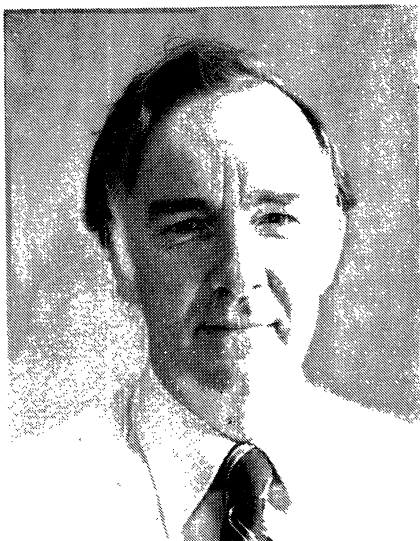


THE WORK OF THE NEW SOUTH WALES BUREAU OF CRIME STATISTICS AND RESEARCH*



by Dr. A.J. Sutton — Director

***This article is a revision of an invited address given by the Director of the Bureau of Crime Statistics to the Thirteenth Criminological Research Conference at the Council of Europe, November, 1978.**

A. Functions of the Bureau

The Bureau of Crime Statistics and Research was established in 1969 as part of the New South Wales Ministry of Justice. The Minister of Justice and the Attorney General have responsibility for matters concerning the courts and the administration of the law in New South Wales. The Departments of Police and Corrective Services are each under the charge of other Ministers of State.

The functions of the Bureau include the collection and interpretation of statistics bearing on crime in New South Wales, a study of the causes of crime, the evaluation of the effectiveness of prevention, apprehension and treatment of offenders. The Australian Institute of Criminology established in 1970, has similar functions at the Commonwealth level, together with extensive training responsibilities. An office of Crime Statistics was established in South Australia in 1978, and discussion on the formation of similar bodies is currently taking place in Victoria and Tasmania.

The functions of the New South Wales Bureau of Crime Statistics and Research are approximately similar to institutions in other countries such as the Home Office Research Unit in the United Kingdom and the Research and Documentation Centre of the Ministry of Justice in the Netherlands. There are, however, differences and complications arising from the separation between different departments responsible for the criminal justice system and between state and federal authorities. For instance, the Bureau of Crime Statistics and Research does not have responsibility for the distribution of funds to external researchers. This is carried out at the federal level by the Criminology Research Council, a committee with state representatives.

Unlike the Australian Bureau of Statistics the Bureau has no statutory responsibility to require the provision of information. Instead it must work by co-operation with other

agencies and departments. Its research work is all published, though some information supplied at ministerial request may be submitted directly to the Minister and not made concurrently available to the public. The Bureau has the responsibility of reporting each year on the operations of courts in New South Wales and for this purpose directly collects statistical records of appearances before the lower courts and obtains statistics concerning higher courts and the juvenile courts from the federal statistical agency, the Australian Bureau of Statistics.

An important characteristic of the Bureau, which is often not the case in similar research agencies, is that it supplies information direct to the public and to the press. The director is responsible for interpreting statistics and research to the public and to the press. This is an important function in an area of government policy which is often marked by sensationalism and inaccuracy.

The Bureau is advised by a committee of the heads of relevant government departments and by senior academics. Projects for research arise from this committee, from the work of Bureau staff, from requests from outside organisations and other government departments and by ministerial direction.

B. Issues in policy research management

The Bureau combines the functions of statistical collection and interpretation, general research, and the provision of public information. It attempts to make all these aspects of its work relevant to current or potential government policy. This mixture of dependence and autonomy puts it in an intermediate position between the typical university-based research unit and a unit directed primarily to monitoring the function of a particular government department and the supply of reports to parliament. In considering the role of the Bureau several issues arise.

1. *Theoretical versus practical research.* Many academics avoid close association with government research on the grounds that it undertake independent theoretical research which contributes to the developments of a particular discipline. They might argue conversely, that close identification with a particular theory inhibits his or her capacity to undertake relevant social action for a particular individual or organisation. Certainly, it would be true to say that no single theory in psychology, sociology or related discipline would be adequate to deal with the phenomena usually studied by the Bureau.

