

REPORT OF PROCEEDINGS BEFORE

GENERAL PURPOSE STANDING COMMITTEE No. 3

INQUIRY INTO POLICE RESOURCES IN CABRAMATTA

At Sydney on Wednesday 8 November 2000

The Committee met at 10.20 a.m.

PRESENT

The Hon. Helen Sham-Ho (Chair)

The Hon. R. H. Colless

The Hon. R. D. Dyer

The Hon. D. T. Harwin

The Hon. J. Hatzistergos

The Hon. J. H. Jobling

The Hon. P. T. Primrose

Ms Lee Rhiannon

CHAIR: I declare the open the meeting of General Purpose Standing Committee No. 3 and welcome Deputy Commissioner Jeff Jarratt and Mr Ian Temby. Dealing with some housekeeping matters, the Hon. R. H. Colless is representing the Hon. J. M. Samios and the Hon. P. T. Primrose is representing the Hon. A. B. Manson, who has resigned. I thank you for your attendance today. Before questioning commences some other housekeeping matters need to be dealt with. Under Standing Order 252 of the Legislative Council this Committee has resolved to authorise the media to broadcast today sound and video excerpts of the public proceedings. The Committee's resolution conforms with guidelines covering the broadcast of proceedings adopted by the Legislative Council on 11 October 1994. The attendant on duty has copies of these guidelines.

I emphasise that only members of the Committee and/or the witnesses before them may be filmed or recorded. People in the public gallery are not considered to be part of the proceedings and, therefore, should not be the primary focus of any filming or photographs. In reporting the proceedings of this Committee, as with reporting the proceedings of both Houses of Parliament, members of the media must take responsibility for what they publish or what interpretation is placed on anything that is said before the Committee. I also advise that, although the meeting is open to the public, members may not be approached at the table. Staff are advised that any messages should be delivered to the attendant on duty or to the Committee clerks.

For the benefit of members and Hansard, and for the effective operation of this Committee, it is important that witnesses identify themselves. Before we ask the first questions, the transcript of this session will be available to the public. Later, there may be a need to hold a confidential in camera session. However, this transcript will not be publicly released until the Committee and the Legislative Council have made that decision. I declare open the meeting of General Purpose Standing Committee No. 3. I acknowledge the presence at this hearing of the Hon. J. H. Jobling. Under paragraph (10) of our resolution, members of the upper House can attend this Committee meeting and they can also ask questions.

JEFFREY THOMAS JARRATT, Deputy Commissioner of Police, sworn and examined:

Mr TEMBY: Earlier I sought leave to appear on behalf of the Police Service during the course of this inquiry. I cannot envisage any circumstances in which I would be giving evidence. There might be circumstances in which I would say something like, for example, "This is a matter of sensitivity that should be dealt with confidentially". But, with respect, I do not see myself as being a witness. While I do not mind taking an oath or affirmation I suggest that it really would not be appropriate to require me to do so.

CHAIR: I do not think it will be necessary then to swear in Mr Temby.

Mr TEMBY: I wish to say something else which is effectively, by way of repetition, what was said before this hearing became a public hearing. The invitation which went through the Minister to the Police Service in the first instance was for the Commissioner of Police or a representative to appear and to provide a private briefing. We were perfectly comfortable with that. Yesterday we were told that the matter might well proceed as a public hearing. We are perfectly comfortable with that.

There are, however, areas, particularly concerning operational matters, that need to be dealt with in confidential session, or which should be dealt with in confidential session. When we reach the point where it seems necessary that the matter should be dealt with confidentially, we will say so. With respect, it is envisaged that that would be a good deal less than a quarter of the entire presentation, and the greater part of the presentation can proceed in public. The final thing I want to say is that we had always intended to suggest to the Committee, recognising it is the Committee's decision, of course, that the great part of Deputy Commissioner Jarratt's evidence could go on the public record and that a transcript of it should be released.

CHAIR: Thank you, Mr Temby.

Ms LEE RHIANNON: May I clarify something? I have just noticed that Hansard were not taking notes. Does that mean that when Mr Temby speaks, when he is not sworn in—

The Hon. J. HATZISTERGOS: It was on the record.

Ms LEE RHIANNON: I apologise. Even though Mr Temby is not sworn in, it is still being taken down and it is still on our record?

CHAIR: Yes.

The Hon. J. H. JOBLING: As I have the right to speak, on a point of order and to aid clarification, as well as to save having to interrupt Mr Temby later, it may well be that he will proceed beyond the leave that he has been granted to give advice to Deputy Commissioner Jarratt. On that basis, if he gives advice in his own right, he is appearing technically as a witness. I believe he has the right to advise Commissioner Jarratt. To overcome this problem, might I contend to you at this stage, Madam Chair, that we simply swear Mr Temby so that he can then speak to either Commissioner Jarratt or to the Committee quite freely and we will not have to go through any protracted arguments.

The Hon. R. D. DYER: Madam Chair, in regard to that, I do not appreciate at the moment why that is seen to be necessary in the Hon. J. H. Jobling's view. Mr Temby's role here, as I understand it, is to advise the Deputy Commissioner as he sees fit. In that event, when that arises, the matter will be recorded. In the ordinary course I imagine it will be an intervention indicating, in Mr Temby's view, that a particular piece of evidence arising from questioning, perhaps, or otherwise, is deemed to be confidential and not, in the public interest, to be publicly revealed. Mr Temby has already said that he is of the view that it is not appropriate to swear him in. Nothing that has been said by the Hon. J. H. Jobling would indicate to me that any new circumstances have arisen that would make it a matter of convenience or desirable that he should be sworn.

CHAIR: Can I just say that, in dealing with the point, I will leave it to Mr Temby. If, as you have actually said, you do not mind being sworn in, I will leave it to you whether you prefer to be sworn or you actually think that it is okay that you are not sworn in.

Mr TEMBY: Madam Chair, my preference is that I should not be sworn in because I do not see myself being here as a witness and I cannot envisage circumstances in which I would become a witness. I know nothing about policing in Cabramatta except what I have been told by the police. I am here as their representative and I see myself as giving advice, perhaps, as the Hon. R. D. Dyer has said, suggesting that certain matters are sensitive and should be dealt with in confidential session. If the Committee gives me leave or if I seek that leave, I might want to suggest some questions that could be asked of a witness, conceivably, and perhaps make submissions at some point, conceivably. But I do not imagine that I would be answering questions. If I am not answering questions, I cannot see that I would be a witness. My own preference would be that I not be sworn.

CHAIR: Thank you, Mr Temby.

The Hon. J. H. JOBLING: Madam Chair, could you just note my view on this. The letter to Mr Reynolds in relation to Mr Temby's appearance states that he is assisting the service in providing a full and proper response and advice to the service and, obviously, to Commissioner Jarratt. He has full and free license to do just that. The minute he addresses the Committee by way of response, I suggest that he is then becoming a witness. Having made that point, I will not press it any further, if the Committee chooses not to swear Mr Temby.

CHAIR: I do not think in my own mind that Mr Temby is a witness. I think Mr Jarratt is our witness and Mr Temby is advising Mr Jarratt.

The Hon. J. H. JOBLING: Mr Jarratt only, but not the Committee.

CHAIR: Not the Committee. I think that point is very important. I do not think Mr Temby is needed to be sworn in. Maybe at a later stage if he becomes a witness, he may be sworn in. Deputy Commissioner Jarratt, after all this, do you have any opening statement to make or presentation? Please feel free to go ahead.

Mr JARRATT: Thank you very much, Madam Chair. It is a pleasure to be here and to have the opportunity of briefing the Committee on what I would call some contextual matters as they affect the Cabramatta Local Area Command. Can I say in my introduction that I am assisted, with your permission, by Sergeant Hannon, whose role will simply be to assist me with overhead projection and material, if that is an acceptable arrangement.

I thought the first point I should perhaps deal with for the Committee is what my role is and put that in context in relation to Cabramatta. I am the Deputy Commissioner—Field Operations. In that role, I am responsible for 11 regions that cover the State of New South Wales as well as, up until very recently, Olympic Security Command and education services, which includes the academy and all the training for police. Those 11 regions are broken down into 80 local area commands, one of which is the Cabramatta Local Area Command. My responsibilities are statewide. I am assisted, obviously, in dealing with those by regional commanders and local area commanders. I feel sure that before the Committee has finished its deliberations, it will hear from people at those levels as well as from people within local area commands.

I should point out that I will refer to other agencies during my briefing within the service who provide policing in Cabramatta. For instance, the crime agencies are responsible to Deputy Commissioner Ken Moroney who also, like me, reports directly to the Commissioner. My responsibility is, essentially, for a little over 10,000 police officers and civilians who go about their day-to-day duties across New South Wales. The reason for my presence has, I think, already been well covered by Mr Temby and at your request, Madam Chair, for a briefing. My involvement with Cabramatta is that it is one of those areas that comes under my responsibility. Due to what is probably a large part of the reason why the Committee is actually sitting, over the last year I have had more than a one-eightieth interest in Cabramatta, if I could put it that way. I feel that I am competent to talk to you about some of those issues, at least from the executive level perspective of the service.

During the Committee's visit to the Cabramatta Local Area Command on 26 October, a number of questions were asked. They have been forwarded to me. At this stage I was proposing to deal with the briefing in the belief that I could probably answer most, if not all, of those questions in

that briefing rather than deal with them in particular. But I am happy, obviously, to answer any questions that the Committee may have now or may wish to refer back to, if that is acceptable.

CHAIR: Yes.

Mr JARRATT: That being the case, Madam Chair, I was initially going to refer to a series of maps to give a context. All members of the Committee would realise that that is a map of New South Wales. The coloured portions are in fact showing the regions. You will also note clearly that the large geographic areas are what we call the country regions. We will bring up the metropolitan ones shortly. For the sake of completeness, I will start at the top right-hand corner. That is the northern region. Colours change a bit in the production of the maps, but, essentially, the one in the top left-hand corner is the western region. The southern rivers region at the bottom runs for the whole length of the Murray River. The south-eastern region takes in from Wollongong to the Victorian border. Coming up from there, there is the greater Hume region which will be the centre of our discussion. It contains the Cabramatta Local Area Command.

The mid-western one is called the Macquarie which goes from, essentially, Granville to the Blue Mountains. The yellow one is the Hunter region which goes from Lake Macquarie up to Taree, essentially. Below that is what I call the purple one which is called north metropolitan and which takes in from Tuggerah Lakes down to the harbour bridge and up through the northern peninsula. In the smaller area there are three regions: the City East region takes in the pocket handkerchief of the city but has a large number of officers; the Endeavour region covers from essentially Sydney airport to Pennant Hills; and, finally, the Georges River region takes in the areas of, largely, St George and Sutherland. Another local area command that I will speak a little bit about today is Bankstown, which adjoins Cabramatta. That is the context.

With your approval I will go down one level into the Greater Hume region and, if I may labour it, I would now point out the local area commands within that region. That very large one is Camden, and the one immediately to its right, in pinky mauve, is Campbelltown. The one in yellow above that is Macquarie Fields. The tan coloured one is Liverpool, the turquoise one is Green Valley, the purple one at the top is Mount Druitt and the green one to its right is Blacktown. The other green one below is Fairfield, and then you will see a red one—which is not as clear as I would want it to be—which is Cabramatta. That gives a context of Cabramatta in geographical terms within the Greater Hume region.

If I could now go down to Cabramatta, that is the local area command of Cabramatta. As you will see, on the right is the Bankstown local area command, at the top is the Fairfield command, to the left, to Cabramatta's west, is Green Valley and Liverpool is in the south. It is a geographically small command, as you would have already identified. One level below that, there are some broad statistics, which are probably not easily read. They cover figures such as the number of persons, authorised police officers and so on. I will present more graphs which will highlight those numbers in a graphical form, if I may. Unless you have some other interest in other parts of the State, that essentially contextualises Cabramatta in terms of its presence in the State. I will now go on to deal in more specific ways with it comparatively.

CHAIR: Yes.

Mr JARRATT: If I could go to the total number of persons, that is, the civilian population, in the local area commands. Just to explain, all those local area commands are within the Greater Hume region, with the exception of the bottom one, Bankstown, which is in the Georges River region. They are the latest figures for the number of citizens living in those local area commands. Obviously, they range from 173,000 in Bankstown to 57,000-odd in Cabramatta.

CHAIR: What is the number at Cabramatta?

Mr JARRATT: It is 57,557. The next one I would like to show you, Madam Chair, is the number of authorised police officers in each of those local area commands. This again features Cabramatta, which is obviously 111 ranging up to 234 in Bankstown. Again, I stress that Bankstown is outside that region.

CHAIR: Is it possible for you to give us a hard copy of this information?

Mr JARRATT: Yes, I have a hard copy for all the members of all the material I will present, including the maps, if they are helpful.

The Hon. R. D. DYER: Would you confirm that there is one police station, namely, Cabramatta, within the Cabramatta local area command?

Mr JARRATT: There is one police station. Mr Dyer, there is a so-called facility where the council runs a closed circuit television [CCTV] and there is police presence there. For all intents and purposes, there is one police station in the Cabramatta local area command. If I may move to the next one, which is a comparison for our purposes of the number of citizens per police officer. Again, you will see a range. This is the total number of citizens divided by the number of police officers. There is a national Australian average of about 450, but obviously it varies depending on the nature and size of the command and a whole range of other factors. You will see the figures for Cabramatta in the context of that particular local area command at Greater Hume. With your approval I will press on.

CHAIR: We will interrupt you if we have a question.

Mr JARRATT: I will deal now with some categories of crime that we measure. I will address later the crime index, which you have asked me to provide some information about.

The Hon. R. D. DYER: Before you press on, I would like to ask one question. Reference has been made to 111 authorised police officers. What is the actual number available in the field?

Mr JARRATT: I was going to come to that at a subsequent time. Would that be acceptable to you?

The Hon. R. D. DYER: Yes, we will leave it till later.

The Hon. J. HATZISTERGOS: When you are talking about police officers in comparison to the number of citizens, are you referring to the officers who are permanently stationed at Cabramatta in relation to the citizens or are you taking into account input from officers who may be transferred to Cabramatta for particular operations or events?

Mr JARRATT: One of the things I will address when I come to Mr Dyer's question a little later is that at any given time there are probably more than the 111 officers in Cabramatta. As I mentioned earlier, they come from places such as the crime agency, our dog squad and our mounted troop, as well as highway patrol and so on. That is simply taking the number of police officers who are formally attached to Cabramatta and dividing it into the number of citizens who are recorded as living in that local area command.

The Hon. J. H. JOBLING: When you use the term "citizens", are you using it in its broadest sense of man, woman and child or do you have a different meaning?

Mr JARRATT: I mean every person as per the census. If I could move on to the next one, that shows the number of assaults which occur in Cabramatta. That is for the 12 months from 1 April 1999 to 31 March 2000. I am not trying to pick a period which goes one way or the other. That was at the point where the Commissioner suspended the crime index. We could just as easily provide you up to the end of October if that were of value. But I put to the Committee that it will not vary a great deal relative to those sorts of number.

The Hon. J. H. JOBLING: Does the word "assault" include with a deadly weapon, physical or what?

Mr JARRATT: With a weapon—we would include that as robbery. I will show you the robbery figures. These figures amount from common assault right through to assault occasioning grievous bodily harm. They are taken in their wider sense. If I may go then to the next one which we call break and enter, which is breaking into homes and property. Again, if I could emphasise the point

that Mr Jobling makes, this includes attempt break and enters or where any crime is committed after the breaking into of a home or other premises. So it is in its widest context.

The Hon. R. H. COLLESS: Mr Jarratt, are you going to show us statistics per head of population? Cabramatta command area had the lowest population of any of the commands, did it not?

Mr JARRATT: I think it did, yes. I do not know that I have those with me, Mr Colless. I could provide those to the Committee if that would be helpful. We have a measure in our index per head of population. I will take it on notice and get back to you.

CHAIR: Thank you, Mr Jarratt.

Mr JARRATT: These are the five crime types which made up our index. That is why I am bringing them to your attention. The next is robbery, which picks up on Mr Jobling's earlier point about whether a weapon is involved. It does not need to be exclusively with a weapon; it can be what we call an assault and rob, but it is usually something done in the street, if I can put it that way. The next one is stealing, which is by far the most commonly reported offence in New South Wales. This is not where someone has broken into your home or bumped you on the head and taken your wallet. This is just a theft from your car, your home, your front yard, your tool shed or whatever else it may be. The final one included in our index is stolen cars. This includes attempts to steal or any effort along those lines. So it is a comprehensive number.

Ms LEE RHIANNON: Mr Jarratt, do you have figures such as you have just shown us for drug-related crimes?

Mr JARRATT: If I may beg your indulgence for another half a minute I will show that one to you. I want to make the point that all those offences that I am showing are on the basis that they are ones that people will report. If I get assaulted I will ring the police. If my car is stolen I will ring the police. If my home is broken into I will ring the police, and so on. They are ones where the citizens activate. I make the point again that every citizen, whether child or not, to answer Mr Jobling's question, is included. I think that Dr Weatherburn is coming to brief you. He will talk about the level of victimisation and reporting. This is by no means universally 100 per cent but they are certainly ones that are reported. They are not anything to do with police activity, the number of reports, if I can make that distinction. The total, for the sake of the exercise, is given for the local area commands. Ms Rhiannon referred to drugs. The number of detections recorded in Cabramatta is shown. I distinguish here that none of these are reported by citizens. These are generated by police activity. It almost always is as a result of an arrest for a drug offence. That is the way it gets on to the system. You will see that despite some of those other areas being, at least in my perspective, pretty busy areas—

Ms LEE RHIANNON: Could you explain drug detection a little bit more fully? Do you mean people who are arrested for selling drugs or administering them?

Mr JARRATT: Any drug offence is included, from use to possession to supply to traffic. It is all recorded as one offence. From an old cop's perspective, it is nice to see police being that active. It may not be everybody's opinion. The next one refers to our computerised incident despatch system [CIDS]. It is one of the workload figures that we use.

Ms LEE RHIANNON: Are we coming back to drugs? I am still interested in drug-related crime. My original question related to crimes linked with drugs or drug taking. I appreciate receiving the figures about possession, use and trafficking but, as we know, many crimes are related to people trying to raise money. Do you have any figures linking crime with the other crimes in the other five categories and drug taking?

