

## Introduction

### Background to the Inquiry

#### Crime and the fear of crime

- 1.1 Crime, together with fear of crime, is identified as one of the most significant issues of concern in the Australian community. Many Australians have either themselves been victims of crime or they know somebody who has. Being a victim of crime, and similarly fearing crime, can have a significant impact on quality of life and the way that people choose to participate in society. Fear imprisons people.
- 1.2 From the outset, the Committee was aware that there can be discrepancies between official crime statistics, media reports, public opinion and the personal accounts of victims and perpetrators surrounding crime within the community.
- 1.3 The purpose of this Inquiry therefore was to gain a greater understanding of the community's experiences of crime and fear of crime in order to identify effective measures for dealing with these issues and for supporting victims.
- 1.4 In achieving this purpose, the Committee was guided by broad terms of reference. This introduction identifies some of the Committee's main areas of focus and assumptions relating to the terms of reference.<sup>1</sup>

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<sup>1</sup> At the beginning of the Inquiry the Committee published an information paper available on the Committee's website and to everyone who requested information relating to the inquiry.

## Categories of crime

- 1.5 Crime can be loosely grouped into two categories: crimes against property and crimes against the person. Property offences usually refer to acts such as break and enter (burglary), motor vehicle theft, theft from motor vehicle, property damage, and graffiti and vandalism. Personal offences, on the other hand, include crimes such as homicide, assault, sexual offences, domestic violence, robbery, and theft from the person.

## Who are victims of crime?

- 1.6 Generally, victims of crime refers to people who have directly experienced crime. That is, they may have been subject to violence, assault or a sexual offence, or their property may have been stolen or damaged. However, the impact of crime usually extends well beyond the person who was subject to the act. Victims of crime may also include people—family members, friends, work colleagues, and people who witnessed the act—who have in some way been affected by crime committed against another person/s.
- 1.7 The Committee was interested to receive evidence on the levels of victimisation among respective groups in the community. This includes the types of crimes committed against different groups of Australians—for example males, females, young people and older Australians—and where these offences take place.
- 1.8 Statistically, young men aged 17-25 years are shown to be the largest group in the community who are perpetrators of such crime and also the largest group of victims.

## Perpetrators of crime and motives

- 1.9 There are a few recognised facts about crime.<sup>2</sup> The first is that males overwhelmingly commit more crime than females. The second is that the majority of crime is committed by a minority of offenders. And the third is that most crime is committed by young men.
- 1.10 People may choose to initially engage in crime, and continue to commit crime for a number of reasons. Of course, the Committee is aware that offenders may commit the same offence, or indeed different offences, for very different reasons. A number of high-risk factors have been associated with the onset of criminality and particularly juvenile delinquency.<sup>3</sup> It is

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2 Australian Bureau of Statistics, *Recorded Crime – Victims* (Catalogue 4510.0), 2004.

3 Weatherburn, D, 'What Causes Crime?' *Crime and Justice Bulletin*. NSW Bureau of Crime Statistics and Research, 2001.

important to note however that these factors are not necessarily those which may *cause* someone to engage in crime. Rather, they are factors which may place someone at a *higher risk* of engaging in crime. These include familial issues (for example, poor parenting and neglect); school-based factors (for example, poor performance and truancy); peer group pressure and influences; poverty and unemployment; and substance abuse.

- 1.11 More recently, it has been suggested that external stimuli such as violent movies, videos and games may increase the risk of young people committing crime.
- 1.12 The Committee was interested to learn more about who commits crime and why. This included the types of offences committed by different groups in society, the backgrounds of offenders, and what motivates people to commit certain offences and what may act as a deterrent.

## Fear of crime in the community

- 1.13 Despite males experiencing higher levels of victimisation than females, research suggests that females continue to fear crime more than males. Similarly, while older Australians are the least victimised group in society, it is widely reported that older people fear crime more than younger people.
- 1.14 Fear of crime can be a complex issue. This is because what people actually fear and why is not always clear. Often, statements about fear of crime do not distinguish between perceptions of general risk, fear of being personally victimised, concern about crime as a public policy issue and anxiety about life in general.<sup>4</sup>
- 1.15 A number of factors have been associated with fear of crime. These include gender; age; income; previous victimisation; media exposure; environmental considerations; and changes in local/neighbourhood environment.
- 1.16 This Inquiry sought to examine a number of issues related to fear of crime. This included who fears crime and why, the types of crime feared, where crime is feared, and the factors that contribute to fear of crime. The Committee was also interested in exploring the actual risk of crime for groups within the community.

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4 Grabosky P, Fear of Crime and Fear Reduction Strategies, *Trends and Issues in Crime and Criminal Justice* No 44, Australian Institute of Criminology, Canberra, 1995.