The apparent distinction between theoretical and applied research is less serious than might be supposed. Any aspect of the social environment likely to be the focus of research interest is also likely to have been subject to intervention by government or private organisation. By intervention I mean any policy or action designed to bring about change in individuals, groups or other aspects of the environment. Although an applied researcher may choose an area of study based on intervention and a theoretical researcher focus his or her attention on the study of patterns presumed to support a theory, both must take into account actual or potential interventions in the area of the environment under study. Any attempt to avoid a study of such actual or potential interventions may lead the researcher to concentrate on such specific aspects of the environment that the conclusions lack generality or on such general issues that the conclusions lack predictive power. Both these faults are common in the disciplines of psychology and sociology respectively.

Hence, the distinction between theoretical and so-called practical research in the social sciences is likely to be illusory. A thorough understanding of a particular set of social phenomena must include not only actions which arise naturally as characteristics of the actors and organisations in the setting but also those which arise from deliberate intervention by the members of the setting or by members of organisations external to the social setting.

In conducting a particular piece of research or writing a report of that research, one finds that a balance of theory organisations prefer to publish their data in an essentially uninterpreted form, with the exception of notes on the methodology of the collection. This is typical of the work of the Australian Bureau of Statistics and is also characteristic in large part, of say, the Home Office statistical reports in the United Kingdom. The Bureau has taken a different line and in general has interpreted its statistics fairly extensively. In particular research projects we have discussed the historical and theoretical background to the research so that results and interpretations can be viewed in the social context in which the problem arose. As a consequence some chapters in current reports include observations and arguments which are in themselves theoretical and independent of the data which has been collected. This is, of course, clearly indicated but it is believed that the resulting report is more comprehensive and effective than one consisting solely of statistics.

2. *Short-term versus long-term research.* This is a difficult problem for all research organisations working in conjunction with government. Frequently research results which are relevant to government action are requested with a day's notice or with some equally impossible deadline. On the other hand, if the government's commitment to research is mainly to display token demonstration to the public that "something is being done" then the time element is not critical and indeed the policy requirement of the research has been completed with the announcement of the project. Regrettably, this situation is common and it is a challenge to the researcher, to force the results of his work and its conclusion upon un-

willing ears. It is the responsibility of criminology research units associated with government to attempt to see far enough ahead in the development of government policy to provide the data in sufficient time to be of use when rapid decisions need to be made. Further, such directors should be sufficiently aware of the interrelations between groups and individuals within the government structure. Thus, they can ensure that information which is relevant is directed through to the appropriate decision-making individuals. Of course, in such a subtle process there will be as many failures as successes, typical of any involvement in politics. One cannot avoid involvement with the politics of decision-making — that is the real nature of government and a withdrawal from such responsibility may render the research irrelevant to the decision-making process. If a government researcher is not prepared to make his research pertinent to politics and to involve himself in the decision-making process it would be better for him to work in a university setting where the added independence can allow him to be more assertive and controversial; a function which is also necessary in our society.

The implication of these considerations for the issue of short versus long-term research is that the projected length of projects will have to be short-term in order to be relevant to government decision-making. On the other hands, in certain areas there may be a long process in developing appropriate policies. Hence, a larger scale research project is possible — one which lays out the complexities of an area in the hopes of preventing hasty or ad hoc decision-making.

C. Current projects

Recently published reports of the Bureau illustrate the points that I have been making.

1. *Bail*

The conditions under which a person is held in custody are of critical importance in the administration of justice. In 1976, when a murder was committed apparently by a person on bail on a charge of armed robbery, there was a call for a review of conditions of bail. The recently elected New South Wales Labour government was also keen to review conditions of bail in its concern for a more humane policy. A Bail Review Committee was established by the Attorney General. This committee requested the Bureau of Crime Statistics and Research to undertake two studies into the operation of bail in New South Wales. It was discovered that because bail could be given by a police officer or by a court and because persons awaiting bail or refused bail were held in custody under a different administration — (the Department of Corrective Services) — no unified statistics were available on the numbers of persons granted bail nor on the conditions under which it was granted. A survey of court records and a census of persons in custody but not under sentence was carried out. It was found that a quarter of the defendants leave court in custody after a bail hearing but only one in twenty leaves court in custody after sentence is passed. The severity of bail conditions seems to fall unequally among the population with some persons such as Aborigines more likely to remain in custody than others. The report was written in conjunction with the Bail Review Committee and discusses its conclusions.

Specific recommendations were made by the committee to the government concerning the introduction of the Manhattan Point System for bail. Legislation has been passed embodying most of the recommendations of the committee. When the system is introduced the Bureau is likely to be involved in monitoring its effectiveness. The project was a good example of the way in which research can be used by a government in policy formulation. The government requested and specifically used the work of the committee and the research group.