Mr JARRATT: The number of stealings, break and enters, and robberies is usually related to drug taking, to acquiring some mode of exchange for acquiring drugs. But in terms of direct connection, if I am reading you correctly, we do not have specific evidence. When we arrest someone for, say, breaking into a home, we would be also looking to see whether there was a drug offence associated with that, because that may have been the cause for the person doing it. But I do not have those figures directly here.

Ms LEE RHIANNON: So you do have figures showing that you may have arrested people for breaking into a house and they may be carrying drugs at the same time or they may be dealing in drugs, so you could show the overlap?

Mr JARRATT: Only where the person was charged with a drug offence. In other words, they were found in possession of a drug or what we call "implements". They would be the only figures. If a person was charged and made no admissions and we found nothing it would not feature on the system.

The Hon. J. H. JOBLING: In relation to other LACs, where would Cabramatta rank?

Mr JARRATT: No. 1.

The Hon. R. H. COLLESS: Of those detections, what percentage would end up in a conviction or a penalty being imposed?

Mr JARRATT: The conviction rate is about 85 per cent. Depending on the nature of the offence, penalties range from a gaol term to beating the police officer back out into the street.

The Hon. R. H. COLLESS: So about 85 per cent?

Mr JARRATT: We have an across-the-board lower court conviction rate of 85 per cent. I have to be clear here. One of the tactics that we have been using at Cabramatta—I am diverting momentarily—is what we call a court attendance notice. It is one I would like to talk to the Committee about, if I may. Where you are satisfied as to people's identity you may issue them with a field court attendance notice. You do not even have to take them back to the police station. It is a compulsion to attend court. The problem which arises with that is that if the person does not attend court you have to prove that that was the person. You may have been satisfied at the time but you do not have fingerprint evidence which would say that it was definitely, say, Jeff Jarratt. So we then have a first instance warrant for Jeff Jarratt but we have no absolute proof. While it was a good strategy for keeping police on the street, it has had a downside in terms of our not being able to achieve the convictions that perhaps you were asking me about. We have now adjusted our tactics accordingly. So there would probably be a lowering of that number but a raising of the successes at court. Am I clear in what I am saying there?

The Hon. R. H. COLLESS: Yes.

Mr JARRATT: I am sure that drugs will keep recurring here. I am not looking to avoid that in any sense. This is our computer incident despatch system. Effectively, it is when police are called by radio to go to a place because of a domestic violence incident, people misbehaving in some fashion, cars doing wheelies or whatever the case may be. There are literally millions of them. Our radio despatchers handle millions of calls.

CHAIR: Do you record how many millions?

Mr JARRATT: Yes. We could give you the total figure for the service. I do not have it with me, Madam Chair, but I could certainly provide that on an annual basis if that was useful for the Committee.

The Hon. R. D. DYER: Is that an annual figure?

Mr JARRATT: Yes. For a busy local area command such as Cabramatta you might see the figure of 8,831 as being low. My interpretation is that the police at Cabramatta are almost invariably out. As we have already identified, it is a relatively small area. The police are usually out there so it does not need a radio call. Police respond to a lot of incidents, which would indicate those charges and so on, by simply being present. That has been a very strong part of the strategy: a high uniformed presence, particularly in the CBD of Cabramatta. I might move on to charges. This includes the 1,300 people charged by police from Cabramatta in that 12-month period to which we were referring earlier. Again, it is a high-charging area.

The Hon. R. D. DYER: Would you mind articulating the figure at the end?

Mr JARRATT: It is 4,644 for Cabramatta. Are there any others you would like for comparison purposes? I will provide all this material to you. I felt it was easier for me to concentrate on that one set, if that was okay.

CHAIR: They are charges but do you have the success rate of convictions?

Mr JARRATT: I have not got anything specifically on Cabramatta, but again we could give you material. We have an 85 per cent success rate at the Local Court. Fairfield may vary from that marginally—I have to say I do not know precisely—not much, it would be in that region. For the sake of completeness—because this will come to our index at a later point—I will refer to goods in custody. One useful piece of legislation from a police officer's point of view is one that reverses the onus: you suspect someone is in possession of stolen goods or property then you can take them before a court and the onus is on them to establish they came by the goods lawfully. It is what is called goods in custody and is where you cannot prove they are stolen or are otherwise unlawfully obtained.

We mix this with receiving—because again this only happens when police are active out there, asking citizens when they have reasonable suspicions to justify their possession of goods—which is an offence where people who might be seen to have stolen something want to convert it into cash. These days we find that they actually take out the middle man, then usually hand over the goods to the supplier who is not only a supplier of goods but a receiver of stolen goods in exchange. That is an important one from one perspective—and one I take as a personal measure of the activity of the police. It is only generated when police are out doing their job. Again, in my view it would tell me that Cabramatta police are active.

The Hon. R. D. DYER: Is that figure 498?

Mr JARRATT: Yes, it is. The next one we again use as an indicator of police activity is under the police and public safety Act which was introduced on 1 July 1998 and one I pushed pretty hard myself about police being active on the street using the move-along provisions and the search for knives. Again, you will see that Cabramatta is relatively active, although not as high as some other locations, with 772. The last one is traffic offences which again, has a good piece of legislation for police to be active out and about. Again you will see that Cabramatta is very active in the use of traffic offences. I would take from that—and you can make your own judgments about what you take—that the police at Cabramatta are very active.

The Hon. R. D. DYER: That was for all traffic offences?

Mr JARRATT: To be clear, it does not include infringement notices at the present time. If you are hit by a speed camera or that sort of thing it would not be included in that. This is where someone has actually been arrested and charged with an offence.

The Hon. J. H. JOBLING: Would you not consider, in view of the small size of the Cabramatta local area command, that is a fairly high ratio of offences?

Mr JARRATT: It is a high ratio of offences, yes.

The Hon. J. H. JOBLING: Is there any particular reason you would offer for it being so high in Cabramatta as opposed to the other areas with greater numbers of people?

Mr JARRATT: Again probably because we pay a fair bit of attention and time—there is not strictly a highway patrol unit at Cabramatta but there are two for the Greater Hume region and those units and our central traffic area—around the Cabramatta local area command. It also has some major thoroughfares on its extremities as well as. I guess, we are concentrating a little bit on the central business district, but at one end the Hume Highway and at the other end the Cumberland Highway go through. It does carry a fair bit of traffic. If I might move on to the crime index. I am coming to numbers of people, Mr Dyer, if that is okay?

The Hon. R. D. DYER: Do I look particularly impatient?

Mr JARRATT: No. I did not want you to think that, no, I do apologise. You have been extremely patient with me, so thank you. With your approval, I will now ask if Sean to pass these documents around. I could not put such a thing up on an overhead. To appreciate them, I thought you probably needed to have these documents and then I can talk you through them. With this material are those slides we have just shown. I am sorry, Mr Jobling, we did not anticipate your presence and you will have to share one.

The Hon. J. H. JOBLING: I am very pleased to be here and I am happy to share.

Mr JARRATT: I have included at the front the two maps of both the Greater Hume region and Cabramatta local area command and then there is the set of graphs. It is the larger sheets to which I would draw your attention. In relation to the crime index, the commissioner asked for that to be suspended back in April and that has been done, I reinforce that. We will resume our operational crime review panels on 16 November and we will probably be referring to some form of this material at that point but they have currently not been collected past the point of March. If I could draw your attention to the first one which is headed "Crime Index by Local Area Command [LAC]". This is as it was at the end of March 2000 where we go from No. 1 Bankstown local area command to Mudgee local area command.

Recently I was in Cootamundra where I was told that their ambition is to knock Mudgee off the bottom, which is not an unintended consequence of making this sort of material available to our organisation. It creates a little bit of incentive and encouragement for people to achieve it. If I work across the page. The highlighted one in yellow is obviously Cabramatta. It is in the Greater Hume region. The Cabramatta local area command: out of 80 it ranks 69 in assaults; out of 80 it ranks 63 in break, enter and steal; out of 80 it ranks nine in relation to robbery; in terms of stealing it ranks 70; in terms of stolen cars or motor vehicle theft it ranks 31 and overall it ranked 52.

Ms LEE RHIANNON: Are drug offences included?

Mr JARRATT: I have got one further over where I have included drug offences and I will explain why we do not do that, and you may or may not accept my rationale.

The Hon. R. D. DYER: I note robbery is noted as No. 9 in the ranking. Would you confirm that you said earlier that robbery is a street offence?

Mr JARRATT: It can occur anywhere but it usually occurs in the public arena. It can happen around hotels and in homes, but it is essentially a street offence. If I go to the next one, which is indexed by population, this is now the population, which I note is different from the one we put up on the board, you will forgive me for that, but it is in the same vicinity. It says 54,000, I think we had 57,000 on the other one. It ranks on that basis as No.36. You will notice, just for the sake of this one, and one of the reasons we do not use this one a lot is that it can be misguided. For instance, the city east region, where there is a low population but a huge people content, dominates the top end of the index. If I go to the next one, which is crime indexed by total staff, this is per number of police officers, and this includes all staff: it includes both civilians and police officers. At Cabramatta we would have 14 civilians, including ethnic community liaison officers.

Ms LEE RHIANNON: And that is special operations?

Mr JARRATT: No, it only includes those who literally on the authorised number of people to be at the station. It does not include the extras.

Ms LEE RHIANNON: What does "GE" stand for in that table?

Mr JARRATT: General establishment, that is the non-police component, the civilian component. On that one it ranks at No.59 as the number of offences per officer. The next one is just simply since we began the operational crime review panels in January 1998 through to April 2000, Cabramatta in that period moved from No.42 on the index. Mr Temby reminds me that my quip about Cootamundra is that if you were choosing a place to live, the higher the number the less crime content in that area. We would be aiming for people to move down the list rather than up the list, if I could put

it that way, on any of our measures. But someone has to be No.1. In that period from January 1998 to April 2000 Cabramatta, on that index, moved from No.42 to No.52. Again, some of us might see that as a very positive sign. The next one is the alternative LAC index, or local area command index, including drug detection. As I mentioned earlier to Mr Jobling, Cabramatta is No.1 and by adding drugs to it moves from No.52 to No.40 on the index.

I make that point that the inclusion of those categories where police officers activity dictates the number, you can see that they work in reverse: at one level the community is reporting the crime so you can move yourself down the list by not doing anything if you include them. Am I making any sense there? That is why we distinguish between the primary group of the five and the other four, which are essentially police activity, but we certainly actively measure all those consistently, and they are available right throughout the organisation to all commanders and their people. The aim there was simply to show that the adding of drugs moved it up 12 places.

The Hon. J. H. JOBLING: I take it that the Hunter is Newcastle north to about Murrurundi in the valley and perhaps up to Forster?

Mr JARRATT: Yes, it goes as far as Forster. It goes from Lake Macquarie in the south, right up to what we call Manning-Great Lakes, which is Taree, Forster. One of the points I would put to the Committee is that the index is as much affected by demographics as it is almost anything else. I guess I have thrown in all sorts of factors in terms of Cabramatta, and I think it has shifted from about 52 to 40, or 36, with all those no matter how you look at it. It is in that sort of range. But if I combine it with Fairfield, for instance, as a local area command in a local government area, and I am now on the second last one, which fundamentally changes the demographics, it moves up to No.6 and reduces the number of local area commands by one, which may not please some others, but what I would put to the Committee for its consideration is that one of the factors that heavily influences is the demographics of the local area command.

The Hon. D. T. HARWIN: It moves up just because of the sheer size of the population.

Mr JARRATT: Population and number of crimes reported in that larger area and so on, yes.

Ms LEE RHIANNON: Can you speak briefly about the index and the background to it. I am aware from the media that it has been quite controversial and why it was introduced. If it is intended to provide an accurate picture of crime, could you explain that? I understand people dispute that. I am curious. I really do not know a great deal about it. What we have been given is really useful, so I would appreciate any background.

Mr JARRATT: If I may just come back half a step and say that we determined collectively to adopt, and the Commissioner certainly helped us in that regard, the ethical cost-effective crime reduction that would be the primary deliverable, if I may put it that way, of the Police Service, and his reform on 1 July 1997 took us from 165 patrols to 80 local area commands. Then the issue was whether we needed some measure of what those local area commands were confronted by.

The index emerged from that process, which said there has to be a one, and it turned out to be Bankstown for the entire period; and there has to be an 80, and that turned out to be Mudgee for the entire period. But within that a lot of local area commands have moved around quite significantly. If you hold all other things steady and the command is either going up or coming down, the view we took of that is that some things were being done well there and, therefore, we needed to give more attention to what was being done in the event that we could transpose that across the organisation; or if something was not being done and if factors were influencing moving up the ladder we needed to pay more particular attention as to why that was occurring.

It really was an administrative tool for us to be able to make genuine comparisons and to identify where we might need to pay more particular attention. What I needed to say is that it had no influence, and still has no influence, directly on the allocation of resources. The index is not a direct contributor to the allocation of resources. If I could make the point about Cabramatta, when it was a patrol, one of the 165 patrols, up until 1 July 1997 it had 111 people as a patrol.

It actually reduced in size and became a local area command on 1 July 1997. It lost a segment of that patrol and became a two-square kilometre smaller area but retained 111 people, so the actual ratio of police officers to population increased. That was seen as a local area command of particular significance. It actually increased its policing numbers at that point.

It has been unchanged since, although the Government has committed an additional 1,000 new police and 1,110 others to be diverted as part of this current program. Some 400 of those general duty officers come on line from 2002-2003, and I hope I would be in a position to advise the commissioner about where they might best be placed. But that is some distance away. In the current term it is a matter of supplementing from within the existing numbers.

Ms LEE RHIANNON: If it is used to determine resources, if I am understanding you correctly, it is mainly a morale thing that you distribute to police officers in different commands and they see that they are going up when they need to come down. Is that the main purpose of it?

Mr JARRATT: It certainly puts them in context, yes, and it was to inform the discussion. If you imagine our operational crime review is held in a large room where we, as an executive, ask commanders questions about the methods they are using, what they are identifying, what they see as driving their crime, what actions and activities they are employing to seek to ethically, cost-effectively, reduce crime. That was the purpose, to be a common instrument for us to have that discussion. So that we did not spend an inordinate amount of time about your figures and my figures, there was a common set.

Ms LEE RHIANNON: I notice you put "drug detection added". I presume that was for the Committee's use, and that is useful, thank you. Why do you not do it in what goes public normally, for the index that goes out normally? Why is it not in there, and for you when you are sitting around determining these things? That is what I still do not understand, I am sorry.

Mr JARRATT: That is okay. Obviously we have had great difficulty explaining the role of the crime index, and that is one of the reasons the commissioner suspended it. He felt it was not being well understood, and until such time that we could find a more effective way of doing it, he determined we should suspend it. The essential reason why drugs are not there is what I think I referred to a little earlier. I have shown you nine crime-type graphs. Five are all generated by citizens reporting crimes. The other four are all indicators of police activity. They are drug detections, street offences, traffic offences and so-called goods in custody, receiving. They only come on to our system when police take an action, if I can make that point.

If we can put these things together, while the number of crimes reported could be going up, police activity was going down and, depending on the nature of those two things, it actually falls. They work in opposite. So, when you put them together—for instance, Cabramatta could fall from 40, which I think was on that list when we had drugs, by reducing its drug activity—if we include drugs they can actually fall further down the list, which is good. But it is not good, because they are not there applying the drug laws. Is that clear?

Ms LEE RHIANNON: I think so.

Mr JARRATT: You can see why we had difficulty publicly. Perhaps they should not ask me to do this. The whole notion is, one is driven by police activity; the other is driven by citizens being victims.

The Hon. D. T. HARWIN: You said that the index was not a direct contributor to the allocation of resources. Is it any sense an indirect contributor?

Mr JARRATT: Not in terms of authorised numbers. We have not had any additional authorised numbers to make any determination. I think when we get to looking at that 400, and say of that 400 how many are you sending to Mudgee—and if the member for Mudgee will excuse me—not many.

The Hon. D. T. HARWIN: Mr Souris.

Mr JARRATT: Mr Souris has already been to see the Minister recently. But if it were places like Bankstown, Flemington, Lake Illawarra, Hurstville, Wollongong, Lake Macquarie or Brisbane Waters, I would have to say a fair few more. They are areas where there are significant issues, and growing. Unfortunately, a few of those have moved up in that two-year period and moved significantly on the index, which tells us that their problems are increasing and there are legitimate grounds for further police investment of numbers.

CHAIR: If this index is being suspended, is there any other kind of statistics or figures that can replace it?

Mr JARRATT: Mr Hannon is doing a lot of work to determine how we might better do that, or at least better explain it. Deep down, we feel it is still a very valid instrument. It is only one instrument but it is a valid instrument. We have suspended it on the basis that we were not getting public support although it was originally purely for an internal purpose. We were not getting clarity within the public arena so the commissioner determined that was the better course. As we recommence, after our Olympic break, our operational crime reviews in a week, without this sort of material available to us it becomes very hard to have a pointed discussion with the local area commander about how he or she is deploying his or her resources to maximise the ethical cost-effective crime reduction and public safety. We are working at a range of things, but if the Committee has some insights, I for one would be delighted. But we see them as essentially properly used a valid instrument, one tool in our tool kit.

CHAIR: Before we continue, can I ask you, Mr Jarratt, whether those documents are public documents already or are you tabling them for the Committee?

Mr JARRATT: They are not public documents already, but I guess in tabling them I feel they could be made public.

CHAIR: So, are you tabling them? You want to table them to the Committee?

Mr JARRATT: There is nothing in here that has any confidentiality about it. For instance, Dr Weatherburn would be able to give you a report on any aspect of these. He takes our statistics and publishes those. I think my Minister would tell me there is a certain government issue done through the Bureau of Crime Statistics and Research but, in essence, these are tools we work on and are yours to use in whatever way you feel appropriate.

CHAIR: So these really are available to the public now?

Mr JARRATT: Yes.

The Hon. J. H. JOBLING: I move that they be incorporated in the report.

The Hon. P. T. PRIMROSE: You cannot, actually.

