot be fully assuaged as merger means that structures agreed to at this point in time may in future be diminished as the new entity 'develops' or could be relatively diminished in practice under the larger weight of the ACC arm of the proposed new entity. The assurances given and proposed advisory structures are thus unconvincing in our view and are not future-proofed. In addition we cannot see how a merged entity can ever rid itself - regardless of rigorous standards - of being less than independent and credible. This is itself inherently problematic for an organisation seeking credibility in this space. This is the critical issue.

We also consider it likely that a merger will result in a narrowing of research focus and a blunting of a currently critical and aware research program. One possible outcome would be a much greater focus on serious and organised crime as has been a strong ACC focus previously, rather than research conducted across the criminal justice system.

We also feel that the loss of a statutory Criminology Research Advisory Council to be highly problematic. While a voluntary one will exist, the long term problem here is that if that disappears then the Criminology Research Grants (funded by CRAC members) will also disappear.

We believe that effective data sharing approaches, perhaps even buoyed by regulatory standards, can achieve the types of data sharing advantages proposed as the main advantage of a merger, to be achievable outside of a merger and without sacrificing independence and credibility. Indeed in our view credibility would be enhanced if improved data was married with independent research capacity. Further, we believe that rather than finding ways to only restrict data to 'in-house' researchers (as would be achieved through merger) more should be being done to enable outside independent researchers to access appropriately anonymised data - as is the case in the UK for example.

In summary we would suggest that merging the two entities effectively jeopardises the reputation and credibility of the AIC built up over 40 years as the independence of its research cannot be guaranteed nor, in such a structure, can perceptions of a relative lack of independence be assuaged. Promises made now may diminish over time and the focus of research will likewise become narrower as the lack of academic independence of the structure bends it to reflect its own needs and interests.

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