



ACT Neighbourhood Watch Inc. (Association)

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NEIGHBOURHOOD WATCH

The Secretary
House of Representatives Standing Committee
on Legal and Constitutional Affairs
Parliament House

CANBERRA ACT 2600

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

The ACT Neighbourhood Watch Association is, I believe, unique in that this group receives some support from, but is not run by the local police (AFP in the ACT). Neither do we have any substantial financial support for general activities. The Association is still in its first full year of operation and is trying to revitalize areas where membership has waned due to long years of neglect. Members are enthusiastic, but we have many members who deserve to be relieved after many long years of service.

The views of several individual members of ACT Neighbourhood Watch have been included in this submission. For this reason, the submission as a whole may appear somewhat disjointed, but the messages within the individual responses are strong, and I crave your indulgence.

I trust the Inquiry will find the following of interest.

Anita Gazzard

Anita Gazzard
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Submission to the Inquiry into Crime from ACT Neighbourhood Watch Association

The types of crimes committed against Australians

One member reported that her daughter, who suffers some mental imbalance, was set upon after a train ride from Sydney, apparently because she had originally sat in the wrong seat.

Another report is of a midday handbag snatch from an elderly lady in a car park. The perpetrator was apprehended with the help of the public and the bag returned minus some cash. The police on duty at the time seemed most unhelpful. However, although this thief was later charged, the matter never went to court. The lady was lucky to have received only minor injuries.

Perpetrators of crime and motives

There is a concern that early education, pre-school and home, fails to engender a respect of people and property. Education is an issue which should be addressed by all Australians.

So-called 'white-collar' crime could stem from an early perception that everyone is 'entitled' to life's luxuries without linking that entitlement to 'earning' it.

Fear of crime in the community

Fear of crime may well be increased because the media reports more of it. Aspects not mentioned in the brief include:

- Helplessness; inability to fight back for fear of prosecution
- Sufferers of mental illness committing crimes in the community
- General lack of respect, especially towards elderly

The impact of being a victim of crime and fear of crime

Two individual reports which relate directly to this aspect are appended.

Many people report feeling unable to speak firmly to young people who are misbehaving, for example riding skateboards through shopping precincts, for fear of retribution. One report was that, after speaking sharply to a young man who had nearly knocked her over, the lady was followed to her car and threatened. When this incident was reported to Police, she was told that she shouldn't have spoken to the young man!

Strategies to support victims and reduce crime

Apprehension rates

Apprehension rates are perceived to be low. There is also an understanding of the frustrations presumably experienced by police who cannot obtain suitably sentencing. Is this a vicious cycle? Minor offenders get away with petty crime so often, they become major offenders. Better, surely to catch them early, punish strongly, yet fairly, and stop the progression.

Effectiveness of sentencing

Community safety and policing

Many Neighbourhood Watch members report high levels of frustration at the initial reaction of police (?) officers when reporting crimes or suspicious activity. “What do you expect me to do about it?” is of little support to members of the community.

What is done with the information is not the responsibility of the reporter. But it is considered the responsibility of those receiving the information to act on it, even if that action is merely to log the incident.

The local police are, apparently, stretched to the limit. This impacts on the number of officers patrolling local areas. Why is it that residents feel the need to spend large sums of money installing ‘back to base’ alarm systems? And having done so, there is little comfort in the belief that should the neighbours report the alarm and the fact that the residents are away, it is most unlikely that any police officer will appear until the following day.

Neighbourhood Watch encourages residents to mark their possessions, using either an engraver or a UV light pen. It is disheartening to discover that police rarely check recovered goods for such markings. There have been several reports of people discovering their goods being offered for sale at Police auctions. It is not enough to have items covered by insurance, further exacerbating the problems faced by the insurance industry.

There is a great deal of discussion on the rights of suspects, but little on the rights of victims or on the rights and responsibilities incumbent on all residents. Perhaps it is time to consider a “Bill of Rights and Responsibilities” for Australians. Perhaps then people could be educated in the Australian way of life.

From: Phillip Gunnell, 2 Derrick Street, Campbell, Canberra, ACT 2612
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Individual Submission – Crime Against Property

Summary

- Experienced a Break and Enter on 15 June 1994 to personal domestic dwelling (stolen property \$3,350) and 10 May 2000 to personal domestic dwelling (stolen property approximately \$13,000)
- Claim on Home Contents Insurance
- Expense incurred to fund extra measures to secure house and property
- Cost to the community: Police resources, insurance premiums, engenders a climate of mistrust in the community, suspicion of strangers
- Inhibition on taking short breaks and long holidays away from home

Submission

I wish to submit to the Inquiry into Crime my personal experiences in being a victim of two break and enter to my home.