Motion by the Hon. D. Harwin agreed to:

That pursuant to the provisions of section 4 of the Parliamentary Papers (Supplementary Provisions) Act 1975 and under the authority of Standing Order 252 the Committee authorises the Clerk of the Committee to publish the documents accepted by the Committee during today's hearing.

Mr JARRATT: Mr Hannon reminds me, because I was not sure that I would refer to them, I had not included in your package the one on goods in custody and receiving, street offences or traffic offences. Again, I do not know of any reason why they could not be provided. I was not sure whether we would cover those at all, so they are in my package but not in yours.

CHAIR: Do you want to include them for us?

Mr JARRATT: I do not have any issue with that.

CHAIR: Thank you. So, you will provide to the Committee later those few pages that you have not incorporated already?

Mr JARRATT: Yes, we will certainly make them available to the Committee.

The Hon. D. T. HARWIN: Can I seek clarification that those additional papers will be covered under my motion? Otherwise, if you would like me to move a second motion to cover those papers, I am happy to do so.

Mr JARRATT: Again, my trusty sidekick reminds me that some of these are public but the ones where we have included drugs, and so on, have been done specifically for the Committee. Again, I do not have any objection to them being released but they are ones that previously have not been made available. From my point of view, it is a matter for you whether Mr Harwin's motion covers the lot, but from my point of view I have no objection.

The Hon. D. T. HARWIN: It would be my wish that my motion covers the lot.

CHAIR: I am advised that the motion the Hon. D. Harwin has just moved will cover all the documents that you are tabling to us during this session.

The Hon. R. H. COLLESS: I just have a question on these indices again, if I can. For the record, can you explain to us how those figures were arrived at? What sort of calculations were used in arriving at those figures?

Mr JARRATT: If I take assaults as an example, the number of reported assaults in those categories I described earlier in that particular period, they are assembled from the most to the least. If we take Cabramatta, for example, in relation to drugs, it has the most drug detection so it is No. 1. The one with the least drug detection will be No. 80.

The Hon. R. H. COLLESS: So they are total figures, they are not per head of population?

Mr JARRATT: No, they are purely based on the number and its ranking, and the rankings are aggregated across. Is that clear?

The Hon. R. H. COLLESS: That is fine, thank you.

Mr JARRATT: To emphasise that point, the very last point, again to reinforce the point I made earlier, about what I would say the demographics dictate, and I have included the drug one in the combined notional, local area command of Cabra-Fairfield. It moves it from No. 6 to No. 3. But I emphasise my point earlier about the inclusion of those ones, they work in opposite directions.

The Hon. J. HATZISTERGOS: Could you repeat that?

Mr JARRATT: This is a purely notional issue for me to make the point that when you change the demographics, you change the position on the index. For this sake I have reduced the number of local area commands [LACs] notionally by one by combining the Cabramatta and Fairfield local area commands. Cabramatta and Fairfield move up to number six on the previous one and when you add in drugs as one of the variables it moves to number three. But I am putting forward two things there that are in conflict.

Ms LEE RHIANNON: There is an extraordinary shift from 40 to three, and most of the others are quite low. You have said this was done just for the Committee. I am trying to imagine you determining your response to those figures. I am left wondering how reliable your past decisions have been considering that when you bring in Fairfield suddenly we are seeing ranking in a different manner. It is a substantial change that we are seeing for the first time, and you are saying it is done just for the Committee. Does that raise concerns for past decisions you might have made when determining your response based on this ranking?

Mr JARRATT: No, we are conscious of all the factors that make it up. That is why the number on the ranking does not determine a whole lot of other things. It is a starting point. If I may divert momentarily, the commissioner is having us look solidly at the make-up of local area commands. You may have read in the newspapers about a trial to be run in the city east region—

people use the term super local area command—where we are looking to combine in a trial arrangement some local area commands. The purpose is to get more police available, and economies of scale, to be deployed proactively.

It is not beyond the possibility that if that trial is successful—we suspect it will be, although we will be asking the Auditor-General to evaluate it—we would then apply that principle more widely. I stress immediately for Mr Colless if for no-one else, that this is excluding the country, this is only the larger metropolitan area of Newcastle, Sydney and Wollongong where, as you can in the city, you have very small distances between stations. We would say that to have a police station with one officer present takes us six officers to provide that for 24 hours seven days a week. Just to have the lights on and someone in, it takes six officers. We would rather have those officers out on the street actively working. If I understand your point correctly, by changing the demographics we can change the position of the locations.

Ms LEE RHIANNON: My question was about reliability. We have seen that your data change dramatically and, therefore, how you make your decision, what is the reliability of those decisions on the basis of this index?

Mr JARRATT: I would argue that it is reliable because we are still using as the driver the same numbers. In other words, just by that process of Fairfield-Cabramatta notionally it says the number of offences goes up significantly. It adds the two together. The number of police are added together. I can do the same thing for regions. I rank the 11 regions on various things on the same basis because it is an indicator to me, yet they vary markedly in geography, as you would have seen, and in terms of numbers and make-up. But it is a useful tool just for getting a gauge. It informs your decision making. So, it does not take you in a particular direction; it just simply informs you in your decision making.

The Hon. R. D. DYER: At the bottom of each of these tables a note states "Figures contain accepted, doubtful, and rejected incidents". Is a rejected incident one where there is police intervention but the officer, in the exercise of his or her discretion, decides not to proceed?

Mr JARRATT: That is exactly what that means. It is our determination to include every reported offence even if we reject it. If it were valuable to you, we can present it by removing the rejected, the doubtful and just put the accepted. We choose to include all so we know what we are dealing with.

The Hon. D. T. HARWIN: Could you clarify why a crime index by population is not a helpful way of approaching the picture? Obviously you would want to consider the sheer volume of crime.

Mr JARRATT: It is one of the indexes. It is another one of the tools we use. We also use it by police officers. There are a range of these indices which form part of our analysis and discussion.

The Hon. D. T. HARWIN: In terms of the alternative LAC index, which we have as the last page, could you provide the figures by population and staff?

Mr JARRATT: Yes, we can certainly do that.

The Hon. D. T. HARWIN: As someone from the Shoalhaven LAC it is almost counter-intuitive to see Shoalhaven on a list compared to Cabramatta in terms of what the public perception might be about the crime problem in the two relative areas whereas obviously in sheer actual volume no doubt that is the situation. It would be helpful to clarify the problem.

Mr JARRATT: Certainly we can provide that without any trouble.

CHAIR: Can you provide the combined figures for this population?

Mr JARRATT: We will carry that notional, and I stress notional, on to present it also by population.

The Hon. D. T. HARWIN: And by staff, if you could.

Mr JARRATT: Yes.

The Hon. J. HATZISTERGOS: How useful is that sort of information in the case of commands like Cabramatta or Kings Cross where on any day there is a large volume of transient people moving in and out?

Mr JARRATT: I think I mentioned earlier that you will notice when we go to population that places like the city, city central, The Rocks, Surry Hills and Redfern, and Kings Cross will not be too far away as it is number six, they are heavily influenced by low residential population. Cabramatta is less likely to be affected in that way because it has a solid residential population, but those areas like Newcastle, city central and Parramatta on this index are thrown out. They are outliers in this respect. It is not a consistent measure because the city clearly does not have the residential population but it has the population present in it. At any given time, it would probably push it right to the bottom. It is not as reliable in our view as the other indicators. But it is certainly one we use. We tend to discount those in the city but we feel for suburbia it is not a bad tool to be looking at, another perspective on the problem.

Could I come back to your point of counter-intuitive. One of the things that came out of the index was perhaps to register not only within our own service but within others. The names Kings Cross, Cabramatta and Redfern roll off the tongue and places like Lake Illawarra, Lake Macquarie and Tuggerah Lakes do not, but they have significant problems. It started to draw attention to the fact that those places were growing rapidly, crime problems were emerging and we needed to respond to them. There are some counter-intuitive type things in there and you make your own judgments about those statements.

CHAIR: You say the crime index is not contributing to the allocation of resources. What are the measurements for allocating resources?

Mr JARRATT: We have used up to the time of the allocation what we call a resource allocation form. I could provide a copy of that to you. I hope you would not charge me with explaining it because it is complex. In essence, it takes into account a lot of factors including levels of reported crime, but not a position on a crime index. It is actually the level of crime and not the position of index. It takes in population, other demographics, and I have been rude enough to suggest your grandmother's age and wife's birthday. But at the end of the day it is a formula that generates a guide. Clearly, that is influenced by all sorts of other factors, and we mentioned Mr Souris and his ability to influence other bits and pieces. Maybe the upper House but certainly the lower House looks to influence that in due and proper ways and at the end of the day we come up with a number.

What we have been doing in more recent times is saying, "What is it we actually need to run that?" Part of what is driving the commissioner's notion of economy of scale is to say, "If they suck out so many police officers and administrative staff, can we get economies of scale by reducing the number of police stations and increasing the number of people actually out in the field?" That is really what the city east trial is about. It is not beyond the realms of possibility that we would look to expand that if that trial turned out to be the case. Within the city east region, there are round about 1,200 police officers—I know I am away from Cabramatta—and we have something like 15 police stations. The city east region goes from Broadway to Bondi. It is a very crowded area in which to have a relatively large number of police stations.

The Hon. R. H. COLLESS: How do you manage the public perception of that process because whenever the public hears about police stations closing, it causes a great deal of community concern. The community sees that as a reduction in policing, not an improvement, which I agree with you may well be the case. How do you manage that problem with public perception?

Mr JARRATT: This is not specifically in relation to Cabramatta, but it is important in the overall context of where the commissioner is seeking to take the service. We have done an outline of what we think will be the case in city east. As of a week ago we are now engaged in close consultation and work-shopping with police within the city east region where we explain to them the rationale and get their input into it. That will take about a month. I have then written to the local members and

mayors and will talk to them to explain the advantages. One local member is a fellow called R. J. Carr, who I would like to talk to about Malabar, for instance, where we have 10 callers, eight of whom are reporting on bail and we have six people to keep the doors open. In my humble view that is not a good use of resources but I know that the people of Malabar would probably be making a lot of noise politically about that.

It is important that we explain why. With modern technology we are moving to a mobile police station because we are now putting mobile data terminals in cars, which means the officer can go to the scene, effectively take a statement, record the crime, get information back out and really accomplish a lot of things there. We also find that not many people come to police stations. Therefore, we would like to make that shift but you are right, Mr Colless, it is a very hard argument to win politically or publicly and that is why we are containing it to the city east region. We feel there are significant economies to be gained. If I might hazard a guess, it is around about 120 officers we could lightly free up to be deployed out doing real police work, if I could put it that way. That is a bonus for us. In annual terms it has probably about \$6 million more productivity straightaway per annum. There are lots of advantages but we are very conscious of the sensitivity of those processes.

Could I also say that most of the agitation starts with inside the service and politicians' coats are tugged by police officers, so our initial focus is very much on making sure they understand and agree or accept. If they do not, then we probably have not got too far else to go. However, the commissioner and I and our executive are very confident that this is the right way to go. It takes advantage of all the technology and starts to use the resources we have got most productively and is something we would encourage. I stress that none of us think we can apply it in rural New South Wales, which does not have the same economies. It is limited to the suburban areas and in terms of Cabramatta, I do not think that same process is beyond the realms of possibility.

With Cabramatta police station and Fairfield police station—although I could not throw that far anymore—if I were a younger man I might have been able to throw a cricket ball between the two. As the commissioner is apt to say, that was built for when there was a sergeant and a horse out the back, not the sort of technology we have today. That is an argument that maybe important in terms of your own considerations. On that map there is only one in Cabramatta, to make the point that Mr Dyer made. The second one is purely the closed-circuit television [CCTV] outlet that is a number of years away, but Fairfield is up in the top righthand corner and there is Liverpool.

The Hon. R. H. COLLESS: How far are those stations apart, distance wise?

Mr JARRATT: Three kilometres.

The Hon. R. H. COLLESS: It is a pretty fair throw with a cricket ball.

Mr JARRATT: You are right, you have got me, but they are not too far apart in terms of speed of travel these days. Each of the stations then has a whole infrastructure of people doing things, processing bits of paper and so on. It is trying to get economies as opposed to getting more and more police, although we never reject more and more police, but it is making use of what we have got.

CHAIR: Coming back to my question on allocation of resources, you refer to a document that showed indicators of how resources are being allocated.

Mr JARRATT: Our so-called resource allocation formula?

CHAIR: Yes. Can you make that available to the Committee?

Mr JARRATT: Yes. We have suspended that but you are welcome to it because we are trying to develop a reasonable alternative. It is the basis upon which the allocations were made in 1997 and which prevailed, so it is relevant to your considerations.

CHAIR: What is the new one? You have not devised it yet?

Mr JARRATT: We are starting from the premise that we have Cabramatta police station. In order for it to meet its so-called first response needs as agreed to with the Police Association, we need

a certain number of people on any given shift to staff the station, to be in vehicles, to do a range of those first response activities. We need an intelligence officer, a youth liaison officer, so on and so forth. You add those up and make sure you have detectives, highway patrol, anti-theft officers and in Cabramatta's case, Puccini, so you are looking to do those sorts of things. But if we change the demographics of that, then you would look to say, "Well, maybe you do not need as many people doing those things inside; you can do that with a reduced number, which means more outside."

CHAIR: I would appreciate you giving the Committee that formula.

Mr JARRATT: Yes.

The Hon. R. D. DYER: Did you say earlier that the formula is complex and difficult to understand?

Mr JARRATT: Yes, I did. It certainly is for me. Members might not find it so, but it is a complex formula.

Ms LEE RHIANNON: And you said that that is suspended?

Mr JARRATT: It is suspended in the sense that we used it to determine the allocations in 1997. Suspended is probably too strong a word. It has fallen into disuse because we feel that there are more practical ways of dealing with the allocation within the local area command.

Ms LEE RHIANNON: So you are devising a new one?

Mr JARRATT: We have not got one.

Ms LEE RHIANNON: How do you do it in the interim period then?

Mr JARRATT: We essentially look at the margins of where we are. The allocation is there. There are no additional police coming on board for allocation for a couple of years. For instance, to use Cabramatta as an example, having done the analysis we think Cabramatta is probably about right. We supplement it from time to time by these other things that I have outlined in relation to Mr Dyer's earlier question.

The Hon. J. H. JOBLING: Can I check one point. Did I understand you correctly when you said there are no new allocations coming on board for the next couple of years?

Mr JARRATT: No. If I am clear on that, the Government committed to an extra 1,000 police officers and so far 400 of those have come on board and the Premier's commitment was what are called two flying squads, which we now call region tactical action groups, and they are now in place. They operate out of those 11 regions. They range from 21 in the western region to 45 in the Greater Hume region in numbers, totalling 400 officers all up. They are on board. The next 200 were to go to drug enforcement within the crime agencies and I imagine quite a few of those will find their way to Cabramatta in terms of where they work.

Fifty were to be for field intelligence officers. I imagine one of those at least will go to Cabramatta. Then the 400 additional general duty officers were to come on board in 2002-03. So we are recruiting up to those numbers that Treasury has funded. But the additional general duty officers do not come until 2002. In terms of the resource allocation formula, I would be delighted for any insight that may be had. If I find the right resource allocation formula for policing worldwide I intend to patent it and make a lot of money. Last year I had the privilege of travelling to America and England. One of the things I was looking at was who had the answer to this holy grail. Regrettably, I returned still looking. From big organisations like New York and London to quite small ones, there is a degree of intuition.

CHAIR: As a matter of interest, is the formula similar in New York, London or other big cities?

Mr JARRATT: There are similarities. There is a place called Cleveland in the north of England which claims to have found the holy grail. Their formula is not dissimilar to the one we have just abandoned.

CHAIR: Is it still in use in those places?

Mr JARRATT: They are using it but it is a 1,900-person organisation in Cleveland. I do not know, without being diminishing about it, whether there are as many police in the city as there are in that police agency. I turn now to strength. There are 111 authorised positions at the Cabramatta local area command. That has been the case now for three years. They are supplemented on any given day. You would understand that our strengths ebb and flow. We recruit people, they are sworn in at the academy and they are allocated; in the meantime some are retired or die or discharged medically. But broadly that is the number we aim to keep there. In Cabramatta's case, it usually has more than that there at any given time. Currently, there are 14 extras on location, and I am told on 11 November as part of our expansion of Operation Puccini there will be another eight coming from the other local area commands.

There are nine local area commands in the greater Hume region, and they always have the privilege of donating one or two of their people to Cabramatta on a rotating basis. You can imagine what the other local area commanders think of that idea, but they also get benefit back because people get first-hand experience, particularly in dealing with drug issues, that makes them a more valuable product when they come back to Liverpool, Campbelltown or Camden. As well as that, with your approval I will go on to private briefings later about some of the detail, but we have several strike forces working in the area.

One which has a fairly public profile is Puccini. The second one is called Portville. That is a combined so-called greater Hume and crime agency strike force. That has 25 people in it, 10 from outside of Cabramatta in the greater Hume region and 15 from crime agencies. We also have a current operation there called Scotsville and that has similar numbers from outside the local area command [LAC].

The Hon. J. HATZISTERGOS: Does Cabramatta loan officers to other commands?

Mr JARRATT: No.

The Hon. J. HATZISTERGOS: It does not?

Mr JARRATT: No. I should not be quite so definite about it. There will be secondments from time to time to be part of various strike forces but as a matter of course we tend to leave Cabramatta at its strength. Generally, it has smaller numbers and therefore less flexibility in terms of those so we tend to leave them there. They are also supplemented on a daily basis by greater Hume resources, which include transit police, anti-theft and highway patrol. As I mentioned earlier, we have a traffic services component which services the State but also spends an amount of time at Cabramatta, along with our dog squads and horses, where we are commissioned operationally by the local area commander.

The Hon. J. HATZISTERGOS: The reason I ask that question is that the Police Association claimed that loans of officers from Cabramatta LAC without replacements was placing pressure on minimum staffing requirements. Do you reject that?

Mr JARRATT: To be fair, during the Olympic times certainly Cabramatta contributed—

The Hon. J. HATZISTERGOS: I think everyone did during the Olympics.