2. *Armed Robbery*

The report was requested by a Standing Committee of all states and federal attorney-general. It arose from concern at the rapid increase from about 1974 in armed robberies in Australia, particularly in Victoria and New South Wales. It was not directed towards a specific legislation or practices of a particular state nor was it requested as part of the legislative process. It is therefore not possible to point to specific actions which arose from the recommendations of the report, which concentrated on statistical and information systems.

The statistical base of the report was a study of the police files in Victoria and New South Wales for all cases of armed robbery reported to the Criminal Investigation Bureau squads in the years 1975 and 1976. Characteristics of the events were studied and interviews were conducted with a variety of key personnel in law enforcement and private security systems and in private industries and unions. The results of an overseas tour by the head of the Armed Robbery Squad in Victoria were also included in the report. The report represents a useful information base for decision-making concerning armed robbery. However, the recommendations concerning the tightening of statistical and information gathering procedures can only be implemented by the police departments. They are not easy to convince about the importance of such measures. The report did not have the same direct flow through to action as did the bail report. It is, however, widely quoted by the public and by the press and has been used extensively by security organisations.

3. *Homosexual offences*

The report was initiated from within the Bureau and followed a discussion paper of homosexual offences prepared for a seminar on "victimless crime" conducted by the labour government on taking office in 1976. The repeal of the law prohibiting homosexual acts between consenting adults in private is neither the government's nor the opposition party's policy. Hence, legislative change would require a private members' Bill. At a time when the introduction of such a Bill seemed likely the Bureau conducted a study of the records of all homosexual offences in 1975. Data was collected on characteristics of the offence, including consent, whether money was involved, location (ie. public or private) and the respective ages of the parties. To our knowledge no other study anywhere has recorded these details on all homosexual offences in a given period from court papers. We were further able to show what change would have occurred in the conviction rate if the law regarding homosexual acts involved the same age of consent as for heterosexual acts. To this date no Bill has been presented to parliament but the data obtained will be of importance in establishing the facts in what has become an emotional and controversial debate.

4. *Company investigations*

Offences against the Companies Act and securities exchange legislation are investigated by the state Corporate Affairs Commission. The Bureau was requested by the commission to make a study of the information and statistical system of the investigation division of the commission. All investigations which had commenced in 1975 were examined. The records were reviewed, the characteristics of the alleged offences tabulated and the procedures and difficulties associated with the investigation of particular categories of company offence were examined. A system of recording the material was recommended so that statistical and investigatory goals could be achieved. These procedures have been implemented on a trial basis although full implementation will depend on the acquisition of a computer or access to on-line computer terminals and appropriate programming. Work towards such developments has now commenced in a committee on which the author of the report will be a member.

We took the opportunity to include a history of the Company Act in New South Wales and a discussion of the general issues involved in corporate crime. The report has been very well received and should prove of value in a wide range of situations, including the development of government legislation and studies of the phenomenon of corporate offences is being reviewed by another part of the Department of the Attorney General and of Justice and the recommendations of the Bureau report have been incorporated in that review. Although the study was a long one, it has been timely and useful for the review of government legislation as well as being effective in the work of a particular government organisation. We have been able to widen public information in this complex area, that is not always possible where the appropriate background to a problem cannot be discussed because a report has been requested at very short notice.

D. *Current work at the Bureau*

The Bureau has continuous responsibility for the production of statistics on appearances before Courts of Petty Sessions and co-ordinates these with court statistics collected by other agencies in an annual publication. Consideration is being given to the collection of statistics from Coroner's Courts, to be added to the annual publication.

The other current research work of the Bureau falls into five main areas.

1. *Diversion programmes and sentencing*

Over recent years there has been a tendency in all jurisdictions for courts to seek a greater variety of options in sentencing than the traditional fines and imprisonment. The use of probation services has increased, as have the development of programmes linking the justice system with the health and welfare systems. In New South Wales two "diversion" programmes have been developed; one for drunk drivers and one for drug addicts. Similar models can be found in other countries and other states of Australia. The Bureau is evaluating both these programmes at the request of the government. They are seen by the government as pilot programmes which will be reviewed at the conclusion of the investigation.