Please consider that I have been a full time officer of the Royal Air Force (1962 to 1977) and the Royal Australian Air Force (1977 to 2000). During that time my wife and I have lived at twenty three addresses in five countries. The first break and enter occurred on the 15 June 1994 at 32 Holyoake Court, Hillbank, Adelaide SA 5112 whilst I was serving at RAAF Base Edinburgh. I was out of the house on duty at the RAAF Base and my wife was out working as a volunteer hospital worker. Our house was secured and the thief (16 year old boy) broke a window to gain entry. Property to the value of \$3,350 was removed from the house. The second occasion took place between midday Wednesday 10 May 2000 and midday Thursday 11 May 2000 at our home 2 Derrick Street, Campbell, Canberra, ACT 2612. My wife and I were away on a caravan holiday. Our house was secured and the thief or thieves had to break a window to gain entry. Property to the value of \$13,000 was removed.

Fortunately we were insured and we claimed on our Home Contents insurance policy. However, whilst we were financially recompensed nothing could replace those items of sentimental value that were never recovered.

We had always ensured that our house, garage and sheds were locked and we have two security screens to our front door and side door. However as a result of the second burglary and the fact that we were living in our own home we spent a considerable amount of money to fit motion lights around the house, another security door to our rear French doors and a back to base burglar alarm. In addition to the financial outlay we have now incurred a monthly fee (\$45.00) to support the back to base monitoring. In return we do receive a discount on the NRMA Home Contents Insurance premium.

As a result of the second break and enter I wrote to Gary Humphries MLA (at the time Minister for Justice and Community Safety) at the ACT Legislative Assembly

expressing my disquiet at the increasing levels of break and enter in my suburb of Campbell. Our local Police Force tries hard to combat property crime and occasionally, when running special operations, or focusing on the bail act, manage to reduce the level of break and enter. However, when the Police ease the pressure (through lack of resources) the number of break and enter offences begin to escalate.

The effect on the Campbell community is significant. I am in touch with my near neighbours and I also attend the monthly Campbell Neighbourhood Watch Committee. Therefore, I am fully aware of the monthly ACT Police crime statistics for Campbell. Property crime erodes our community spirit and creates a climate of suspicion towards those people seen walking around our suburb who are not known to us. Particularly young males (16yrs to 25yrs). My wife and I despite all of the additional security measures we have taken are now reluctant to leave the house for any length of time. The only security measures left to further secure our house is to install metal shutters or bars to the windows and fitting a steel mesh throughout ceiling/roof cavity. However, we have no wish to turn our house into a mini fortress as the external appearance of a fortified home is a sign of defeat to the criminals and should not be the 'Australian Way'.

My wife and I are in our fifties and relatively fit so at this stage we do not fear for our physical safety but having experienced two break and enters we have become disillusioned in the apparent ineptness of the community to combat property crime. We are of course not just referring to our own direct experiences but the corrosive effect of neighbourhood vandalism, graffiti and property crime against schools and businesses. Our representatives and state public servants work hard utilizing our resources to make for better communities but the new facilities are quickly defaced and spoilt by mindless acts. I also see the effect of neighbourhood crime on older members of our community particularly elderly ladies who live alone; they are most fearful.

We must be more imaginative in detecting and punishing these people who prey on our community. A suitable graduated mix of punishment ranging from community service, prison, public humiliation, deprivation of community privileges (suspension of driving license, restricted movement, denial of certain social monetary benefits, denial of personal mobile phone).

I am willing to be interviewed by the Committee.
PHILLIP GUNNELL

Individual submission by Noel Tregoning

Nanda Place is a typical middle class street in a quiet Waramanga ACT neighbourhood. The 10 houses were all spec built in 1970 and five are still occupied by the original owners. A Christmas barbeque for all residents in the street started in 1971 and is still an annual event.

As well as the strong sense of community that has developed over the past 30 odd years, the major attraction of living in the street has been the absence of crime. Bored kids wandering around at night vandalising letterboxes was about the limit. But it all changed one night when a burglar broke into several houses in the street and stole a quantity of cash. Our blue heeler dog bailed him up in our yard long enough for us to get a glimpse of him escaping over the fence before he could break in. Naturally we immediately rang the police and reported the matter. A couple of police cars patrolled the area but found nothing. There are too many hiding spots in front gardens etc.

The next morning everybody was out in the street with a story to tell. Four or five houses had been visited by our nocturnal prowler. Everybody was shocked that it had happened to us. Finally, the "police" arrived to conduct interviews. It was a young, non uniformed girl from the office with several photos. "We know who it was. He's done this sort of thing before. He's a druggie who is only looking for money."