Mr JARRATT: Yes, indeed. I would not unequivocally say no but as a matter of course Cabramatta would not make anywhere near the level of contribution to other activities that the other greater Hume regional commands do.

Ms LEE RHIANNON: Do the 111 authorised positions you mentioned include the ethnic liaison officers?

Mr JARRATT: No, that is only police officers. There are then 14 so-called GE or civilian positions.

Ms LEE RHIANNON: So the ethnic community liaison officers [ECLOs] come under those 14 extras you mentioned?

Mr JARRATT: Yes.

Ms LEE RHIANNON: Are they full-time positions?

Mr JARRATT: Yes they are.

Ms LEE RHIANNON: How many ECLOs are there?

Mr JARRATT: There are three ethnic community liaison officers.

Ms LEE RHIANNON: And they are all full time?

Mr JARRATT: Yes. There are two at Fairfield and I think we have 11 in the service.

The Hon. R. H. COLLESS: Of those 111 positions, at any given time what would be your normal ratio of staff off on leave and sick leave, transporting duties and things that effectively take them off the street?

Mr JARRATT: We say—again one of those calculations that I mentioned earlier—3.41 shifts per officer per week are available, so the rest of the time is either on leave or on days off or training or something of that nature. Does that make sense to you?

The Hon. R. H. COLLESS: Yes, it does.

The Hon. J. H. JOBLING: What is the total number of shifts per officer potentially?

Mr JARRATT: A given officer in any year is available for round about 219 shifts, a eight-hour shift. These days we work a flexible roster system so you would have to multiply that by 38 hours to get the actual hours that would be available.

The Hon. R. D. DYER: When we made our recent visit to Cabramatta police station I recall one senior officer making the comment that the community wants police on the beat. Is there a conscious effort being made to do that, and what is your general comment about the utility of that? Is it a good idea? Is it the best use of police resources?

Mr JARRATT: There is no doubt that the community loves beats and it loves beat officers on bikes. Frankly, so do I but it is not the only tactic we can employ, if that is all we do. Essentially, Puccini has been an extensively uniform foot presence in the central business district. It looks good but as a policing tactic it has limitations. Funnily enough, we stand out a fair bit in our uniform as we go down the street and are not always approached by drug buyers. So obviously it has to be a combination of things, but I would have to say that it is definitely a very good tactic. It is used extensively at Cabramatta. As I said earlier, they have even adopted the steel can process so that they spend more time out in the field, but it has the downside I mentioned in terms of people not turning up at court and then not being able to confirm their identity. However, as a matter of tactic and public perception and safety, it is quite a powerful tool.

CHAIR: I am conscious of time. I wonder whether it is possible for you to extend your time, and whether the Committee wants the time extended.

Mr JARRATT: I am at your disposal.

The Hon. R. D. DYER: How much additional time do we need?

CHAIR: Can you extend your appearance for another half an hour?

Mr JARRATT: Certainly. I would probably want about 10 minutes of that, if I may, just for the confidential items.

CHAIR: Whenever you feel that it is time we should go in camera just let us know.

The Hon. D. T. HARWIN: May I ask what other issues there are before we get to the confidential matters?

Mr JARRATT: I am getting fairly close to concluding. I simply wanted to refer to some general technological issues, and then I would like to deal with the ECLO issue with regard to whether we could do more in terms of community contact. That should only take a couple of minutes.

CHAIR: Would you continue with your presentation until members have questions?

Mr JARRATT: I would perceive that there is a public perception that the community of Cabramatta has a particular ethnic origin, if I could put it that way. I guess an obvious question is: Why do we not recruit police officers from that ethnic grouping, because that would make it work better? There are two points I want to make in relation to that.

If I can read from the 1996 census. There is a total of 67,197 people—which again is a figure that is different to what we put up earlier, but if you will forgive me for that—and of those, 20,643 speak English only. The other languages are Cantonese, Mandarin, Croatian, French, German, Greek, Hungarian, Indonesian, Italian, Macedonian, Malay, Maltese, Netherlandic, Polish, Portuguese, Russian, Serbian, Spanish, Tagalog, Turkish, Vietnamese, other, which makes up 7,900, and not stated, 2,021.

We cannot train a police service to deal with all those cultures and languages. The notion from the service's point of view is to be understanding and receptive to ethnic and cultural breadth, if you like, while recognising that there are some perhaps more influential than others. From our point of view, we do not recruit a person from a particular ethnic background to be a police officer or an ECLO; we recruit them to help us manage that relationship with the wider community. Obviously, if there is a dominant component of that we would move towards that sort of person. We are really looking for a broad-based person who can establish community contacts and work with any particular ethnic grouping. I am told that 130 different languages are spoken in the local area command. We are expanding our ECLO program by 11 this financial year. At this stage, none of those are intended to go to Cabramatta, as it has three of the current 11.

Mr TEMBY: We clearly have to provide a deal more information, which will be done in writing. One of the things that will be done is to identify the languages spoken by the ECLOs in Cabramatta. I know that the three speak four languages other than English, but we will provide that in writing.

Mr JARRATT: If I may move briefly to the technologies. Although they are not specific to Cabramatta, they are important developments for the service and will impact upon policing in Cabramatta. As you would all know, from 1 January the national DNA database begins. In my view, in my 35 years in policing I will see no bigger impact on policing than the DNA testing. That is certainly the experience in England and the United States, and I do not see any reason why it will be any different here. That will be a fundamental fabric changer of the way we do business.

The Hon. R. H. COLLESS: On what date does that start?

Mr JARRATT: It begins on 1 January, but it will take some time to build up because it is dependent on matching a database. At each of our local area commands we have introduced what we call an ACE report, which is an analysis of the crime environment. One of those is produced for each local area command, and there is one for Cabramatta. If that were a useful tool for the Committee, again that could be made available. I would probably prefer that it not be a public document, but it certainly could be made available.

A number of these things have sprung from the royal commission, as you might anticipate. We have introduced a tool for investigating crime which records the investigation. We call it Eagle Eye, and it is computer based. Essentially, it says that from the time a major investigation—in time it will be all investigations—is started there is a continuous process of building from exhibits to statements, and these are indelibly logged so that cannot be interfered with in any sense. Our picture is that in the near future a brief of evidence will be handed over to a lawyer on a compact disk, which will have graphs, photographs, statements, and so on. That is now on line and being used by our crime agencies and internal affairs. It will go statewide in the foreseeable future and in my mind will shorten court times considerably because the evidence will be much harder to refute.

I referred earlier to mobile data terminals in cars. This financial year we are putting in, I think it is, 200: in the succeeding financial years we will be putting in 1,000 overall. This is simply a portable computer in a police car which is linked up to our system, so that an officer can make inquiries or input data or do a whole range of things. The Commissioner tells me that the next one is a palm computer which the officer will carry. That is probably a year or two away.

We have bought the best system around, called an integrated ballistics identification system. Regrettably, this does have relevance to Cabramatta more than a lot of other areas. This is about capturing data in relation to bullets and cartridge cases, and electronically comparing the unique markings left by the firearms, the bullets and the cartridges. What took one of our officers three to six weeks previously can be done literally within hours now, so that is a great step forward.

You would be aware of our Police Assistance Line, which has its home at Tuggerah on the Central Coast and has what I call its baby at Lithgow. It means that we now take calls 24 hours a day, 7 days a week from anyone who wants to report a cold crime. That demonstrably creates additional time for police officers at all stations to have more available time to use proactively.

The Hon. R. H. COLLESS: What sort of response times get back to the local police stations where the incident occurred?

Mr JARRATT: In terms of the report going to them?

The Hon. R. H. COLLESS: To the Police Assistance Line. One of the concerns expressed in our area is that when people ring up to report a crime after the police station has closed, they get this Police Assistance Line. How long could most communities reasonably expect there would be a response to that?

Mr JARRATT: If it is a crime which is happening now which should not go to the Police Assistance Line but should be legally despatched to our radio despatch unit and become one of those CIDS messages, "Look, I came home from holidays and my tractor was gone", we would go onto the system. At the time that the operator finishes the entry at the end of the phone call, a button is pressed, and it then goes onto the system and is immediately available at Tenterfield, or Broken Hill or Albury, so it is instant. There is a verification process that we go through, but it is actually on the system instantly. There are many other technology-type things we are working on, but I think that is a sample of them because they have a direct impact on local area command policing.

The only other point I had on my list to mention was legislation. My Minister would obviously want me to make any recommendations to him, which I will do. Some of you had the opportunity of looking at doors that some places use. There is also another issue in terms of the way that drug sellers operate. It is not as simple as my buying a drug from Mr Temby. It starts with my meeting you as you get off the train, or whatever else you do at Cabramatta, and offering you the drugs, but I do not have the drug with me, so exchange is not going to take place there. I say, "Go and see this man", who says, "Now come with me and I will take you around the corner," and it may be that it is fed through the bottom of the door and the exchange for the money is the drug.

As the law currently stands, as I understand it, I am the person who has recruited you, for example, Madam Chair, I have passed you on to Mr Temby, and he has passed you on to Ms Lee Rhiannon. We do not commit an offence. In fact, we would hold that we do. We are in fact part of that offence. The only person who commits the offence at that stage is the supplier, and we cannot identify the supplier because of those other factors that are there. We are working through some things, we

will provide some advice to the Minister as to maybe how that could be addressed, but that is one issue that confronts police, to try to create greater understanding of the frustration that is exercised out there on the ground.

CHAIR: On that point, you are suggesting, hypothetically, that you are recruiting me to buy the drug. If you are caught what evidence would you have that you are the culprit in the crime?

Mr JARRATT: None, basically. Essentially, you have simply recruited me for a purpose, but that might be to buy bananas from a shop. So under section 25A of the Drugs Misuse and Trafficking Act, a lovely piece of legislation, there are three strikes and you are either in or out, depending on how you would like to say it. That is powerful legislation and one we would like to use extensively. Where you have that evidence it removes the presumption of bail. Obviously, the courts take a strong view of it. Also those who would sell drugs are conscious of the legislation too. They are not going to be easily caught three times. You might be dealing with the same group of people three times but to get the same person is a challenge. I do not want to go much further at this stage in a public hearing, if you do not mind.

The Hon. R. H. COLLESS: Let us draw an analogy between another serious crime and a drug crime. For the purpose of the discussion let us use murder. If people associated with a murder case can be charged as being an accessory—

Mr JARRATT: Indeed, it could be either conspiracy or accessory. Certainly there can be a conspiracy to commit a crime but conspiracy is inordinately hard to prove. I do not know what the legislation could be. As I explained with another issue at Cabramatta, hypothetically if there were drugs on that table, proving that any of us had possession of them or was in constructive possession of them is extraordinarily difficult. That is the sort of thing that you, as legislators, may help to clear up and help us wrestle with.

Ms LEE RHIANNON: When the Committee had the opportunity to visit Cabramatta we saw how the cameras worked. One thing that the community later raised with us was the limitation. There was criticism of the cameras, suggesting that they push people further away from the commercial areas. Do you see that as a problem? Is this something you are discussing? Do you see that there is a limitation on the use of cameras? It was a partially informal visit but I heard from your officers that they were impressed with the cameras whereas the Committee was hearing another view. Could you elaborate?

Mr JARRATT: The issue is that there is no silver bullet to the solution. As we do something, clearly the drug dealers become aware of it and adjust their tactics accordingly. If that means moving away from the view of the camera, that is what they do. The camera is powerful evidence, it is hard for me to deny my presence here if I am shown in the camera's proximity. Proving that what actually happened between us was illegal, is quite different, but at least it has us in the proximity. People move away from the cameras' range because they know where they are. And we adjust them. We discuss how we deal with it, yes. That is why you have seen the doors that I showed you. People have moved in behind some situations so that they are not vulnerable to cameras of any description, be they CCTV or photographs or anything else of that nature. Ultimately you do not know who you are dealing with. In time, each police tactic generates a response from the criminal element.

The Hon. R. D. DYER: Can we assume that the cameras quite often have a practical use?

Mr JARRATT: Absolutely. We can demonstrate in the city, or Cabramatta, or wherever the local government find the funds to install those, that they will all claim to have had a significant change in public safety of the area. Certainly photographic evidence of that nature is compelling as far as court as concerned.

Ms LEE RHIANNON: To follow on from that do you consider, as you have acknowledged, that people come to know where they are and change tactics, that they have a reduced effect, have a lesser impact as drug dealers become aware of them? Have any studies been made or have you taken anecdotal evidence?

Mr JARRATT: We have not made a formal study that I am aware of. Anecdotally it is suggested that yes, people do respond but not 100 percent. There is still value in them for all sorts of criminal purposes. Certainly the more experienced drug dealers know where they are and go out of line of sight of them.

The Hon. R. D. DYER: It was my impression that the business community in the commercial shopping area of Cabramatta regarded the cameras with some favour. They were popular in that sense.

Mr JARRATT: Yes, because it allows very quick deployment of police to an area, not just for a drug sale but simply for people behaving boisterously, or whatever. People feel safer and that is important. Right across the nation you will find places where they have been installed and are effectively operated. They bring in a higher degree of security and usually you see a downturn in crime. I have finished all I want to put to the Committee at this stage, other than what I want to say in private session.

Ms LEE RHIANNON: Before we go in camera, I wish to ask one more question.

CHAIR: Yes, one last question.

Ms LEE RHIANNON: Are all your ECLOs of non-English speaking background?

Mr JARRATT: I am going to provide that information.

Ms LEE RHIANNON: Yes, you said you would get that, I am sorry. Could you explain or otherwise provide information about efforts you made to recruit from non-English speaking backgrounds? I got the impression when you spoke that you rattled off a number of different nationalities in the Cabramatta area, it left the impression which may not have been intended, that it was all too hard. How are you proactive in that selection?

Mr JARRATT: I put to the Committee that it is a two-way street. We cannot recruit people of any particular ethnic origin if that community does not put forward its young people to become police officers. A number of communities of different ethnic origin do not see policing as something that they would want their sons or daughters to join. We have an open system and have removed almost every barrier. When I was a lad recruits had to be of a certain height, weight and chest measurement, all those things have gone. Recruits have to be able to do a minimum range of things to allow them to be police officers. There is no barrier to anyone.

Frankly, all of our efforts have led to very little success in attracting people from those communities, in particular the Vietnamese and Chinese communities. We have some, but in terms of our efforts it has been somewhat unrewarding. As a multicultural organisation any time I get to walk up and down the parade ground at Goulburn the number of people whose surnames would suggest a non-English speaking background is quite significant. I think the two dominant features of any new class coming in is, first, its female content and, second, its obvious non-English speaking background surname, or that is what I conclude.

Ms LEE RHIANNON: Considering you said that the Service has had difficulties, do you acknowledge that the police force may also need to change the way it is handling this issue? When I was at Cabramatta I was very surprised at how Anglo it was. I saw only Anglo police.

Mr JARRATT: I guess names like Stanioch and Fusca are probably non-Anglo. It is regrettable that people of Asian extraction do not see policing as an honourable profession.

Ms LEE RHIANNON: I think you said it was a two-way street?

Mr JARRATT: For 20 years we have been proactively seeking to have people from the widest segment of the community join the New South Wales Police Service.

Ms LEE RHIANNON: As it has not been very successful, do you accept that the service needs to change its recruitment procedures?

Mr JARRATT: I am sure we do. As I say, it is a two-way street. Both the community and police need to find a better way of engaging people from the widest possible sector of the community. It is our ambition to have a thoroughly representative organisation. We have modified our recruitment processes, and have made it so that people can enter the service through distance education or universities as well as a whole range of other ways. There are many entry points. We actively seek out people in all communities. So, yes, we need to improve. But, to be honest, we are coming to the end of our tether in terms of how we can be more successful at recruitment.

CHAIR: Commissioner, can you provide the Committee with the recruitment guidelines?

Mr JARRATT: Certainly.

CHAIR: Specifically relating to recruitment of people from non-English speaking backgrounds.

Mr JARRATT: We certainly can. Anything that the Committee requires, obviously we will provide. We have a general recruitment policy that says we look to recruit from a broad section of the community. But we can give you details on any aspect of recruiting that the Committee would like.

The Hon. D. T. HARWIN: I presume at some stage you have done an evaluation of why the recruiting process has not been successful. Perhaps there is something along those lines that you could give to the Committee so that we might be more intelligently equipped to ask questions on another occasion.

Mr JARRATT: In our submission we have included some of the things that we are doing to try to build bridges to those communities, including the national guidelines. But we can provide the Committee with further material if you require it.

(Evidence continued in camera)

(Public hearing resumed)

DONALD JAMES WEATHERBURN, Director, Bureau of Crime Statistics and Research, of 9 Leeton Avenue, Coogee, affirmed and examined:

CHAIR: Dr Weatherburn, did you received a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Dr WEATHERBURN: Yes, I did.

CHAIR: Are you conversant with the terms of reference for this inquiry?

Dr WEATHERBURN: Yes, I am.

CHAIR: Do you wish your submission to be included as part of your sworn evidence?

Dr WEATHERBURN: Yes.

CHAIR: Do you wish to briefly elaborate upon your submission or make a statement?

Dr WEATHERBURN: I will make a statement, and it will be short.

CHAIR: Please proceed.

Dr WEATHERBURN: I will quickly take you through trends in recorded crime in Cabramatta.

CHAIR: I acknowledge the presence of Ms Reba Meagher, the member for Cabramatta, and welcome her to the Committee.

Dr WEATHERBURN: I will not take you through every offence that police record, simply because the vast majority of them are going neither up nor down. I will take you through those which are significantly up or significantly down over the last 24 months then make a couple of comments, and only a couple of comments, about their explanation. I will then invite questions. Bear in mind the limitations of recorded crime statistics as a measure of what is happening in crime. The vast majority of offences pass unreported to the police, so we rely on some offences as an indicator of crime because although we know that many of them are not reported, the fraction which are reported does not tend to change very much from year to year.

The two I will show to you now are in that category. I have shown the State rate. The triangles are the monthly trends in the numbers of recorded motor vehicle thefts in Cabramatta. The squares are the State rate. Cabramatta numbers are shown on one axis. The State numbers are of course much higher. The trends are shown over 36 months but the tests of change that we employ are over only 24 months. The reason will become apparent as we move along. I will mention the numbers in case it is difficult for people to see.