## Impact of being a victim of crime and fear of crime

- 1.17 Being a victim of crime and fearing crime can have a significant impact on the way people choose to participate in society. Not all victims will be affected by crime in the same way, and for some victims the effects of crime will be long lasting. Victims may experience a number of consequences of crime including financial loss; property damage; psychological and emotional effects; behavioural changes; physical injury or death; and changes to personal relationships.<sup>5</sup>
- 1.18 While many of these consequences are those associated with personal victimisation, it has been suggested that people close to direct victims of crime may suffer or react in a similar way. For both direct and indirect victims, a heightened sense of fear of crime may result.
- 1.19 Fear of crime may detract from a person's health and well-being, contribute to social isolation, and have a negative impact on business.<sup>6</sup> For some people, there is great disparity between what is actually feared, and the likelihood of that particular act/incident occurring. Yet it is this fear of crime that contributes to many people feeling insecure in their own homes as well as in their communities.
- 1.20 The Committee was interested to learn more about the impact of being a victim of crime and fearing crime.

## Strategies to support victims and reduce crime

- 1.21 Supporting victims in our community will go a long way to minimise many of the problems associated with the experience of crime. In addition, reducing crime will not only reduce the number of victims within our community, but it will also increase feelings of safety and security for all.
- 1.22 There are a number of strategies that can be implemented to support victims and prevent crime, including legislative and social reform; restorative justice approaches; victim compensation; and counselling and other support services for victims.
- 1.23 On the other hand, strategies to reduce crime itself can be categorised into four broad areas of crime prevention: reduction of opportunity; developmental/early intervention; community/social-based crime prevention; and improvement of the criminal justice system.
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5 Cook B, David F, and Grant, A, 'Victims' Needs, Victims' Rights: Policies and Programs for Victims of Crime in Australia', *Research and Policy Paper No 19*, Australian Institute of Criminology, Canberra, 1999.

6 National Crime Prevention, *Fear of Crime*, 1998.

- 1.24 The Committee was interested to examine the types of strategies available to support victims and reduce crime as well as their effectiveness.

## Apprehension rates

- 1.25 Apprehension rates refer to offenders being detected and arrested by authorities. Unfortunately, offenders are not always caught in the act by police. More often than not however, offenders may be seen committing a crime by a member of the public. Alternatively, members of the public may come to learn about the particulars of a crime either as a victim, as someone close to the victim or perhaps as someone who knows the perpetrator.

## Reporting and recording crime

- 1.26 Surveys conducted in Australia and overseas suggest that victims only report about 40 per cent of crimes to authorities.<sup>7</sup> Under-reporting of crime not only contributes to an underestimation of crime within the community but it reduces the risk of offenders being detected and apprehended by police. It also does little to facilitate support for victims in need.
- 1.27 There are a number of reasons why victims may choose not to report crime to authorities. These include the perceived seriousness of the offence; personal and public attitudes towards police and their effectiveness; victims' past experiences; the relationship between the victim and the offender; fear of reprisal; and the likelihood of compensation or a successful insurance claim.
- 1.28 For people who have been a victim of crime on a number of occasions (ie a repeat victim), the decision not to report may be largely influenced by past experiences, particularly if repeat victims were unsatisfied with the response from police, and/or if they have learnt to adopt their own coping strategies for dealing with victimisation.
- 1.29 The Committee was interested to know why people do and do not report crime to police; and particularly, if there are any differences in the reporting rates of groups within the community. In addition, the Committee was concerned to know which crimes are more likely to be reported, and how reporting rates as well as the apprehension rates of offenders can be improved.
- 1.30 As policing is an issue which is overseen by individual States and Territories, there are discrepancies in the way that police record crime

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7 Australian Institute of Criminology, *Australian Crime: Facts and Figures*, Canberra, 2002.

across jurisdictions. Police must also use discretion when recording crime incidents on administrative systems, so for example, one jurisdiction may record the theft of a motor vehicle and subsequent removal of personal items from within the vehicle as one offence while other jurisdictions may record this as two incidents. Discretionary power when recording incidents such as these can lead to different perceptions on the levels of crime within a community.

## Effectiveness of sentencing

- 1.31 Based on the annual prison census survey undertaken by the Australian Bureau of Statistics,<sup>8</sup> as at 30 June 2001, almost 60 per cent of prisoners (58.4 per cent) incarcerated across Australia had a known previous period of adult incarceration. Prison is one of a series of sentencing options available to judges and magistrates when dealing with offenders.
- 1.32 The Committee was interested to examine the range of sentencing options available to judges and magistrates as well as their effectiveness in deterring offenders from crime.