Back out in the street after she had gone and people were comparing notes. A couple of positive identifications had been made and an arrest shortly followed. Our offender was charged with around 165 burglaries and 11 attempted burglaries, (one courtesy of our blue heeler) we reckoned that he'd get a couple of years at the least.

Optimism turned to incredulity. Brought before the court, he was given a rap over the knuckles and set free on a bond on an undertaking to attend a rehabilitation program. "Will pigs fly?" was one response in the street.

Sure enough, he shortly moved on to another patch and carried on from where he left off in Waramanga.

Meanwhile, in Nanda Place life went on. But if one of several dogs barked in the middle of the night, lights were turned on and the NHW representative would wander out and check for prowlers.

The court reports in the Canberra Times were also being read more assiduously to see who else had had a similar experience to us and what the outcome was. Our "friend" regularly appeared before the courts charged with further offences. But it wasn't until he was finally convicted for supplying drugs to a 14 year old sibling that the court finally gave him an appropriate sentence!!!

The outcome of this experience can be summed up by the changes in our attitude: There is a loss of respect for, and confidence in the operations of the courts. Given that the criminal activity in our streets has become highly drug related, we want to see a more proactive effort by the courts. An appropriate custodial sentence should ensure that no offenders are released from custody until they have fully completed a

rehabilitation program and have received any necessary training to equip them to rejoin the workforce.

Commentary by NHW Groups - Garran and O'Malley [ACT]

The Neighbourhood Watch group in O'Malley is a relatively new group, and is still finding its feet. However, it has been recently established in response to a rapid increase in home burglaries and vandalism of public facilities in the suburb.

O'Malley suburb is about to grow in size and it should be noted that there are undertones of discontent which may mirror some dissatisfaction with the planning and development arrangements in Canberra as practiced by the ACT Government. The overtones vary from inadequate management to the extremes of corruption by the Planning Authority and hence a Territory's Self Government arrangements. This paper does not wish to establish or make comments on the rights or wrongs or merits of 'ACT Self Government,' and the associated planning and development processes, which have been developed. However it is necessary to record a general dissatisfactory undertone in the ACT community, and to record significant discontent by many O'Malley residents are surfacing at this time. Indeed, it is relevant to record that the current Labour Government was elected on the platform of promised reform of the arrangements.

The following comments are made based upon local experience and current occurrences in Garran and O'Malley:

- **Types of crimes committed against Australians;**

Many 'older Australians' recall their youth when their house was left unlocked, and indeed the car was not even fitted with locks. They cannot understand what went wrong with Australia, which has resulted in today's lock, key and alarm mentality. In Canberra, because mostly both parents are employed in the workforce, many children need to take on the responsibilities of the 'latch-key' kids at an early age.

Indeed many things have changed over the last half of the 20th century.

Daily Australian residents are faced with the need to:

- Secure their homes cars and their possessions;
- Insure their homes, cars and their possessions;
- Come home to the fear that their home car and possessions have been interfered or even trashed, and their privacy invaded by persons unknown and persons never apprehended.

As a general observation, the paradigms have changed, and, all for the worst. The cost of this social change is an enormous burden on society, the family, and the individual.

The average Australian is perplexed with the myriad of fears, which appear to be expanding almost daily as society develops. For instance, in 1980, the first personal computer was sold. Today, most homes have personal computers and Internet connections. Today, computer owners most residents live in fear of a virus entering their computer and doing untold damage.

- Residents must now update annually their virus check licenses, bolt their personal computers to the wall and insure them, if they can get unqualified insurance for them.
- Residents need to take extraordinary measures to limit the use of Internet access to their children.
- Residents need to ensure that their children do not breach copyright laws by importing games and programs, which although readily available to their kids, must not be loaded on personal computers, due to copyright infringements.
- Families in teaching social responsibilities of the Internet to their kids incur additional costs.

Some of the ironies of these types of situations are:

- Parents are assuming the responsibility of the actions of their kids, who are minors, and do not understand the complexities of the law and the ownership and user rights associated with the high tech world.
- Many parents do not understand their responsibilities in relation to the new brave world of high tech. These type of restrictions are imported across national borders, and are almost beyond comprehension to the average person, especially those not formally trained in high tech responsibilities.
- If the resident catches an offender in the act of burglarizing their home, and injures them, they are likely to be charged with a greater offence than that being committed against them.

- **Perpetrators of crime and motives:**

Most Australians are law-abiding persons, who do not wish to transgress or flout the law. However, as the law becomes more complex, and changes occur to the interpretation of the common law, residents are not updated as to their limit rights and their responsibilities. To do this, they need to spend significant amounts of their free time to view media and newspapers, and try to sort out the sensations of modern life from the realities of the law. How many headlines, by-lines and articles in the press are based upon accurate and non-journalistic license?