Over the last 24 months in Cabramatta the number of motor vehicle thefts per month, which had been around 50 to 60, has moved to about 80. In effect, it has gone up by 16 per cent over the last 24 months in Cabramatta. It has gone up across New South Wales as a whole but not as much—by 7.7 per cent. The reason I alluded to the difference between the trend which is shown over 36 months and the test which is over 24 is that it has gone down in Cabramatta and then gone up again. The test applies only to the last 24 months.

That is why it appears to be going up. In summary, what you are seeing is that both New South Wales as a whole and Cabramatta have experienced a growth in motor vehicle theft over the last 24 months but it is much more pronounced in Cabramatta—16 per cent change in Cabramatta, 7.7 per cent change across the State as a whole. If there are no questions about that I will move to the next one.

The other offence which is going up in Cabramatta at the moment is stealing from a motor vehicle. It is also going up across the State. In Cabramatta in about May 1999 the number of reported instances of steal from a motor vehicle was running at 40 or 50 a month. Toward the end of September this year it had moved to around 80 per month. In New South Wales it has also been an increase—I presume you are not so interested in the scale of it—but at the beginning of this period New South Wales recorded around 6,000 of these offences per month. The figure is now about 8,000 per month.

For both New South Wales and Cabramatta there has been an upward trend over the last 24 months, the New South Wales trend being 16 per cent and in Cabramatta it is not quite as pronounced, 12 per cent. I thought someone might ask me whether the sudden drop-off was because of the Olympic Games. It might have been the Olympic Games but it might just be that there are delays in getting information from the 000 calls, the CIDS calls, computerised incident dispatch system, on to COPS. So I would not read too much into that sudden drop.

The recorded rate of a number of offences has been going down in Cabramatta, but before I deal with them I should explain that these are offences which by and large are not regarded by criminologists as measure of crime. In a sense they are much better understood as measures of enforcement action. The first one is receiving stolen goods. The reason it is a measure of enforcement rather than a measure of crime is that police only record receiving stolen goods when they arrest somebody. It is an offence which is detected rather than recorded.

So in a sense with the decline in this sort of offence you are seeing not a decline in crime but a decline in the level of enforcement action for the offence concerned. In this case receiving stolen goods in Cabramatta LAC over the last 24 months has shown a 54 per cent reduction in the number of occasions on which this is recorded following an arrest for receiving stolen goods.

The triangles once again are for Cabramatta. You can see the numbers are quite variable and range from 150 a month, sometimes jump up to 300 and sometimes go down as low as 50. But overall across the 36-month period you can see a clear decline. New South Wales has also seen a clear decline over the same period ranging from 250-odd recorded incidences a month down to the last few months when it gets down to the 100-mark. Receiving stolen goods and the one I am going to show you now, are very important offences for the short-term control of motor vehicle theft and house breaking. It is a lot easier for the police to apprehend somebody for having stolen goods in custody than it is to actually catch somebody in the act of housebreaking. Much of policing strategy depends upon catching people for goods in custody and receiving-type offences as a means of controlling the opportunities for disposing of stolen goods. Is that point clear enough? I can elaborate on it later.

The next offence is receiving which is an offence where it is necessary to prove—I may be corrected by the lawyers here—that a person knowingly took possession of stolen goods. Goods in custody—I could call upon a lawyer—we have got one or two: Ian Temby I noticed might help me. Goods in custody is a more commonly charged offence where the proof requirements are not as strict and is when a person is in possession of stolen goods without lawful excuse. I hope I am not too far off the mark. The salient point is that this is another very important enforcement action police take in relation to the stolen goods markets, and there has been a drop-off in Cabramatta in the last 24 months. Cabramatta has had a 22 per cent drop-off. No change in New South Wales in that period so that the level of enforcement action for that type of offence has not changed much or significantly in New South Wales. Around about 800-odd of those a month in Cabramatta. In Cabramatta it has gone from around about 60 or 70 mark down to around the 30 mark.

Cabramatta is, of course, a place sometimes noted for drug offences. It is of interest to look at enforcement action in relation to drug offences. Again I am only concentrating on those that have changed in Cabramatta. The first is narcotics possession. Again I am showing you the State rate compared with Cabramatta. The Cabramatta local area command has seen a 40 per cent decline in the number of people arrested for narcotics possession during the past 24 months. New South Wales has also seen a decline but it is not of the same order. It is around about 28 per cent. The next slide shows the number of instances of cannabis possession. Those offences are typically picked up in the course of police arresting somebody for other offences as well, but there has also been a significant decline, although the numbers are quite variable.

In Cabramatta the number of arrests for cannabis possession has dropped by about 52 per cent of recorded occasions during the past 24 months. New South Wales has not seen any change. Cabramatta was recording approximately 20 a month. They are now down to approximately, perhaps, five to 10 as at September. New South Wales overall is running at about 1,000 a month. I might have confused you but the scale for one graph is on one side and this scale for the other is on the other side. Just moving on to the last of the drug offences. This shows recorded instances of dealing in narcotics. It is a little bit harder to see what is going on but the overall trend in Cabramatta again is down by 52 per cent. Just to remind you, Cabramatta is the triangles, and the trend here is as you can see.

New South Wales has not seen any change but the numbers are very variable and in Cabramatta quite low. Nevertheless, the overall trend has been downwards in Cabramatta. This is the only significant downward trend. This is a validation, I should point out. There have been some questions in the local media about the reliability of these recorded crime statistics and, in particular, about whether police have been recording crime. There have also been counter suggestions to the effect that the introduction of the Police Assistance Line has resulted in an increase in crime. I just want to deal with both of those.

Firstly in relation to the suggestion that the drop in recorded crime in Cabramatta or elsewhere is a result of deliberate non-recording of crime by police—in order to assess this at the local area level we have made some assessments at the State level. In order to make some assessment of this at the local area level we have been looking at emergency callouts, or 000 call-outs for various offences and comparing those with records of the same offence at the local area level. The significance of this is that you cannot manipulate the 000 call-outs or at least you could not without a giant conspiracy. You can, of course, in some circumstances manipulate the local area crime statistics.

We took break and enter and had a look at the trends in the 000 call-outs and the local station recordings for a couple of offences, break and enter being one. As you can see there is a very close relationship between the COPS records and the CIDS records. The CIDS are the 000 callouts. If there were deliberate non-recording of crime on any great scale you would not have expected to see this close correspondence. You would have seen a drop in COPS but no change in the 000 callouts. In fact, one of them is following the other fairly closely. Is the logic of this argument reasonably transparent? This is an earlier point in time, I should mention, than the graphs I have just been showing you because this audit program of ours is not quite up to speed. This takes you to August 1999 when there was a drop in Cabramatta in break and enter. That drop is no longer present.

We have also done this for motor vehicle theft. I should point out that we have not picked on Cabramatta, we have done this for every local area command in New South Wales. The results of that will be out in a report later this year, but this shows the situation for 000 call-outs and COPS records in Cabramatta for motor vehicle theft. Again, there is a fair degree of correspondence between the two. This does not mean there is absolutely no non-recording of crime going on in Cabramatta. This method is quite incapable of detecting that type of thing. What it does mean is that if there is non-recording for either of these offences it is not occurring on a scale sufficient to disturb the trend.

There was one other thing I forgot to mention. PAL was the other suggestion that there might have been a growth in crime because of increased recording of crime on the police assistance line. At the moment, although I cannot give a definitive answer on that, we doubt that is the case. The reason we doubt it is that the growth that has occurred in the two offences I showed you, motor vehicle theft and steal from a motor vehicle, occurred about 12 months after the introduction of PAL in the Cabramatta LAC. I would have expected it to be co-incident if PAL were responsible for the growth in crime.

CHAIR: Is it possible for you to give us a copy of that?

Dr WEATHERBURN: Yes, I think we have that available.

CHAIR: In relation to the Cabramatta statistics the Committee is very interested in the crime index. Can you explain to us how useful the crime index is from a statistician's point of view?

Dr WEATHERBURN: It is the index the police use in the OCR process.

CHAIR: Yes.

Dr WEATHERBURN: It has its value, but it has its limitations. Like every statistic its value is that it enables police to readily identify both the crimes that matter most, what is happening with those crimes and which areas are contributing the most by way of crime to the State total. For example, you get a clear picture of which LAC has the greatest volume of crime. One limitation of that, and a limitation of what I have just shown you, is that the volume of crime in an area does not really give you a clear picture of the risk faced by people resident in that area. You may get a large volume of crime because you have a large volume of population. You may have a small volume with a small population, and face a great risk. So that is a limitation. In summary terms, the value of the index really depends on what purpose you are putting it to. So far as my earlier public criticisms of the index is concerned, my principle concern is that it has no real relevance to judging the effectiveness or otherwise of drug law enforcement.

CHAIR: Are you suggesting that the drug crime should be included in the index?

Dr WEATHERBURN: No, let me distinguish between drug crime and drug-related crime. Break enter and steal is a drug-related crime inasmuch as people commit break enter and steal to raise money to buy drugs. Drug crime is crime committed that is an offence against our drug laws: possession or use of cannabis, that sort of thing. At the moment in New South Wales we have, although we pour a large sum of money into drug law enforcement, no objective indicators as to whether that money is being well spent or badly spent. My concern about the index is that at present it does not put people involved in drug law enforcement under any critical scrutiny, and it does not give the taxpayer any clear judgement of whether investment in drug law enforcement is having any effect on the drug problem. Is that clear enough? If we put \$150 million into drug trafficking, what do we have for the money?

Ms LEE RHIANNON: The statistics we have at the moment are not really showing us the situation. They are not really reflective of results, good, bad or indifferent.

Dr WEATHERBURN: In relation to drug law enforcement, no, they are not telling us anything.

The Hon. R. D. DYER: Did you say they are not telling us anything?

Dr WEATHERBURN: The short answer is, no, they are not telling us anything about the effectiveness of our investment in drug law enforcement. They are telling us a good deal about the effectiveness of our measures against motor vehicle theft, or against break and enter, or against robbery, or against house breaking because recorded rates of these offences tell us something about the size of the problem. But recorded drug offences do not tell us anything about the scale of our drug problem, or the scale of the harm caused by that drug.

The Hon. R. H. COLLESS: In the index that the police gave us this morning, drug detection added, when they looked at drugs Cabramatta was ranked No. 1 in terms of the drug problem. The figures you showed us indicated to me, anyway, that the trend in Cabramatta with the drugs was in fact going the other way in relation to the State average. How do you explain that apparent difference?

Dr WEATHERBURN: First off, as I said at the beginning, the recorded number or rate of drug offences is no indication whatsoever of the scale of the drug problem. It is an indication of the scale of the investment in enforcement against that problem. You only get 1,000 drug offences recorded if you make about 1,000 arrests for drug possession. That tells you nothing about the number of people illegally using drugs, or illegally trafficking in drugs. So far as the drop-off in Cabramatta is concerned, I do not know whether the drop is part of a planned strategy because police might have shifted to other tactics, or whether it is just police taking their foot off the accelerator for that offence. There is no way I can tell from the figures at this stage what is responsible for the drop-off in recorded numbers of possession.

The Hon. R. H. COLLESS: Those declining numbers that you put up are not really a good indicator of the drug problem that is occurring in Cabramatta?

Dr WEATHERBURN: No, they are a reasonable indicator, though, of the level of enforcement of drugs in Cabramatta.

The Hon. R. D. DYER: What would you need to measure the extent of the drug problem in Cabramatta?

Dr WEATHERBURN: There are a variety of indirect indices. If you were looking, for example, at the size of the dependent heroin using population you might have recourse to hospital data for the number of people being admitted with overdoses. Or you might have regard to the number of needle exchanges going on in Cabramatta. You could, if you had the money, conduct regular surveys. There is absolutely no reliable method for gauging the scale of problems, but there are a number of things that would give you a better handle on it than arrests for drug crime.

The Hon. R. D. DYER: Presumably the figures to which you refer would be available from other sources?

Dr WEATHERBURN: Yes, there is material in a publication I presented recently on performance indicators for drug law enforcement. I suggested that Police and Health work more closely to develop measures of the size of the harm produced, and it is the harm we are concerned about here, the magnitude of the harm generated by the drug problem. Those harms, I should point out, fall into different categories. There is the public amenity problem, which could be best measured through surveys of the local population, then there is the size of the crime problem generated by illicit drug use, and that is perhaps best measured by the drug use monitoring program we have out at Bankstown and Parramatta where people who are arrested by police are routinely interviewed about drug-related crime.

The Hon. R. D. DYER: Are you saying that there needs to be a matching between statistics emanating from different sources, for example, Health and Police to get a true picture?

Dr WEATHERBURN: From whatever source I think we need to put a lot more effort into identifying what are the harms produced by drugs, what are the strategies we are embarking on to try to reduce those harms and how effective are those strategies. At the moment we are not doing anything terribly well to measure, and I should point out this is true of other States in Australia. Most Australian States are not doing a good job of measuring the effectiveness of drug law enforcement.

Ms LEE RHIANNON: Do you have any suggestions on how the crime index can be changed so it would be more useful?

Dr WEATHERBURN: I made a number of suggestions on this problem of drug law enforcement in a bulletin called "Performance Indicators for Drug Law Enforcement", and I am happy to make that available to the Committee. But there I set forward a large number of suggestions for ways in which we can improve the quality of information at the State level and at the local area command level. I do not think it is necessary to integrate that with the crime index. There is no reason why it cannot be integrated with the OCR process as a separate issue.

Ms LEE RHIANNON: I was commenting on the index partly because it has such a public coverage and it is used by a number of agencies, which is why I was interested in your thoughts on that. You have people who use it and rely on it.

Dr WEATHERBURN: Even for the police it is only one source of information about crime. It is certainly one that has most of the coverage, but the police rely on other sources of information. If I were designing the OCR process I would be trying to draw on data wherever I could find it that gives us an indication of how effective policing strategies are. If an index serves that purpose for offences like break enter and steal, and car theft, and I think the police index is pretty good for that purpose, then by all means have it. Where it does not serve this purpose, and I suggest drug law enforcement is an area where it does not serve this purpose, then bring in other indicators, other sources of information.

CHAIR: For the benefit of the Committee, can you recall what is in the bulletin? I certainly have not read it. So I would appreciate your comment on that.

Dr WEATHERBURN: It is a little complicated to go into the entire thing. Perhaps I can give an illustration to take us some way along the line. Suppose for the sake of argument police strategy in Cabramatta is to try to encourage heroin users into treatment and to arrest and imprison those caught committing serious crimes such as robberies and pursuit. One indicator that might be useful on a monthly basis is the number of people entering treatment saying they are there because they are tired of being arrested by police or sick of contact with the criminal justice system. Since people are coming into methadone clinics day in and day out they could be routinely surveyed for this. A second one would be the number of people, if you like robbery offenders, successfully convicted or imprisoned for robbery offences in Cabramatta. It depends on the strategy you are adopting.

To take another illustration, suppose you adopt some strategy in Cabramatta to try to improve the level of public amenity in the area. One could survey every three months residents of Cabramatta and ask them a range of questions about the quality of life or public amenity in Cabramatta, and those survey results would be fed back into the analysis and the evaluation of police performance. Do you get my drift? I can give you some more examples if you like. In general, you identify the strategies police are undertaking to deal with the problem, be it a drug problem or some other problem, find some suitable measures of effectiveness, and present those back to officers to give them some sense of whether they are achieving their goals or not achieving their goals. At the moment, we spend a large sum of money on drug reinforcement and all we see as a result is how much money we spend, that is, the number of people arrested.

CHAIR: So, in that sense, you are suggesting the crime index is really not very useful in addressing the drug statistics or performance?

Dr WEATHERBURN: No, in that domain I do not think it is very useful. It is very useful in other domains but not in that one.

CHAIR: We have already been told that the crime index is not useful as to allocation of resources, although in other areas they say it is. So, without those statistics how can there be any suggestion about indicating how the police resources are being allocated, specifically dealing with drugs?

Dr WEATHERBURN: There is no unique or perfect set of indicators for how you allocate resources. How you allocate resources to deal with crime depends on the strategy you adopt to deal with it. So, the indicators will vary depending upon your strategies. I cannot sit here and say police should use indicator A, B, C, D or E without knowing what strategies police are trying to use to deal with crime. I do not know what their strategies are for dealing with drug-related crime. In the case of property crime I have some better idea. I know for example they are anxious to reduce the opportunities for selling stolen goods. So, for example, the number of people they arrest for goods in custody or for receiving is not a bad indicator of the strategies they are adopting. We can see the outcome of that in the number of break, enters and steal and motor vehicle thefts, but in the drug domain, as I have said, it is very unclear what the strategies are and what the performance indicators for those strategies are that the police are relying on.

CHAIR: We gather that a large number of people have been charged because of the operation within the central business district. Using that as a strategy, what would you suggest to the police on that allocation?

Dr WEATHERBURN: Are we talking about the allocation of resources here?

CHAIR: Yes.

Dr WEATHERBURN: Well, if the police strategy to reduce crime in central Sydney is to target crime hot spots, for example, then I would start by asking how many police do you need in a patrol to maintain a given level of coverage of those hot spots. In other words, to visit them twice a day or every day. You will set some benchmark for the number of times you will go to those hot spots or conduct surveillance in those hot spots. On the basis of those judgments you will start totting up the costs involved. I cannot sketch the costs.

Just to take a model example, there are five crime hot spots in Sydney and you want to be able to visit them to conduct surveillance and deterrence operations three times a week. You would have to ask yourself how many police and how many cars you need to do that. So, you start working out your resource allocation. I am assuming, of course, you have a base level of resources to answer phones and type up correspondence, and so on. So, the resources you need depend on the strategies. Until you know in detail what the strategy is for dealing with crime or dealing with various kinds of crime, it is difficult to say what level of resources is appropriate to that.

CHAIR: So you can rely on statistics—how many people are being charged, how many people on drug crime—and then you allocate your resources?

