

Chapter One

Introduction

1.1 Background to this inquiry

On 20 May 1998 the Attorney General the Honourable Jeff Shaw QC MLC referred the Inquiry into Crime Prevention Through Social Support to the Standing Committee on Law and Justice. The terms of reference of that inquiry are:

That the Standing Committee on Law and Justice undertake an inquiry into and report on the relationship between crime and the types and levels of social support afforded to families and communities, with particular reference to:

- (a) the impact of changes in the social services support system on criminal participation rates;
- (b) support programs that can assist in protecting people from developing delinquent or criminal behaviours; and
- (c) the type and level of assistance and support schemes needed to change offending behaviour.¹

The Attorney requested that the committee consult closely with the Crime Prevention Division of the NSW Attorney General's Department during the course of the inquiry. Recognising the very wide terms of reference, the Attorney also offered to provide clarification of issues relevant to the committee's inquiry. This took the form of a letter in which the Attorney stated:

A significant body of evidence exists, both here and overseas, to suggest that the interaction of family and community support systems, the family structure itself, and pathways for development for young people can have a major impact on the occurrence of crime within particular communities. For this reason, significant attention is being paid to the unintended consequences of major welfare reform in both the United States and Britain. So far, only limited attention has been paid to these possible implications in Australia, particularly in relation to the changes being pursued by the Federal Government from changes to youth unemployment schemes and educational incentives to broader changes to the delivery of support schemes in Aboriginal and Torres Strait Islander communities.

On another point, over the past few years New South Wales has developed a critical mass of research and practical knowledge about how family and community support schemes can assist in protecting young people from developing delinquent or criminal behaviour.The Standing Committee's inquiry would be an opportunity for this knowledge and experience to be brought together in pursuit of an important community outcome...

¹ *Letter from Attorney General, The Hon Jeff Shaw QC MLC, 20 May 1998.*

Further, the steady development of the sophistication and extent of the government's "place management" scheme provides an opportunity for these approaches to be placed into a context in which they may be applied in a more focussed and therefore cost-effective way. In addition, the development of legislative structures such as the Young Offenders Act and the more positive aspects of the Children (Protection and Parental Responsibility) Act such as the development of Community Safety compacts, provide an opportunity to assess how social welfare and criminal justice mechanisms can positively interact.²

1.2 Conduct of this inquiry

In late June 1998 the committee met with the Attorney General to discuss the possible approaches that could be taken to the inquiry. Due to the committee's existing references and deadlines for completion of those inquiries, it was decided that the committee would launch the inquiry and commence public consultations towards the end of 1998, with the bulk of the work on the reference to be undertaken following the 1999 State election.

The inquiry was officially launched on 26 October 1998 with a public conference held at Parliament House. The purpose of the conference was to begin to generate community interest in crime prevention and to provide a resource to assist those preparing written submissions. The conference was co-hosted by the International Commission of Jurists (Australian Section); assistance was also provided by the Attorney General's Crime Prevention Division and the Bureau of Crime Statistics and Research. It was attended by over 180 participants. The committee brought out two speakers from the United States to share the benefits of recent research:

- Professor Larry Sherman, of the University of Maryland, spoke about the 1997 report to the US Congress *Preventing Crime: What Works, What Doesn't, What's Promising*; and
- Susan Everingham, of the RAND Institute, spoke about the results of their research into the costs and benefits of early childhood crime prevention interventions.

In total, 20 speakers from non-government and government agencies addressed the conference; a full list of speakers and participants are listed in Appendix One. The committee published the transcript of the conference in a report tabled in Parliament on 2 December 1998. A copy of the report was sent to all persons attending the conference; to all Members of Parliament and to every local council in New South Wales. A copy was also posted on the committee's website.

² Letter from Attorney General, The Hon Jeff Shaw QC, MLC, 1 June 1998.

On 5 September 1998 the committee advertised for written submissions. The closing date for these submissions was 26 November 1998. By this date a total of 29 submissions had been received; many others indicated that they wished to contribute after the 1999 election if the inquiry was re-activated. The authors of all submissions are listed in Appendix Two.