The use of a control group in evaluation is very difficult in an area where government policy is developing rapidly. The programmes have been partially expanded during the pilot stage and changes of method and personnel have taken place. The only reasonable evaluation that can be conducted is what has been termed by some a "process" evaluation. In such an approach the goals of the programme are examined and a precise description of programme activities studied in relation to the goals. We have also studied the expectations, roles and tasks of the participants in the programme. Through this procedure some criterion measures will be established and examined. Although no control group design has been possible multivariate techniques should help in separating out effects of the variables. Further the process evaluation has made possible a close relationship between the researchers and the workers of the programme. Some feedback has already taken place and the process of evaluation should result in a closer fit between the explicit and implicit goals of the programme and the actual activities undertaken.

In the likely event that a system of Community Service orders is introduced into New South Wales, the Bureau will be responsible for evaluating the programme and assisting the Research Division of the Department of Corrective Services to set up a permanent monitoring system.

2. *Juvenile crime*

This work has been initiated by the Bureau as a result of dissatisfaction with the current system of categories used for describing juvenile offences and orders under the Child Welfare

Act. A fairly large sample of court papers will be examined in order to obtain a detailed description of the actual behaviour involved in the incidents for which the child was brought to court. Interviews have also been conducted with key personnel in the field, including the district officers of the Department of Youth and Community Service (Child Welfare Department), the Police Department (who administer a system of official cautions similar to that in other States and the United Kingdom), and magistrates in juvenile courts. The current Child Welfare Act in New South Wales is being reviewed and this project should provide a suitable data base for an examination of the changes in the Act and their effectiveness.

Another project is looking specifically at vandalism in schools. This is at the request of the Minister for Education and access to the records of the department has been obtained. Initially a statistical study will be undertaken followed by a further study involving interviews with participants and with those in the system who deal with the problem of vandalism in schools. It is hoped that some interlock between projects and the general programme on juvenile crime should be possible.

3. Police and corrective services training

Through an association with Mitchen College of Advanced Education in New South Wales, which conducts a diploma course for justice personnel, the Bureau is undertaking a study of the roles of officers in the justice system. It is based on a role theory model and involves a description of their interrelationships with others in the system. An examination will also be made of courses of training which are relevant to the development of more efficient and better skills in the tasks required of officers at middle management levels. An added advantage of this research is that the personnel of the justice system have the opportunity to discuss with the researchers their approach to other matters being studied by the Bureau including, for example, custodial programmes and police management of juvenile offenders. The research will have direct input into the training programme and has the close co-operation of members of both police and corrective services departments. The likely effect on police is therefore substantial.

4. Trends in violent crime

Many requests to the Bureau from the public and the press concerned trends in violent crime. The public and the press do not appreciate the difficulty of commenting on these trends from official statistics, leaving aside the vexed question of unreported crime. Initially in research in this area, court and police statistics have been examined to provide a more complete description of the sort of violent offences being committed. This will make possible a more informed view of the trends in reported violent crime. At present it is only possible to draw unwarranted conclusions from unsatisfactory categories. The press frequently interpret particular dramatic murders and other interpersonal offences as indicating a "breakdown of society" whereas no statistical increase has occurred. The Bureau has already conducted studies of armed robbery and of rape. The offence now being investigated is assault. After the initial court study a much closer examination will be made of domestic assault. There are severe problems of management here with large numbers of domestic assaults being withdrawn from court action before reaching a conclusion. Further, changes have been made in the Family Law Act by the federal government and its interaction within state jurisdictions is complex. Services for women have developed, but a correct balance between the law and the welfare and health systems is also a critical issue in this area. At the conclusion of the project it is intended to study other violent

offences until an overall picture can be built up of the details of violent crime in the state with regular monitoring.

5. Monitoring legislative changes

The Bureau has been asked by the Attorney General to monitor the effect of recent changes in the law concerning summary offences and bail. In a sense this adds to the already extensive Bureau research in the evaluation of Government programmes, although in this area we will be mainly concerned with the establishment of an adequate monitoring system.

E. Policy research

Earlier the work of the Bureau of Crime Statistics has been contrasted with that of a university research organisation in criminology or a government department research unit directed towards specific management questions.

Another comparison could be made to the kind of Central Policy Unit developed over recent years by many Western governments. One which has received a good deal of attention is the Central Policy Review Staff developed in Britain by a previous conservative government and continued by the labour government. The work of this body has been widely discussed, for instance by Christopher Pollitt in an article in the *British Journal of Public Administration* (Volume 52, 1974, pages 375 to 392) and, more analytically, within the general question of financial management within the British Government by Heclo and Wildavsky (*The Private Government of Public Money*, MacMillan, 1974). Such units are intended to provide an approach which goes beyond the interests of particular departments. They should be creative in their approach to problems and critical of established views. They are expected to cover an enormous range of possible topics and yet make their studies within periods of several months. Criticisms of the superficiality of their work are inevitable.