Dr WEATHERBURN: Well, you seem to be asking me two different questions: what is a good indicator of crime or police success in dealing with it. I would suggest in the case of break and enter, the recorded rate of break and enter is good. In the case of motor vehicle theft, the recorded rate of motor vehicle theft is good. The same story applies for robbery; rather more doubtful for assault. It is probably more unreliable in relation to sexual assault. So, different recorded crime categories have different degrees of reliability as indices of the problem. But drug law enforcement is probably an area where the recorded rate of crime is no indication at all of the scale of the problem. Sexual assault is not so reliable because only one in four, at most, victims report the offence and campaigns make big differences to changes in the number that do. At the other extreme, with homicides it is very reliable because there is always a body to find. So, not every category of crime is an equally reliable indicator of the scale of the problem. Is that becoming clearer?

The Hon. R. D. DYER: If it would help you to build a better or more comprehensive picture regarding drug crime by matching or correlating suggestions from different sources, for example, police, health or any other sources that might be relevant, is there any other resource or other problem that might stop you doing that if you wish to?

Dr WEATHERBURN: That is a good question, but a difficult one to answer. First let me make a preliminary remark. The goal of drug law enforcement, particularly in the wake of the Drug Summit, is not to reduce drug crime but to reduce the harm associated with it. That is a very important distinction. It means that what you are looking for is outcome measures, measures of harm, not the number of people who traffic in drugs or the number of people who use drugs, but the quantities of harm or amount of harm that flows from it. Having said that, for example, if one index of harm reduction is the number of drug users entering treatment, you would like to get information from the Department of Health about that. The cost of that really depends on what the Department of Health says about it. I do not know whether it would say it could give you that for free. That does not happen as much these days as it used to. They might say there is a cost involved in that. So, the cost of purchasing this data is something I cannot answer. It depends on what the agencies charge. Does that answer your question?

The Hon. R. D. DYER: It does. The primary or a principal objective of this inquiry is to examine the adequacy of police resources in Cabramatta. Can I ask you in general terms what useful suggestions you might have to promote that objective, namely the better use of police resources in Cabramatta, to deal with drug crime, leaving aside what you have said about the social aspects?

Dr WEATHERBURN: If I was in the shoes of the Committee I would start by asking the police what strategies they are employing to reduce crime in Cabramatta, what are the principal strategies. The next step would be to find out what are the costs involved in implementing those strategies, and the next step—and this is putting it much simpler than it will turn out in practice—is to compare the costs of those strategies run properly against the money that has been allocated, remembering there is always a fixed base level of cost associated with just running a station or various other things associated with it. But the key thing you need to know is what are the strategies being employed and then what is the cost of maintaining those strategies if they are run properly.

CHAIR: So you need actually a monitoring process at the same time? You need to collate your statistics?

Dr WEATHERBURN: In the first instance you need to ask police what is their plan of attack. Can I give an illustration? If your plan of attack on break, enter and steal is to visit every

corner store at least once a month and warn them about the dangers of accepting stolen goods—that is not such a silly example because corner stores have been implicated in receiving stolen goods—then you would ask yourself how many police do I need to do this effectively three times a week and so on. If the strategy for dealing with motor vehicle theft is to arrest everybody you know with an outstanding warrant for this kind of offence, I just picked that example out of a hat, the next question is how many police do you need to do that effectively. You cannot ask questions about the resource requirements of Cabramatta until you know what the police are trying to do in Cabramatta. The statistics on crime come later. They come in evaluating the effectiveness of strategies. If the underlying assumption of the Committee is that there is some fixed relationship between the amount of crime in an area and the resources required to deal with it, I would dispute that. There is no mechanical relationship between the size of the crime problem and the resources required to deal with it.

To take the simple example, you may be in a local area command where nearly all your crime problems come from three people—a country area. If you can arrest those three people and put them in gaol you will not have any crime problems for a little while. It may be that they all come from a large number of kids who dip their toe in the water of crime only once or twice and the strategy would not be to try to arrest them all; it might be to try to block the opportunities for whatever crime they are doing. In that case the resource requirements might be substantial. It seems to me the connection is not between the crime problem or the size of the crime problem or even the amount of harm generated by the crime problem and the resources required. It is between the strategies adopted to deal with crime or the harm caused by crime and the resources required.

The Hon. R. D. DYER: Supposing one strategy adopted is beat policing. This Committee was told during a recent visit to Cabramatta police station that beat policing is popular with the local community. That may well be because people feel safer seeing police walking the beat. However, from the point of view of a crime prevention strategy, how would one assess the effectiveness of that as a policing method?

Dr WEATHERBURN: We have looked at the issue of beat policing in relation to motor vehicle theft and not found much evidence that it reduces motor vehicle theft, but I have been proceeding on the assumption that the sole goal of police is to reduce crime. In fact, that is an oversimplification by far. Police are engaged in all sorts of tasks that are basically designed, if you like, to build or maintain public confidence and law and order. As long as you make that explicit and identify the strategies you are embarking upon to produce that outcome, the process becomes the same thing again: identify the strategy designed to build public confidence, work out what is required to maintain that strategy and that tells you the resources required for that purpose.

The Hon. R. D. DYER: You are saying that beat policing might well be an effective strategy to build public confidence, however it is more nebulous to what its crime prevention effects might be.

Dr WEATHERBURN: There is not a lot of evidence that beat policing is an effective crime prevention strategy. We could look further into that. My recollection of the evidence is that there is little to suggest it is effective in reducing the major categories of property crime. That is quite different from policing hot spots, which is where you might use graphical or mapping information to identify particular locations which have been the source of a great number of crimes over a short period and where you deliberately target police resources to raise the perceived expectation of apprehension or deal with the source of the problem if it is a licensed premise that is causing trouble or something like that. That has been shown to be quite effective.

The Hon. R. D. DYER: What about another strategy such as closed circuit television [CCTV], which exists in Cabramatta and near the Town Hall railway station along the entertainment section? Has that been found to be an effective deterrent strategy?

Dr WEATHERBURN: I think it depends upon the circumstances. This is not something I have studied closely, but my recollection is that CCTV in areas in reasonably defined and confined spaces can be effective, but just spread about generally I do not think the evidence for its efficacy is very strong. I have another criminologist here, David Dixon, who might have looked at this more than I have. My understanding is that CCTV works in some circumstances and not in others. Whether it works well in Cabramatta is something I would not comment on. I am not sure.

The Hon. J. HATZISTERGOS: If you were looking at assessing the effectiveness of a strategy, for example, to reduce drug crime, how would you go about measuring it?

Dr WEATHERBURN: Do you mean drug crime or drug-related crime?

The Hon. J. HATZISTERGOS: Drug-related crime. How would you measure that if that is what you have to measure?

Dr WEATHERBURN: If I were in Cabramatta and I was concerned about the number of robberies being committed because of dependence upon drugs, then I would probably look towards a program we have in Cabramatta at the moment where every three months we interview everybody arrested over a three-week period be they for robberies, break, enter and steals or whatever. Their urine is tested for the presence of various drugs. I would be interested in looking for a reduction in the percentage of robbery and/or a reduction in the percentage of robbers who either report doing robbery because of drugs or test positive to drugs.

The Hon. J. HATZISTERGOS: What about strategies aimed at reducing the supply of drugs? We are told basically these are crimes that need to be detected by police as opposed to being reported.

Dr WEATHERBURN: One of the best measures of that overseas is what is called the buy time. You ask regular users how long it takes to score. You can do that either by surveying them on the street, by surveying people who are arrested or you can do both or you can just do random sample surveys or snowball surveys through the community. If dealers are becoming scarce, if there are fewer around, it will be harder to score, and users will readily tell you. One of the things they are quite good at telling you is how long it takes to score. That would be one approach to the problem. Generally though I would recommend a conversion approach, try to use several indicators, known dealers seen by police, perceived difficulties scoring, perceived hardship trying to score, cost of heroin, all of these things are indications of changes in the level of supply.

The Hon. J. HATZISTERGOS: Are you aware whether any of these measures are being used?

Dr WEATHERBURN: They are certainly being trialled in a variety of locations in the United States of America. To my knowledge they have never been trialled here. We have asked people in surveys we have conducted how risky is it trying to score and we have recommended the police use that on a regular basis. It is not difficult to ask the question and users generally give you sensible information, but it has not been routinely recorded as yet.

The Hon. J. HATZISTERGOS: Any reason why?

Dr WEATHERBURN: Other than the fact the suggestion has only been put about in the last year or so, no.

The Hon. J. HATZISTERGOS: How would you do the questioning?

Dr WEATHERBURN: You could contract it out or ask the bureau and the Australian Institute of Criminology to include it in its regular Drug Use Monitoring in Australia [DUMA] survey. There are a variety of options. It is not complicated.

CHAIR: During the time you showed the slides you said incidents of narcotic possession and dealing in narcotics were in decline. Can you explain to the Committee why it is declining? What are the factors?

The Hon. D. T. HARWIN: And could you clarify again the period?

Dr WEATHERBURN: To answer the second question first, the period is the two years up to September this year. Although the graph covers three years, the test was over two. Why are they declining? I guess the obvious, but to me the least plausible, explanation is that drug use and drug

dealing in Cabramatta is declining. I would need more evidence than that to believe that that is the case. The more likely probability is that police have eased off in their enforcement action against drug use or drug dealing. Why that would be is a matter of speculation and I would not get into that. I have no idea. It could be that they have changed strategies. It could be they are distracted by other commitments and responsibilities. I do not know.

CHAIR: You cannot tell us?

Dr WEATHERBURN: No.

CHAIR: When you did your presentation you spoke about stolen goods and the 50 per cent reduction. You said you wanted to elaborate on something but you have not yet done so.

Dr WEATHERBURN: I cannot remember what that was. It was not a distinction I was endeavouring to draw between receiving stolen goods and—?

CHAIR: Yes.

Dr WEATHERBURN: It is a legal distinction between the two offences. I do not think it is important for this Committee, but I emphasise that if you are familiar with the distinction between output indicators and outcome indicators, the number of arrests for goods in custody or receiving is a good output indicator. It is an indication of the amount of effort police are putting into policing the stolen goods market. The outcome indicator is the level of break enter and steal, stealing from a motor vehicle and stealing motor vehicles that is going on. Do Committee members want me to elaborate on the distinction between outcome and output?

CHAIR: Yes.

Dr WEATHERBURN: Generally speaking, the inputs to an organisation are the resources that go into a program. The outputs are the intermediate products, the arrests or, if you are in the business of making sausages, the number of sausages produced. The outcomes are the results obtained as a result of that action. If your goal is to reduce motor vehicle theft, then the outcome measure is the number of motor vehicles stolen. If your strategy in dealing with motor vehicle theft is to arrest motor vehicle thieves, then the number of motor vehicle thieves arrested is an output measure.

The Hon. D. T. HARWIN: We talked about the fact that you could not say with any certainty what were the causes of the significant drop, the 52 per cent drop, in possession offences. You describe a lack of plausibility about a drop in actual drug use as an explanation. Can you think of any plausible explanation other than a change in the strategy in relation to enforcement?

Dr WEATHERBURN: You mean engage in idle speculation?

The Hon. D. T. HARWIN: Not necessarily idle speculation. Can you think of another plausible explanation other than something that is related to the actual enforcement strategy?

Dr WEATHERBURN: There may be managerial problems in Cabramatta police station for all I know. I am not holding back from you.

The Hon. D. T. HARWIN: That is right, I was not perhaps clear enough in my question; external to the police?

Dr WEATHERBURN: I guess this would be consistent with a drop-off in the size of the problem if the problem had shifted elsewhere.

The Hon. R. D. DYER: Displacement?

Dr WEATHERBURN: Displacement, but you must remember that the backdrop for this is rapidly rising rates of heroin use across the country. I would have thought the more plausible scenario is the proliferation of the number of drug markets rather than displacement of them. There has been

some displacement out of Cabramatta but it is not such as you would not have spotted it by looking at drug arrest trends in nearby local area commands.

The Hon. D. T. HARWIN: And not such a displacement to explain a 52 per cent drop?

Dr WEATHERBURN: No, but now that the issue has been raised, I think we probably should have a look at drug arrest trends in nearby local area commands. But my understanding of the situation is that we have not seen any significant change there. However, I will check those and get back to the Committee.

The Hon. R. D. DYER: I thought you said that over the last available period that dealing in narcotics was down statewide, not only in Cabramatta?

Dr WEATHERBURN: One of them in particular that we had better have another look at it is down for both and pretty comparable for both, but you can get quite marked variations between LOCs that are discordant with the statewide trend, so it is probably unwise to conclude anything about what is going on in a particular LOC from what is going on in across the State.

CHAIR: You are familiar with the terms of reference of the Committee. What is your view of the impact, if any, of the crime index on Cabramatta policing?

Dr WEATHERBURN: I do not know. I have been to one OCR meeting myself. It did not come up in that context. You would need to have been going to the OCRs on a regular basis to see what impact that process was having on Cabramatta policing. I am afraid I have not been to enough to know what dialogues have been entered into between senior management and local station commanders.

The Hon. J. HATZISTERGOS: But your view is that they would have no impact?

Dr WEATHERBURN: There are crimes going on in Cabramatta other than drug crimes and the two I put up are steal from a motor vehicle and stealing from motor vehicles, which are two that they may have strategies for quite unrelated to drug law enforcement. That would be quite relevant to what is going on in Cabramatta.

CHAIR: Do you think that in using the crime index the media is very misleading is measuring the police performance in Cabramatta?

Dr WEATHERBURN: Any crime statistic can be very misleading, depending on what spin the media put upon it and what is said about it when it is put out. I am loathe to criticise what I see as a quite serious attempt on the part of police to evaluate police performance. You can poke holes in any crime statistic if it is misused for some purpose. I have identified some deficiencies with the index but I also think it has strengths. A great deal depends on what is said by both the media and by people using the media as to whether it is good or bad, wise or unwise use of the data.

CHAIR: Why do you think that the crime index excludes murder, armed robbery and drug-related crimes?

Dr WEATHERBURN: It probably excludes murder because it is so rare. When you are looking at local area command levels you are probably waiting several weeks to see a murder. The recorded murder rate in a local area command would be so low as to be unreliable. As for armed robbery, you have a very similar situation. Despite hype to the contrary, when you break it down by the 80-odd LOCs, most LOCs would not have an armed robbery. Many of them would only have a few and some would have a great many, so it is not a crime that is best dealt through the index. This gets back to the point I made earlier about not relying solely on the index. You would want to draw on a range of information to assess police performance as well as the index, rather than instead of it.

The Hon. R. D. DYER: Would it be a reasonable assumption, from what you said earlier of the slides that you displayed, that the raw statistics regarding policing of drug offences in Cabramatta is not markedly out of line with these statistics on a statewide level?

Dr WEATHERBURN: Do you mean the recorded rate of—

The Hon. R. D. DYER: Yes.

Dr WEATHERBURN: I have not actually looked at the rate per head of population.

The Hon. R. D. DYER: In absolute terms perhaps. The only marked disparity I noted was narcotics possession. You said there was a decline.

Dr WEATHERBURN: You mean the trend?

The Hon. R. D. DYER: Yes.

Dr WEATHERBURN: I see what you mean. There was only one offence that I recall that had a marked difference in the magnitude of its trend, that is right. Sorry, I misunderstood.

CHAIR: We have heard about the success of the New York police in reducing crime in that city during the 1990s. What kind of measures do they have? Do they use a crime index or does their index exclude certain crimes such as drug-related crimes?

Dr WEATHERBURN: I do not know whether they were employing an index or whether they were employing a recorded number of various offences that were of concern to them, I must confess. I know the strategy and I know in broad terms the way it was pursued but whether they were using a composite index or relying simply on the recorded number or rate of various kinds of crime, I could not tell you. I would say one thing though, on the one OCR that I went to, they were not relying solely on the index. They were drawing attention to the number of different kinds of offences, so they were not just putting it all into one basket.

The Hon. J. HATZISTERGOS: Are you aware that the Drug Summit recommended that police work on a set of performance indicators in relation to drug crimes measuring the effectiveness of drug traffickers in relation to drug crime? Are you aware of what steps have been taken or has your agency been involved in the development of appropriate performance indicators?

Dr WEATHERBURN: Yes, we have, and the police have made progress. We prepared that bulletin, as I mentioned earlier, on performance indicators. We also convened a seminar with police and experts from around the country to discuss the issues involved. To my knowledge the police have prepared a draft set of indicators. At what stage that is up to, I do not know, but I have had regular contact with them and I know they were moving on that front. I think they were attempting to negotiate with the Health Department for access to health data. It is not identified information on particular individuals but statistical information that might help them gauge the effectiveness of their efforts.

The Hon. J. HATZISTERGOS: Are you happy with the progress that has been made in that area?

Dr WEATHERBURN: I was pretty impressed with what they were doing, particularly with the fact that they had explicitly taken on board the tension between what they might do to reduce drug-related crime and what public health officials would want to prevent the spread of HIV-AIDS and hepatitis C, bearing in mind that for police there is always an awful tension between strategies that might be effective in dealing with, for example, public amenities problems and strategies that might inadvertently encourage needle sharing, rapid injection or other kinds of behaviours that would only exacerbate drug-health problems. Part of the big problem in drug law enforcement is that you have this tension between pursuing objectives like public amenity and other objectives like public health.

(The witness withdrew)

(Short adjournment)

DAVID DIXON, Associate Professor, Faculty of Law, University of New South Wales, affirmed, and

LISA MAHER, Senior Lecturer, School of Medical Education, University of New South Wales, sworn:

CHAIR: In what capacity are you appearing before the Committee?

Dr DIXON: As a researcher.

Dr MAHER: As a researcher.

CHAIR: Did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Dr DIXON: I did.

Dr MAHER: I did.

CHAIR: Are you conversant with the terms of reference for this inquiry?

Dr DIXON: I am.

Dr MAHER: Yes.

CHAIR: Do you wish your submission to be included as part of your sworn evidence?

Dr DIXON: Yes, thank you.

Dr MAHER: I do.

Dr DIXON: I would like to make a joint presentation. Firstly, thank you for inviting us to speak to the Committee. Our evidence draws on the extensive research on policing and the illegal drug market in Cabramatta which we have been carrying out since the mid 1990s. Copies of our research reports and papers have been submitted.