The 51st Parliament ended with the calling of the 1999 State election, which was held on 27 March 1999. As a result, the committee and its reference ceased to exist. Following the State election the committee was re-established with new membership, under the Chair of the Hon Ron Dyer MLC, by a motion of the Legislative Council passed on 25 May 1999.³ An additional motion passed on the same day re-activated the inquiry into Crime Prevention through Social Support.⁴

At the first deliberative meeting held on 2 June 1999 the committee decided to publish the first round of submissions in four volumes according to their themes:

- Volume 1: Early childhood intervention
- Volume 2: Intellectual disability and the criminal justice system
- Volume 3: Prisoners and recidivism
- Volume 4: General

The committee also decided to re-advertise for a new round of submissions, with a closing date of 10 September 1999. By this new closing date a total of 38 additional submissions had been received, including submissions which the committee actively sought from Federal departments. The authors of the second round of submissions are listed in Appendix Two.

The committee has so far held seven public hearings. These took place at Parliament House on 17 June; 26 July; 3 August 1998; 1 October; 6 October; 25 October; and 8 November 1999. The witnesses at these hearings are listed in Appendix One. Two hearings to be held in August had to be cancelled when Parliament was prorogued on Wednesday 11 August 1999.

As part of the inquiry the committee consulted with the Crime Prevention Division of the Attorney General's Department to develop a program of regional visits. A member of the committee the Hon Peter Breen MLC accompanied Mr Chris Shipway from the Division for a three day consultation in Merimbula from 29-31 July 1999. The committee then visited Ballina on 4-5 August and received briefings from local leaders and government agencies on crime prevention in their area. The committee also participated in a regional forum on crime prevention held on 5 August which brought together the shires of Byron Bay, Lismore and Ballina. A

³ *Legislative Council, Minutes of Proceedings, 25/5/99, p 76.*

⁴ *Legislative Council, Minutes of Proceedings, 25/5/99, p 83.*

transcript of the conference was prepared by the committee and provided to the 50 participants as a record of the proceedings.

Members of the committee also visited Moree on 24-25 August. Despite the prorogation of Parliament preventing a hearing being held, many meetings were held with town leaders, including those from the Aboriginal community. A list of all individuals who provided briefings to the committee during the visits appears as part of Appendix One. The committee may undertake further regional visits in 2000 as part of the process of both consultation and so as to generate increased community interest in crime prevention.

The committee held a preliminary discussion about possible recommendations to be included in this report at its meeting on 23 September 1999. At this meeting the committee decided to produce two reports (see 1.3 below). Following that meeting a Chair's draft report was considered by the committee at its deliberative meeting on 15 December 1999 and adopted at that same meeting.

1.3 Structure of this report

At the committee's meeting on 23 September 1999 it was decided to produce a first report on the inquiry to be tabled in December 1999. The report focuses on the issues raised in submissions and particularly during the first hearings. It will be followed by a second report in 2000, which will consider in depth many crime prevention issues which are not covered in this report (see Chapter Ten).

This report has two parts. The first provides an overview of crime prevention through social support; the second an analysis of four specific issues in crime prevention, including recommendations for reform.

Chapter Two (the first chapter of the overview) begins by defining how social support differs from crime prevention through law enforcement. The different classifications of the aims of crime prevention (primary, secondary and tertiary) and the different models of its implementation (such as situational crime prevention) are considered. A framework is developed through which specific strategies discussed in Part Two of this report can be understood.

Chapter Three contains an overview of trends in crime in New South Wales in recent years: what crimes are committed, who commits them, who are the victims and where the crimes are committed? Cautions are raised about the limits of the data: under-reporting of certain crimes; over-policing of certain groups and the impact of changes in public awareness and attitudes to certain crimes are discussed. Data on economic and social changes are

then discussed to examine links to crime arising out of factors such as the geographical concentration of poverty.

Chapter Four looks at the evidence of the causes of crime and factors that can succeed in protecting people from developing criminal behaviours and preventing re-offending. There is extensive literature available; the chapter provides a short guide to the most prominent studies and those which have been most frequently referred to by witnesses and submissions. It also refers to previous reports of the NSW Standing Committee on Social Issues which have considered relevant areas.

Chapter Five charts the key players in crime prevention in New South Wales, beginning with Federal and State agencies but including local government, non-government agencies and the private sector.