## Community safety and policing

- 1.33 Australians want to feel safe in their own homes and in their own communities. A major factor in community safety is policing. It is reasonable to expect that a community will feel safer when there is a visible police presence, and when offenders are detected and apprehended by police. Police have an important role to play in preventing and controlling crime. The Committee was concerned therefore to examine the policing of crime and measures to enhance community safety.

## Overview of the Inquiry

### Conduct of the Inquiry

- 1.34 The Inquiry was advertised nationally on 5 June 2002 with the closing date for submissions on 2 August 2002. By that date, approximately 90 submissions had been received from communities across Australia. However, as the work of the Committee became more widely known, the Committee continued to receive requests that it accept submissions well

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8 Australian Bureau of Statistics, *Prisoners in Australia*. Catalogue No. 4571.0, Canberra, 2002.

beyond the closing date. The Committee acceded to these requests, resulting in a total of some 180 submissions and some 50 supplementary submissions to the Inquiry by July 2004.

- 1.35 While legislating with respect to crime is primarily the responsibility of the States and Territories, a Commonwealth parliamentary committee is well-placed to ascertain nation-wide trends. In particular, the Committee was interested to find out the extent to which initiatives to combat crime in local communities were successful and whether they might have useful application elsewhere.
- 1.36 Public hearings were held in Melbourne on 9 and 10 September 2002; in Sydney on 9 and 10 October 2002; in Geraldton on 18 November 2002; in Perth on 19 November 2002; in Sydney on 19, 20, 26 and 27 February and 28 March 2003; in Wadeye on 11 June 2003; in Darwin on 12 June 2003; in the Tiwi Islands on 13 June 2003; in Canberra on 20 August 2003; in Brisbane on 27 and 28 October 2003; in Sydney on 7 November 2003; in Canberra on 4 March 2004; in Brisbane on 16 March, 18 May and 18 June 2004; in Raymond Terrace and Forster on 7 June 2004; and in Gosnells on 1 July 2004. In addition the Committee received private briefings on specific issues, the transcripts of which were subsequently published. These were held in Canberra on 21 June and 19 and 26 September 2002.
- 1.37 The Committee was interested in investigating crime and the perception of crime in Australia's regional and rural areas. It was also interested in ascertaining whether the concerns of people in regional areas differ from those of people living in cities and if there are significant similarities or differences between various regional areas and towns. In particular, the Committee was keen to ascertain how different communities deal with crime and the strategies adopted by regional councils, police and active local groups to combat it. To this end, the Committee conducted roundtable discussions in Gosnells and Geraldton in Western Australia, Wadeye and Nguuu (Bathurst Island) in the Northern Territory, and Raymond Terrace and Forster in New South Wales. The Committee found these discussions to be particularly useful.

## Confidentiality

- 1.38 It is inevitable that terms of reference for an Inquiry which refer to victims of crime will attract submissions containing personal stories and experiences. The Committee received a number of submissions in this vein and found some of the stories related therein to be extremely distressing.

- 1.39 In some cases, providers of submissions requested that their stories remain confidential to the Committee; in others, the Committee decided against making a submission public in the interests of the provider. For example, some submissions detailed how people, often those who were elderly, feared repeated victimisation. The Committee therefore withheld either the submission or the personal details of the individual.
- 1.40 Although the Committee did not investigate individual cases in detail, submissions and oral evidence were used extensively by witnesses to illustrate comments directed at the terms of reference. The submissions in many cases were very detailed and, in oral evidence, the Committee allowed witnesses to range widely in the use of case histories to illustrate points. Comments concerning persons, organisations and events were received.

## The report

- 1.41 As at July 2004, the Committee had not concluded its Inquiry. However, the possibility of the current Parliament being dissolved led the Committee to determine that a first volume of its deliberations should be released. In this volume, therefore, the Committee concentrates on some of the issues raised in evidence. The Committee will consider further issues in the second volume of its report, and, to this end, is of the view that the Inquiry should be re-referred in the new Parliament.

### Recommendation 1

- 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 41<sup>st</sup> Parliament.**
- 1.43 Chapter 2 considers fear of crime in some detail. It examines a range of surveys which demonstrate that fear of crime is a significant community issue. The Chapter identifies those in the community who most fear crime, canvasses the factors that contribute to their fear, and considers strategies for combating fear of crime.
- 1.44 In Chapter 3, the Committee examines important initiatives that local communities have undertaken to reduce and prevent crime in their areas.



A wide variety of initiatives undertaken by both local councils and local non-government organisations and individuals are considered.

- 1.45 Chapter 4 considers the measurement of crime and crime statistics within Australia by national, State and Territory authorities. Issues such as barriers to the accurate reporting of crime, the types of publications available, and crime reporting mechanisms overseas are also examined.