I thought I would deal with a couple of the specific issues from your terms of reference. First I will deal with crime statistics and resource allocation. I actually now hesitate to say what I was originally going to say, having heard Don Weatherburn speaking in much more detail about it. I guess I can simply summarise the point that Don was trying to make, which is that drug crime statistics are not an appropriate basis for allocating policing resources because they are essentially a measure of, in his words, enforcement action and not of crime. Drug crime statistics are a measure of police activity and of the allocation of resources. It therefore does not make much sense to use a statistic which is controlled by police resource allocation to decide how such resources should be allocated.

What should be used in such decisions? I agree with what Don was saying: that police should look to the other sources of intelligence and information about drug crime, such as research. It appears that the Police Service is moving towards a model of intelligence-led, principle-based policing. This is the strategy which I understand is being developed by the Crime Management Support Unit. At present there is great internal controversy in the Police Service about this unit, which I certainly do not want to buy into, and it is certainly not possible at this stage to assess the specific programs which the unit has developed. However, its general strategy does seem to us to be generally promising, and that means using all the available information sources, emphasising ethics and values in policing practice, and involving local area command officers in policy formulation, rather than relying on an old style command control model.

Secondly I refer to the impact of policing strategies in Cabramatta and the implications for resourcing. What we should not do is to throw police resources into vain attempts to suppress the drug market, particularly if doing so means paying less attention to other policing needs of the community. We need to be realistic about what policing can achieve.

For several years the Police Service has deployed additional resources in a series of intensive operations against Cabramatta's heroin market. It is not surprising that, nonetheless, the market has not been suppressed. Nobody with any knowledge of the international research on drug policing would expect police to be able to do this. Unfortunately, the rhetoric of the war on drugs encourages some members of the public, and even some police officers, to believe that suppression is an achievable aim. The result for both groups is the same: the disappointment, frustration and anger, which I understand was responsible in part for the establishment of this Committee.

This, of course, should not be taken as suggesting that policing is irrelevant or ineffective. What police can do is, firstly, to try to contain the market, preventing it from getting out of hand; secondly, they can attempt to regulate and shape it, putting pressure on certain people and certain places so that the market is pushed in directions which are considered preferable or what we are really involved in in this game is directions which we would consider the least bad. We are not looking for what we really want; we are looking for the least bad outcomes.

For the last couple of years the police priority appears to have been to improve the quality of life in the Cabramatta central business district by cracking down on street level drug activity. While not denying that there have been benefits to some from this strategy, our research has emphasised the counterproductive effects which intensive street level policing can have, and these counterproductive effects come in three categories: harms to public health, to community safety, and to police public relations.

Let me very briefly run through the headings of these. With regard to policing and public health, our research has shown that intensive street level policing can create risks to public health by encouraging drug users to behave in more dangerous ways in the way in which they store and transfer heroin; the reluctance to carry injecting equipment. I could put in a footnote there. If we are concerned, as so often politicians are, about messages sent to the public, we might like to consider the message sent by the charging and conviction of a young man in Cabramatta for manslaughter when his offence was to give clean injecting equipment to a person who died after injecting heroin.

Thirdly I refer to an increase in injection-related risk taking; and fourthly I refer to a reluctance to call ambulances to overdoses because of the continuing police attendance, despite agreements that this should not happen in overdose situations. The effect of promotion of unsafe drug injecting practices amongst a growing group of young heroin users in an area with the State's highest concentration of young people should be a matter of considerable concern.

The second risk is to policing and community safety. Here, the principal issue is that of displacement. We have heard talk already this afternoon about geographical displacement, that when you put pressure on a drug market it is just like when you squish a balloon: it pops out somewhere else. Although no research has been done on this, there appears to be some displacement effects of both users and other market participants to neighbouring areas.

It should be noted that this kind of displacement was, in fact, an intended effect of policing practice according to some senior police officers that we interviewed. The police have equated this to the dispersal of aircraft noise which should be disaggregated in the interests of social equity; spreading it around a bit was regarded as being fair to all and easier to control. From a public health perspective the analogy is inappropriate, not least because it assumes a finite population and discounts the possibility of reproduction of an increasing market.

The other kind of major displacement is a social displacement, particularly we point to the increasing organisation and professionalisation of drug market participants, which pressure from law enforcement can produce. A disorganised street market may be replaced by a much more organised and professionalised market, which is much harder to control. Certainly there has been recent evidence of this in the Police Service's difficulties in dealing with drug sellers who have been moving into premises. There is some irony, and it is almost a self-fulfilling prophecy in the long obsession about Asian organised crime, that in some ways police actions may have facilitated an increase in the hold of such groups over the market.

Thirdly, harm to police public relations: this is an area that we particularly draw to the attention of the Committee. Intensive street level policing has consistently been shown to run the risk of worsening relations between police and sections of the community. It is important to stress that drug market participants are members of the community. Our research has shown that police attempts to impose authority and discipline and to control public and increasingly private space has involved the use of stop-and-search and move-on powers, and trespass provisions, both by the use of legal powers and by informal actions of dealing with people without the use of legal powers. The way in which this has been done has produced resentment and hostility from those subject to it, particularly those from south-east Asian background communities.

It is important to stress that if things are changing in Cabramatta from a police perspective, the community's perceptions and memories take much longer to change. A familiar response to the kind of criticisms that we have made is: well it is too bad, effective policing invariably involves upsetting some people. Here we emphasise the key finding of current international research on policing, this is that it is wrong to set up efficiency and legitimacy as if they have to be balanced against each other. More of one means less of the other. I will give two brief examples of that.

First, in his authoritative survey for the American National Institute of Justice, Lawrence Sherman—whose work is well known and Mr Dyer knows of it—concluded that the public's crucial co-operation with police depends upon the public's perception of police legitimacy and that when police treat people without respect they make their job harder. They actually make people more likely to break the law.

A second major example comes from England. We take a great deal from England, particularly through the influence of Commissioner Ryan and the officers he brought with him. Surprisingly little is heard about the most important current change in English policing, which is the results of the 1999 MacPherson inquiry. It is having a profound effect on English policing. It was an inquiry into relations between police and ethnic communities following the racist murder of a young black man and the botching of the subsequent inquiry by the Metropolitan Police. It blew into a much larger inquiry into many issues.

Subsequently the Home Office researched the stop-and-search practices, which have been a major source of problems between communities and police both there and here. Those reports, about which I can give a summary, identified three key principles of public trust and confidence, legality, and effectiveness. The Home Office concluded that those three principles, far from being in opposition, are largely consistent: far from balancing each other or being traded off against each other, they reinforce each other. The public, including those subject to police suspicion, are prepared to support active policing, but only if it is carried out in a lawful and legitimate way; a way which involves treating people with respect. On the other side, police officers reported that much better results were produced for them by behaving in those ways themselves.

This may sound like commonsense but it needs to be set against the commonsense of street policing practice, which so often emphasises imposing authority and discipline and a proprietorial attitude to the public space, and making people justify their presence rather than police justifying their actions, and so on.

In conclusion, we suggest that the way forward is to acknowledge that there is no prospect of a law enforcement policing solution to the problems in Cabramatta. Such a message is rather politically unappealing to some, but it is vital that politicians and public commentators have the courage to be realistic and honest about this. Public policy has moved in the right direction. For example, the Cabramatta project was a start in providing an integrated inter-agency approach to the problem. However, familiar problems arise with difficulties in inter-agency co-operation, disparity of power and resources and an unwillingness of police to concede their hegemony over defining problems and solutions.

Also, the Drug Summit has illustrated the danger that we may jump from one panacea, law enforcement, to another, treatment. For many of the young people encountered in the research which Dr Maher conducted in Cabramatta, the assumed progression of drug use to treatment to abstinence is replaced by a much more complex cycle of repetitive cyclical use of drug use, getting clean and relapsing. Claims that law enforcement pushes users into treatment must be followed, firstly, by

ensuring that such facilities are genuinely available and the work of the Drug Court has, ironically, put additional pressure on those facilities; and, secondly, by evaluating the long-term effectiveness of particular treatments and the effectiveness of channelling resources into treatment rather than into prevention.

Detoxification for this group is not particularly physically difficult. The real challenge is getting people to stay off drugs. Some relapse, not because of a physical addiction, but because drug use and sales offer them benefits that are not available elsewhere in their lives. The drug market offers them things which they do not find elsewhere in their lives such as friendship, fun, employment and money. Their lives cannot be changed simply by treatment. If we are serious about developing alternatives to criminal justice, hard questions about social and economic change have to be faced. The challenge is to provide legitimate recreation, housing and employment opportunities and social participation and to reduce social discrimination and disadvantage. Some messages are, unfortunately, less easy to sell politically than either treatment or, indeed, law enforcement in the familiar cry of "We need more police".

CHAIR: Dr Maher, do you wish to give a separate presentation?

Dr MAHER: No, we agreed to do a collective presentation.

The Hon. R. D. DYER: Dr Dixon, you said during the latter part of your remarks, words to the effect of that there is no prospect of a law enforcement solution to the Cabramatta drug problem. How do you define the term "solution"? Do you define that as an absence of drug crime? Obviously my point is whether it is a socially desirable objective to inhibit, or reduce to a significant extent, the incidence of drug crime?

Dr DIXON: Absolutely. I was referring, in shorthand, to the law enforcement solution in the sense in which it is usually referred to; that is, suppressing the drug market, eliminating it. We would certainly not suggest that law enforcement is irrelevant to providing solutions to the problem, and I have already mentioned some of the ways of doing so.

The Hon. R. D. DYER: I must say I was somewhat bemused that one of your stated risks of police enforcement was said to be harm to police public relations. Assuming—as I hope we safely can—that at least a majority of the populace are law abiding, would not police public relations be enhanced if there was seen to be effective drug law enforcement?

Dr DIXON: Effectiveness is perhaps not the issue; it is the legitimacy of the way in which those interventions are made. As I said at the end, efficiency and legitimacy will go together. Our research has shown that many interventions that have been made have been made in ways that have caused difficulties between the police and the community. I guess the immediate response to that is to say that it is not between the police and the community but between the police and the people they lock up.

I said in passing in my remarks that the people that police lock up, or stop and search or harass in the street, are part of the community. Our research in Cabramatta has shown that the people whom the police deal with are people who have families, brothers, sisters, mothers, fathers, who see what happens to their young people on the street and are aware of that, and as a consequence their relations with the police are affected by seeing those types of incidents.

The Hon. R. D. DYER: That may well be. But, on the balance of advantage, would it not be reasonable to assume that the police, if they are seen to be doing their job as the public would ordinarily perceive it, get brownie points for enforcing the law, rather than upsetting the families of some criminals?

Dr DIXON: Ironically, the police in Cabramatta have consistently complained about the lack of co-operation that they get from the local community. On our analysis, one of the reasons for that lack of co-operation on which effective policing always depends has been the kind of distrust and problems to which I have been referring.

The Hon. R. D. DYER: Might not that distrust partly come out of though, for example, sociological or cultural factors arising from the background of some of those ethnic groups that come from war-torn backgrounds?

Dr DIXON: Certainly.

The Hon. R. D. DYER: And/or countries that have an unfortunate history of authoritarian and unfair policing?

Dr DIXON: That explanation is always raised, and is certainly the case particularly among some elder members of the community. There are those kinds of cultural memories. However, in the Walls of Silence paper which we submitted to the Committee we argued that that has become rather an excuse to cover up, I think, some of the problems that have been happening.

The point is that younger members of the community are not just from Asian backgrounds. They are also Australians. We found that they have high expectations of how the police will treat them. They have in fact bought the messages of Australian values, of legality, justice, democracy and so on, ironically perhaps to a greater extent than some of their Anglo friends and schoolmates. In the research that we did in the mid-1990s we found great disappointment in those young people about the way they were being treated. There was anger about that.

If the cultural memories approach to which you refer is correct, young people in Cabramatta should not be complaining, because they would be getting exactly what they have been brought up to expect from police. They complain to us with a real sense of disappointment, anger and resentment exactly because they were treated in a way which did not fit with the way they had been told Australian society was supposed to work.

The Hon. R. D. DYER: If you see it in terms of the general community co-operating with the police, might not it be a disincentive, to put it at its lowest, for people from some ethnic communities to co-operate with the police? I am referring not to members of families of persons who might be drug offenders but to people who come from the sort of background that I have mentioned and who have an inherent distrust of the police for the reasons that I have mentioned, quite divorced from their experience of policing in Cabramatta.

Dr DIXON: I am sorry, but I did not quite understand the question.

The Hon. R. D. DYER: Might not there be a cultural difficulty arising from the background of some people that they are disinclined to co-operate with police, not because they have had some unfortunate experience with the police in Cabramatta but because they distrust the police per se?

Dr DIXON: I certainly was not trying to suggest that it is either one or the other. As I said, those cultural memories are alive amongst older members of the community. But amongst the group that we were doing research on, it is the other factors which were predominant.

The Hon. R. D. DYER: You made some reference to displacement effect to neighbouring areas. Do you have any proof, in statistical terms, that this has in fact occurred?

Dr MAHER: We certainly have not done a study of that, and we have not had access to the data. Perhaps Dr Weatherburn might have access to that data and might be in a better position to do something like that. But I think you can see a springing up of and diffusion of drug markets over Sydney over the past two years or so. There is a huge drug market in Campbelltown now. That was not there a few years ago. Marrickville has a thriving drug market. Revesby and Panania have their own drug market now. So does Bankstown. There are all these drug markets all over Sydney, whereas five years ago it was Kings Cross and Cabramatta.

Dr DIXON: As Don said, the difficulty is distinguishing between displacement and the general growth of the drug market. Clearly, what you need to do is to have people doing research in those other areas to determine specifically what the conditions of the growth of those markets are.

The Hon. R. D. DYER: Would you agree with Dr Weatherburn, if I might interpret him this way, that for drug statistics to be at all useful there ought to be some sort of correlation between police enforcement statistics and health statistics, for example?

Dr MAHER: Definitely, yes. There needs to be some sort of surveillance mechanism so that you can bring together a range of data sources—hospital emergency rooms, and surveys of sentinel populations such as injecting drug users, notifications of infectious disease data, as well as the range of data that say the police and courts administration collect.

The Hon. R. D. DYER: All those statistics are currently available in one form or another, are they not? Is it merely a matter of co-ordination?

Dr MAHER: The degree to which some are available is perhaps questionable. Certainly, when I worked at the National Drug and Alcohol Research Centre, Professor Wayne Hall had spent several years trying to get ambulance statistics from the New South Wales Ambulance Service. I believe he has them now, but it was a difficult and protracted process. I think there are problems with getting emergency room data from local area health services. So there needs to be some sort of mechanism or some sort of money put in to oversee that.

The Hon. R. D. DYER: Are needle supply statistics available, for example?

Dr MAHER: They certainly are, both at a local and State level.

Ms LEE RHIANNON: I want to explore a comment you made. You said something to the effect that, ironically, police actions had increased some groups' hold over the market. Could you elaborate on how that works and what groups you are talking about?

Dr MAHER: I guess it is sort of like if you are picking off the easy targets first. So that if you, I guess, play hard ball you introduce into the market the people that can survive that—people that are tough enough, and strong enough, and have the kind of protection and resilience that enables them to operate in an atmosphere where it is a very tough game. The kids and the minor players drop out, so it becomes more systematic, more organised and more hierarchically differentiated. So you actually target harden, I think is the crime prevention expression; you are making it a harder target.

Dr DIXON: It is a process that is commonly found in other similar areas. For example, in the history of gambling control and the history of prostitution control, one of the impacts of police pressures on disorganised street-level markets—unless oppression is effective, which is almost never is—may be to drive the market into more organisation, into having people professionalising it, and so on, the consequences of which may be unattractive.

Ms LEE RHIANNON: Can you comment on the capacity of the police to deal with residents from non-English speaking backgrounds in the Cabramatta area?

Dr DIXON: I cannot comment on that in detail except to refer to the obvious problem which the Police Service itself would acknowledge—the difficulties of providing officers from non-English speaking background communities to work in those communities and the long-standing problems of the Police Service in dealing with minority communities.

Ms LEE RHIANNON: I am not sure whether you believe that you are in a position to answer this question. Do you believe that the police have done enough to recruit people from non-English speaking backgrounds? In evidence this morning it was suggested to us, and we gained the impression, that they had done everything. They felt that maybe they could explore it a bit more but that it was a two-way street, I think was the terminology used, and that more needed to be done by the community.

Dr DIXON: I am not in a position to comment on recruitment strategies, but that makes sense to me. The police do try to recruit but, because of the nature of the occupation, the experience of some people from non-English speaking background communities going into the police has been problematic in the past.

Ms LEE RHIANNON: What do you mean by the expression "going into the police"?

Dr DIXON: Some people who have joined the police have not had particularly positive experiences. I am sure it is a two-way street. There is a difficulty in making it attractive to those communities.

Dr MAHER: Experience has shown that in North America the expectation that you will have, say, an African-American police force in an African-American community perhaps does not go to the core of the problem. The core of the problem may be that there is a lack of cultural sensitivity. We tend to be monolingual in this country—people speak only one language. It is putting the expectation on the ethnic minority community to provide the service rather than up-skilling and training the mainstream Anglo-Saxon police force to be bi-cultural, to speak more than one language, to have an awareness of the issues and to have some cross-cultural competence.

Ms LEE RHIANNON: Referring to that cross-cultural competence, could you suggest more that could be done in that area?

Dr MAHER: Certainly in relation to the police that is not my area of expertise. But we are redesigning the undergraduate medical curriculum at the University of New South Wales. A big part of that is increasing cross-cultural competence for medical students in the hope that they, as doctors, will not have to rely so much on health care interpreter services. We will make it a criteria for entry and say, "There will be increased access to entry into the medical undergraduate degree for people who speak more than one language." So we will have recruitment and entry procedures that reward people for having those skills. Those sorts of skills are valued in a multicultural society. The Police Service could perhaps have a look at some of those kinds of things rather than just saying, "It is them. They need to join the police force. They need to go and work in their communities. It is their problem." It is our problem.

The Hon. D. T. HARWIN: Dr Maher, I think it might be fair to say that, in August 1998, in your paper on the policing of drug offences, which dealt with Cabramatta, you came to four principal conclusions to which you point in the summary. You then updated a number of those conclusions, I suppose you could say, in your submission. I would like to quiz you a little bit more on those conclusions. You said that there are grounds for concerns about trends in heroin use in the area, particularly among young people. Do you have any views on that two years on?