There is also implicit conflict in such a policy unit. Heclo and Wildavsky talk about conflict with the Cabinet Office. Even in Sir Harold Wilson's positive view of the CPRS (see his book *The Governments of Britain*), it is clear that there is some conflict between the unit's function and that of the ministerial advisers appointed by his government. Nevertheless, the problem of integrating the work of a wide range of departments and of academic disciplines in dealing with issues such as urban development and crime in modern societies, still remains.

In 1972 the Commonwealth Labor government appointed a similar body, called the Priorities Review Staff (PRS). Again the same kind of conflicts developed as in the United Kingdom and they were not resolved when that government was removed from office in 1975. The subsequently elected liberal government disbanded the PRS and passed its operations to the Prime Minister's Departments (where they exist) can take over the co-ordinating role of a group such as the Priority Review Staff. However, such central departments service the Cabinet or the central administration and have their own political demands, as does the Treasury which is the other main co-ordinating body in any government administration.

It would seem worthwhile for governments to pursue the possibility of setting up such organisations within a particular area of government policy-making. If a major issue has implications for the work of several departments and/or requires the interests of various academic disciplines then it would be worthwhile to set up a unit to deal with this issue. To give such a unit reasonable breadth, it should have the same sort of independence given to a central policy review staff, but it should be limited to the particular issue under consideration. This would have the effect of reducing some of the conflict between a central policy body and interested departments or

groups. Staff in the unit need not then be experts in every aspect of government administration. Another advantage of the proposed more specific policy units would be that their personnel could have more realistic and detailed knowledge of funding aspects of alternative policies. General policy units are often feared as they provide an obstacle similar to that of the Treasury from the department's point of view.

I am suggesting that the structure of the Bureau of Crime Statistics and Research in New South Wales is an effective model of such a policy organisation. Other areas which might merit the same treatment would be, say, resources, where

conservation and mineral development issues come into conflict. Health, education and welfare provide other obvious opportunities for such a unit but may be too large an area. The areas chosen for such a unit should be fairly closely identified with a broad range of functions already performed by government departments. The criterion for choice of an area for a policy unit should not rest solely on identifying particular categories of persons affected by the policies of the government. In these cases more temporary task forces would seem to be more appropriate, subsequently leading to boards and other control bodies where legislation is to be administered (eq. anti-discrimination legislation).

- ★ Smash Repairs ★ Panel Beating
- ★ Detailing ★ Windscreens
- Free Quotes*

BILL BOURKE & ASSOCIATES

42 Primmer Street, Coorparoo
Phone 397 4672

NUNN & TRIVETT'S

COMMERCIAL COLLEGE LIMITED

Shorthand, Typing, Business Principles, Individual
Training in all Commercial Subjects

1st Floor, Civic Arcade, Adelaide Street
Brisbane, Queensland. Telephone 221 8114

*For that cool refreshing drink at the
end of the day come and join us in
the friendly atmosphere of the*

Rose and Crown Hotel

*Proud to be Associated with the
A.C.P.C.*

Kerry & Cris Haralambedis (Licensee)
9 Glenmore Road, Paddington, NSW. 2021
Telephone: 31 2365

Cold bottles always available. Well stocked bottle
department for all your take home requirements.

Wines, spirits, ales, liquors.

Open 7 days a week.

BANKSTOWN HOTEL

(Mine Host — Don Cowan)

Where the ale is cool and a warm welcome is
assured

Public Bar, Saloon, Lounge and Den Club Bar
Well stocked bottle shop with over 80
discount lines

North Terrace, Bankstown, (02) 70 1142
7.30 a.m.-8.30 p.m. 6 days a week

Proud to be associated with the A.C.P.C.

COUNTER CACHE

A New Concept in Cash Security

- ★ Security at the most vulnerable point — the cash register —
- ★ Excess notes **not** exposed as register opens
- ★ Hold 500 to 600 notes
- ★ Notes neatly stacked ready for counting
- ★ Logical inexpensive thief resistant



For More Information Contact:
Q.E.S. PRESS (AUSTRALIA) PTY. LTD.
65 Blackshaw Avenue, Mortdale, N.S.W. 2223
Telephone: (02) 570 6244