This situation, more than any other, begs the question of the need for a 'bill of rights', so that Australians can live without fear of flouting the law, by the absence of knowledge of their rights. This is a type of 'Russian Roulette' however the odds are more like a single shot in a single chamber.

To those that knowingly breach the law, only they can know what motivates their anti-social behaviour. What is clear to the average Australian, is that the law appears unfair to those who breach corporate law, compared to those who breach other laws. The question is why does a person who plunders corporations of millions, apparently get far leaner sentences than the common burglar, or the perpetrator of so-called victimless crimes?

- **Fear of crime in the community:**

The fear of crime in the community, is a real fear. Residents and others who spend their lives saving and investing in the community, in a bid to be comfortable in their twilight years, are increasingly exposed to random incidents which reduce their wealth, and breach their privacy.

- **The impact of being a victim of crime and fear of crime;**

Only one who has had their home ransacked can speak of the invasion of their personal space and their losses. Some losses are of irreplaceable items such as documents and family jewels, collections of stamps and coins and other type of personal treasures. In addition the tendency towards home trashing by intruders adds to the drama.

However, once exposed to the horrors, one then is further exposed to the nuances of the insurance world. The intricacies of insurance policies, what is covered and how it is valued and how it is replaced can be as depressing and exhausting as the original incident.

Consideration needs to be given to the parents or guardians of children involved in crime. Perhaps the greatest fear of crime is the parent of the perpetrator, the embarrassment and the humility of being the parent of a child criminal. Parents are always in fear that their child may be accused of an incident or even the perpetrator of an event.

There is little support for parents in their quest to bring into the world good citizens. Parents are held to be responsible for the actions of their offspring, yet they are left with very few tools to discipline their children. Increasingly, the law has taken the side of the child in respect to abuse and the like. Parents are currently in fear of transgressing the right/s of their children in dealing with disciplinary actions.

Corrective actions are very difficult for parents; the toolbox is very slim indeed. The methods of their own parents of their own childhood no longer are acceptable in the eyes of the law, and society. In addition, in a multi-cultural society, some ethnic or religious practices are in direct conflict with the ideals of what is “Australian” and what is not.

Peer pressures often are behind children transgressing the law. It is necessary for parents to be seen as supportive of their children as well as giving them freedom to make up their own minds about man things, which were previously taken for granted in their own childhood.

Parents desires and the education system can sometimes lead to confusion in the minds of children. Often children become confused as to values and what is right and what is wrong. With the reduction in corporal punishment at schools, the limitations of disciplinary options for parents in dealing with their children, places a heavy weight back onto parents, who may be ill equipped to manage them.

- **Strategies to support victims and reduce crime;**

As far as I am aware, there are few publicised support for the victims of crime, especially where there is a need for the victim to seek re-dress on their own volition. Known support is:

- Insurance policies;

- Legal aid, if eligible;
- Engage own solicitor or barrister – clearly very expensive, and may exceed the cost of the incident;
- Police may decide to charge perpetrator.
- Arbitration.
- **Apprehension rates;**

Apprehension rates are not well publicised, and when they re publicised are often years after the incident. Delays in the judiciary system give a false level of security to the perpetrators of crime, whether hard crime or soft crime. Often, the hardened criminal has been involved in further crime between the time of conviction and the actual incidence.
- **Effectiveness of sentencing;**

As mentioned earlier, the community’s perception of fairness of sentence and the crime itself can be confusing.

 - It would appear that there is a need to align corporate crime penalties more in line with community expectations and in line with other social crimes.
 - The community perception is that corporate sentences are far too light, and some social crimes are far too heavy.
- **Community safety and policing.**

There is far too little support by Police in ACT for Neighbourhood Watch (NHW) Groups. Far too much time is invested by NHW Groups in trying to raise funds to be effective and visible in the community, and too little time given to listening to the community and representing community views with police.

Community safety is a prime concern of NHW Groups, however there are no real visible or tangible things that NHW Groups can do. Currently, Police are not represented at NHW meetings, so “working together” has become “working in isolation”. This is an entirely unsatisfactory situation, and if it is not corrected, then the future of NHW in ACT is limited.

- There is a need for Police to be re-involved in NHW Groups.
- There is a need for NHW Groups to be funded, not need to grovel amongst the community to get funds.
- There is a need for donations to NHW groups to be a tax deduction.
- There is a need for the NHW Board of Management to be given greater centralised control of activities and to promote initiatives of real worth to the NHW Groups.
- There is a need for the GSTax to be exempt for NHW Groups.

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