Dr MAHER: Yes. Heroin obviously continues to be widely available across Sydney. The purity remains high. When we did a laboratory based study the year before last we found high levels of purity—a mean or an average of 66 per cent, but a range from 20 per cent to 100 per cent. The price continues to fall. The street price in Cabramatta at the moment for 0.9 of a gram, which is almost a gram of heroin, is \$130 to \$150, depending on the purchaser. In 1995 that same quantity cost \$350 to \$400 a gram. So that is a massive decrease in price. Above the street level prices are also very low. Heroin reportedly sells for \$3,000 to \$3,500 an ounce and \$40,000 to \$42,000 a pound. That is a dramatic drop from prices that have been reported by the police in the surveillance reports over the last five years.

In relation to studies that we have done since then, in 1999 we looked at young Indo-Chinese injecting drug users in Cabramatta. We found that almost one-third had their first injection in a public place. They initiated their injecting drug use in a flat, in a stairwell, in a car park, or on the street. One in 10 injected for the first time with a used syringe. During the last month 65 per cent had injected in flats and 52 per cent reported injecting on the street. These are young people who initiated injecting drug use. Recently, in 1998, we looked at Indo-Chinese new initiates—people who had been injecting for less than two years. We found that one in four had the hepatitis C virus. These are people who are initiates—fresh people coming into injecting drug use.

Forty-one per cent of those had shared a needle and syringe and 21 per cent had done so in the last month. Last year we looked at 184 Asian background injecting drug users in Sydney and Melbourne, primarily in Footscray in Melbourne and in Cabramatta in Sydney. Forty-seven per cent reported mainly injecting in public places, including on the streets in flats and in car parks. In summary, the Cabramatta group were much riskier than the Melbourne group. Statistically, they were significantly more likely to report injecting in public or semi-public places, sharing injecting

equipment in the last month, ever having been imprisoned, and injecting drugs while in prison, which again are major risk factors for the transmission of blood-borne viruses.

While that does not go directly to your question it is evidence that young people are continuing to initiate injecting drug use. They are doing it in circumstances that would have been unheard of 10 years ago in this country. People initiated injecting drug use within social networks, in friends' homes and in private locations. They are doing it on the street in Cabramatta. They are not doing it with clean needles and they are not doing it with any kind of support or supervision.

The Hon. D. T. HARWIN: Can comment on why you think the behaviour is riskier at our end rather than in Footscray?

Dr MAHER: Whether this will change in Footscray in time, I do not know. But I think there are certain features of Cabramatta as a street-based heroin market that make it riskier than, say, Kings Cross. People have less access to sterile injecting equipment than they do in other areas. Six years ago I called for a vending machine and there is still no vending machine in the Cabramatta or Fairfield area. So if you want a syringe after 5 o'clock at night you have to get one on the street from someone else, or you have to reuse a dirty one, except on Friday and Saturday nights when there is an outreach youth health bus until 9.30 at night. So people share because they do not have access to clean equipment.

I refer to those injecting in public and semi-public places. Some people who come to Cabramatta—people who do not live there and who come there to purchase drugs—are worried about being apprehended. They tend to use the drugs there so that when they get on the train they do not have any evidence on them. That also encourages that kind of use in public places. There are problems associated with that. There are problems for residents having to step over comatose bodies in the stairwell and having their back gardens surrounded by littered needles and syringes. We could do a much better job in trying to deal with some of those issues.

But the main issue is presented as a sort of law and order problem and it has been suggested that we need more police and that more police should be going into flats. What you are doing is encouraging people who inject drugs just to throw these needles. I believe that each community has to prioritise their concerns. Is a priority the fact that the stairwells are cluttered up with bodies, needles and syringes and stuff? Perhaps we may need to do something about this intensive policing if they want to work on that. There may be a trade-off there.

The Hon. D. T. HARWIN: The other conclusion I want to go to is where you say that police policies and practices are not significantly constrained by the law. What did you mean by that? Are there any subsequent observations you would like to make in that respect?

Dr DIXON: I guess the particular reference there was to the quantity of interventions that the police make in Cabramatta—for example, stopping and searching people and moving people on. Stop and search powers in law are quite specifically provided, yet the experiences of young people that we deal with in Cabramatta is that they are dealt with in ways which are not provided for by the law. The police stop and search people whenever they feel like it, without grounds for reasonable suspicion and so on. The move-on powers, for example, were a subject of great debate here about providing formal powers to move on in the police and public safety legislation in 1998. The police have always moved people on and have been pretending to do so, irrespective of the specific provisions of that legislation and that sort of thing. That does not necessarily mean that the police are behaving appallingly. It is simply that the law is not particularly relevant to their decisions about how to treat people although, in the earlier research we did, there was certainly considerable concern about the way in which people were being strip searched. We have not followed up those studies more recently which I think was the other part of your question.

The Hon. D. T. HARWIN: Yes, it was. I direct this question to both of you: would I be right in thinking that you think we need to do more in terms of harm minimisation in the Cabramatta area, given the sort of risky behaviour that you have been talking about? Do you see that as an area that has to be expanded upon? I am trying to get a sense of—

CHAIR: Let her answer the question.

Dr MAHER: Certainly. We have been very fortunate in this country in that we do not have an epidemic of HIV infection among injecting drug users. The prevalence has been consistently less than two per cent. What we have at the moment is an epidemic of hepatitis C. We have about 22,000 cases annually and about 90 per cent of these are related to injecting drug use. This is an incredibly costly problem in terms of social, economic and personal terms. It reduces life expectancy and there is considerable morbidity associated with it, including loss of work and productivity and all those things. When you look at the data collected by the National Centre in HIV Epidemiology and Clinical Research, it shows that among 15 to 19-year-olds, hepatitis C infections have risen threefold over the last four years whereas in other age categories, except for males over 40, I think it is actually declining. These young people are acquiring this infection at such an early age and it is something that can be prevented. I think we have lots of evidence that harm minimisation strategies have been effective and that they can work. I think we need to be putting more effort into those as well as a range of other strategies.

Dr DIXON: Harm minimisation is part of the job of police as well. Very often you get a counter-position where there is law enforcement and harm minimisation: law enforcement is what the police do and harm minimisation is what the medicos do. But we have to see that minimising harm is part of the responsibility of police. Of course, the Police Service is committed to harm minimisation in its formal policies. The difficulty, as we try to explain in some of the reports, has been getting those formal policies down to street level, getting them understood by officers and getting them taken into account in everyday practice.

Ms LEE RHIANNON: Just going back to your studies, what did they reveal about procedural justice in the Cabramatta area during the Cabramatta police operations?

Dr DIXON: Procedural justice in the sense of?

Ms LEE RHIANNON: Just how it plays out for young people, particularly young people in their first interaction with police. Obviously during those initial interactions, they can go in different ways with the police. I am just wondering how you find they are being played out. I am tending to hear that it is a law and order or fairly traditional approach. Can you expand on that—whether it is the usual way, or whether there are other openings or other ways young people are being handled?

Dr DIXON: My impression is that the formalities of procedural justice do not figure very much in the relations between police and young people in the street. Relations are governed there, as is so often the case elsewhere, not by the formalities of the law but by the more traditional rules of interaction between police and young people which go back to the police wanting to exert discipline, establish authority and establish their proprietorial ownership of the streets, showing that it is their place and that when young people are there, they have to justify their presence and so on. Further down the line, in terms of procedural justice in police stations and so on, the great difficulty there is the absence—the virtual absence—of effective legal support for young people, particularly when they are in police stations. The failure of New South Wales to provide any kind of public funding support for legal advice in police stations in this State continues to be a major problem in my view. It is one which would be a major advance if that could be addressed.

CHAIR: In your research, you said that you looked at the relationship between the community or the consumer and the police. In your opinion, do you find that the relationship between the police and the community has been deteriorating during the last period? If so, do you have any suggestions about why this is so?

Dr MAHER: We are drafting or piloting questionnaires at the moment for a survey of police and community relations but that exercise has not actually been undertaken in Cabramatta in a systematic way as a random or a structured sample. I think that is actually an important exercise to undertake—not to just hear from the more vocal constituents in the community but to actually survey the community. Perhaps even among the commercial sector it would be good to survey the entire commercial sector, not just the ones who are members of organised interest groups. I think it is actually very important to undertake a very systematic consultation or study of the community perceptions out there, and that has not been done.

CHAIR: Are you going to do it?

Dr MAHER: We are in the process of piloting some surveys. I do not know whether we will actually have enough money to do it for the whole community—a random sample of the whole community—or whether we might just do a random sample of businesses.

CHAIR: The other question I would like an answer to is the topic of displacement. It was suggested when I was reading your submission that we should let drug dealings have a certain kind of space so that the drug dealings can actually take place by the law more or less turning a blind eye. Is that correct?

Dr DIXON: Inevitably, if the police regulate the market—and I am saying openly what has always been the practice because of the impossibility of suppressing it—they are making decisions about where it takes place. What we were arguing there is that if that process is going to happen—in other words, if the police are inevitably involved to some extent in deciding where the market is going to take place—then perhaps those decisions should be made more openly and more consciously by the Police Service in trying to choose places to push the market which would be the least harmful ones.

If that sounds too abstract, maybe I could give an illustration. It is exactly in the same way as has been legislatively provided for the control of prostitution. Certain kinds of street prostitution activities are penalised because of where they take place. We do not allow soliciting to take place within certain distances of schools, public places and so on. Those laws are made on a decision that if something is going to happen then you try to minimise the harm of it happening by trying to push it into certain places. That is the sort of analogy.

CHAIR: I am having problems with your suggestion that, as it stands, there is no law permitting drug dealing of any kind. Are you suggesting in your recommendation that such legislation should be introduced?

Dr DIXON: Not through the law. If you start from the point that suppression is impossible, that the police are there or are inevitably involved in regulating the market, we are suggesting that decisions about how the market should be regulated should be taken in ways that aim to minimise harms of all different kinds which come out of the drug market.

CHAIR: I understand that. However, if you put that onus or discretion on the police, you are asking the police to turn a blind eye to certain areas because we are trying to harm minimise the market.

Dr MAHER: The police already have that discretion at the moment. For example, I understand the police are spending a lot of time and resources in trying to get people who sell drugs out of flats. They are not concentrating on the street market so much. There was a street market, there still is a street market, but a lot of that street market has been displaced into houses and flats where people sell from hardened targets and stuff like that. If the police are putting resources into concentrating on the people selling in the flats, they are not looking at the people who are selling on the streets so much. In effect, they are turning a blind eye to one lot to deal with the other lot. It is just that nobody ever acknowledges that that has happened. All we are saying is perhaps you could have some sort of regulatory framework—it does not have to be law—where you acknowledge that perhaps our priority at this point in time is to look at this rather than to look at that.

CHAIR: Dr Weatherburn made a point about that strategy—whether you want it on a street level or displaced to another place.

The Hon. R. D. DYER: Would you agree with me that the primary role or function of the Police Service is law enforcement?

Dr DIXON: The answer to that is law enforcement, particularly in drug policing, is a tool, a method, rather than an objective. You cannot set up law enforcement, simply enforcing the law, as being the aim, the objective of the Police Service. Inevitably, the police have decided how they enforce the law and they have to make choices about how they enforce the law. The police simply are unable, for all kinds of practical resource implications, to enforce every law there is.

The Hon. R. D. DYER: I take it you are not saying that the Police Service ought to be a social welfare agency?

Dr DIXON: It is a social welfare agency, amongst other things. A great deal of the work of everyday police officers is exactly social welfare. The idea that policing is simply about enforcing law is one of the great myths about policing. All the research which has been done on policing in the last 30 years has shown again and again and again that a great deal of work that ordinary police officers do is not enforcing law. They do other things, such as low level order maintenance and providing all kinds of social service. I do not really think that is what you are referring to in terms of dealing with the drug problem.

I come back to the simple point: A new young officer comes to Cabramatta. His boss says to him, "Go out the door and enforce the law." His or her answer, if he or she had half an ounce of sense, would be to say, "Which law? Against whom—everybody? When? Do you want me to get across the street before I arrest somebody?" No. The whole basis which has been recognised in policing research since the first serious research was done in the United States of America in the 1950s is that the key to policing is discretion, that police have choices they have to make about how they enforce the law.

In Lord Scarman's words in his reports on the Brixton disorders, discretion is at the heart of the policing function. If all we asked our police officers to do was to be legal automatons, we would not have to have such good people and pay them so well. We would just send people out and say, "Be like traffic wardens, go and arrest."

The Hon. R. D. DYER: I am the last person to suggest that the police ought not to have discretion. They clearly do and always have. However, is it not true to say that primarily law enforcement is the role of the police? Are you not really arguing for better co-ordination with the Health Department, to take one example, and other appropriate agencies so that the whole picture is covered? What Dr Maher said about the availability of syringes, for example, is something that is not handled by the police. It is handled by another agency.

Dr MAHER: It is not handled by the police. If there are a limited amount of syringes in circulation and the threat of interdiction or detection by the police is a concern, then that makes those limited amounts of syringes stay in circulation longer, get used more times and possibly shared more. It is something that does have to be dealt with by everyone together.

The Hon. R. D. DYER: I understand that. But are you not more properly arguing for appropriate roles to be filled by the proper agency? In other words, the police carry out their function which, allowing for discretions, I would argue, is primarily law enforcement and other agencies should complete the picture. The availability of needles might be one example. Are you really not arguing for the whole picture to be covered on a co-ordinated basis by the appropriate agency?

Dr DIXON: We are certainly not saying that the police officers have to hand out clean needles, or whatever. I think I agree with you. What you are implying is that what the police have to do—which, again, has been the movement in policing over the last 20 years, that is, recognising that their job is not just law enforcement—is to identify problems and to co-operate with other partners in government in finding solutions. That involves interagency co-ordination. That is the way to deal with such problems. I am sorry to load you with all the cliches.

Ms LEE RHIANNON: At point seven of your submission, you refer to the difficulties in interagency co-operation. You flag that as one of the familiar problems. Do you have any suggestions as to how that can be improved?

Dr DIXON: Interagency co-operation has to be improved by a couple of simple things that immediately come to mind. Firstly, by providing the funding to the other partners which the police have to deal with, which allows them to deal on some kind of equal terms. Secondly, by improving the levels of trust between the various agencies. An always reported problem is of suspicions and resentments which lead to difficulties in information sharing and so on. Thirdly, by the willingness of the Police Service to concede its leading role in defining problems. Very often the Police Service in

interagency initiatives demands the role of defining the problem. There has to be a more equal relationship with other partners.

The Hon. J. HATZISTERGOS: The Fairfield Drug Action Team, which was established in 1996 by the Police Service together with the Drug Programs Co-ordination Unit specifically in relation to the Fairfield-Cabramatta area, does that not have that function of co-ordinating the various strategies aimed at prevention? Where in your paper have you referred to that organisation and its impact?

Dr MAHER: I am actually a member of the Fairfield Drug Action Team, and have been for four years and attend meetings. A number of things have come out of that that have been part of a co-ordinated or intersectorial or multi-agency approach, resources for young people and their parents on the law and drugs, a series of information cards and stuff. Often the negotiations occur at a higher level. The people who are on that committee include the person in charge of juvenile justice for that area, the person in charge of drug and alcohol for that area. So while some decisions are made at that level there is not an enormous amount of power. For a period there was a committee higher than that. It is where the decisions are made, not at that local level.

The Hon. J. HATZISTERGOS: Does it not have a regional action plan?

Dr MAHER: It has changed just recently. It is part of the Premier's Department.

The Hon. J. HATZISTERGOS: They supply a co-ordinator, do they not?

Dr MAHER: Now they do and they have area co-ordinators. The structure has changed. Before it was the Police Service.

The Hon. J. HATZISTERGOS: There is an action plan that they are responsible for overseeing, I take it?

Dr MAHER: I do not know whether the meeting has been—

The Hon. J. HATZISTERGOS: With the assistance of the co-ordinator.

Dr MAHER: Yes, and we have a part-time co-ordinator now, whereas before when the Police Service funded the drug action team we had a full-time person whose job it was to do that.

The Hon. J. HATZISTERGOS: I am interested in that approach as compared with what you were saying about police taking leadership of what seems to me to be both a law enforcement and a harm minimisation approach. Is it not preferable that the matter be dealt with through a multico-ordinated agency such as this as opposed to what I have been led to believe by Dr Dixon, which was for the police to take responsibility for all this?

Dr MAHER: But the Fairfield Drug Action Team cannot tell the New South Wales Police Service how to police Cabramatta. It has an Inspector of Police on it. It just does not have the power base. If you are interested in evaluation of how the Fairfield Drug Action Team has worked, the criminology department of Melbourne University has just completed an evaluation of the first four drug action teams in Australia—in Victoria, Fairfield and Western Australia—and how effective they are. That would be a good source of information.

The Hon. J. HATZISTERGOS: There is nothing in your submission that covers that?

Dr MAHER: No.

Ms LEE RHIANNON: Could we get a copy of that?

Dr DIXON: I can give you the contact, Adam Sutton at the Department of Criminology at Melbourne.

Dr MAHER: When we are talking about harm reduction or harm minimisation, the role of the police and whose responsibility it is, there are some areas where harm reduction overlaps police, health, families, communities and a whole range of sectors. Perhaps the best example of that is that we got data recently from the Australian Bureau of Statistics on mortality rates, death rates. We had a look at these rates. When we disaggregated them we found that Vietnamese-born men in Australia are much more likely than members of any other group to be victims of homicide. They have a rate of death of 5.7 per 100,000 compared with 2.4 per 100,000 for the total male population. Young Vietnamese males aged 15 to 24 have a staggering chance of becoming a homicide victim—a mortality rate of 8.8 per 100,000 compared with 2.8 per 100,000. These young boys are dropping like flies. They are dying at a really alarming rate. Some of this is due to drugs, some of it is to do with organised crime, some of it—

CHAIR: Is there are geographic indication from those mortality rates?

Dr MAHER: No, we just looked at the Vietnamese-born population in Australia. We have not looked at it by area. I do not think that it identifies on that basis.

(The witnesses withdrew)

(The Committee adjourned at 4.15 p.m.)