The second part of the report examines four specific issues in crime prevention: early childhood intervention; crime prevention and local government; intellectual disability and the criminal justice system; and evaluation issues.

Chapter Six examines the role of early childhood intervention in preventing later crime. Key studies showing the most effective ways to intervene are examined and strategies such as home visiting, childcare, family support and parent education are considered. Recent government programs such as Families First and Schools as Community Centres are considered together with non-government programs. Recommendations are made as to the potential and the limitations of such programs.

Chapter Seven examines crime prevention at a local government level, particularly the Crime Safety Plan process pursued by the Crime Prevention Division of the NSW Attorney General's Department. The implementation of the *Children (Protection and Parental Responsibility) Act 1997* is considered, the committee having visited regions where operational areas have been declared. The place management concept is considered for its relevance to crime prevention. Recommendations are made as to how crime prevention planning at the local level can be encouraged.

Chapter Eight reports on the over-representation of the intellectually disabled in the criminal justice system. The causes of this are examined in terms of the process of the closure of large residential institutions for the intellectually disabled. The difficulties faced by human services and criminal justice departments in responding to the challenges posed by de-institutionalisation are discussed. Recommendations highlight the need for more models of successful therapeutic supports for community living to be developed and funded.

Chapter Nine considers the importance of evaluation to crime prevention through social support. Evaluation provides one way of demonstrating to central funding agencies the benefits of crime prevention projects; given this the dearth of local studies is contrasted with the position in the United States. A description of the types of evaluations and the reasons for using one form of evaluation over another are considered. Principles are suggested to assist useful evaluations for projects with crime prevention outcomes, so as to promote crime prevention through social support as a viable use of taxpayer resources.

Chapter Ten identifies the specific issues to be examined by the committee in hearings and a later report in 2000. These include prisoner recidivism, crime prevention and Aboriginal communities; housing and employment issues.

Appendix One contains the list of persons consulted during the inquiry to date, including witnesses at hearings, individuals met by the committee during its trips and participants in the 1998 conference. Appendix Two contains a list of submissions received for the inquiry to date. Appendix Three contains an implementation plan for the Families First program in the North Coast of New South Wales prepared by The Cabinet Office. Appendix Four contains the Minutes of the Proceedings.

1.4 Purpose of this report

The causes of crime are complex and interrelated with many aspects of human behaviour and motivation. It follows that preventing crime will be equally complex. There is extensive, often conflicting, literature on crime prevention and there have been many reports which have attempted to cover similar issues to those referred to in this report. For that reason this report does not attempt to be the last word on crime prevention either in this state or Australia.

Instead, the committee wants to use this report to assist governments and those who wish to persuade governments. Law enforcement has a role in any society; few could argue this role is not being given full prominence in public debate. There is far less being heard from those who argue that spending money on prevention now will save future governments from building more prisons and funding more police.

The purpose of this report is then primarily to stimulate interest and debate in crime prevention through social support in New South Wales.

Many programs at the moment prevent crime even though their stated objectives are “to improve childhood health” or “support intellectually disabled people to live successfully in the community”, to quote two examples. The value of these programs in reducing crime needs to be

identified and recognised, and their success in preventing crime needs to be measured.

The committee is pleased that the conference it hosted in 1998 has assisted in making local audiences more aware of the empirical basis for supporting crime prevention. This was achieved by bringing to Australia Professor Larry Sherman, author of the report to Congress *Preventing Crime, What Works, What Doesn't, What's Promising* and, Susan Everingham, who worked on the Rand Institute's cost benefit analysis of early intervention strategies. Many of the submissions referred to this research and used it to argue the case for local examples. The committee intends that this report can likewise be a useful resource for those seeking to encourage governments at all levels to make a greater investment in the crime prevention.

The committee understands the electoral pressures under which governments operate and the importance of achieving outcomes within short term cycles. However the problem of crime and the fear of crime has been on the political agenda for many years at a state level. Crime is complex, and many of the most effective solutions are long term. Provision of effective social support will not only reduce crime but lead to many other positive social outcomes, including a more cohesive community. **With this report the committee seeks to highlight the value of spending scarce public funds on an investment in the state's future.**